

16TH ANNUAL
**ESTATE PLANNING, GUARDIANSHIP
AND ELDER LAW CONFERENCE**



August 7–8, 2014
Moody Gardens Hotel ■ Galveston, Texas

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TX Legal Specialization Credit Approved for Estate Planning and Probate, Law and Tax Law

Informative and Informal—Beach Casual Attire Welcomed

ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE

August 7–8, 2014 ■ Moody Gardens Hotel ■ Galveston, Texas

Earn up to 14.50 Hours of Credit Including 2.25 Hours of Ethics Credit and 3.75 Hours of Guardianship Credit (G),
17.00 Hours of CPE Credit (NASBA), and 19.00 Hours of CFP CE Credit

THURSDAY MORNING, AUG. 7, 2014

Presiding Officer:

H. Clyde Farrell, Farrell & Pak PLLC,
Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks**9:00 a.m. .75 hr****Estate Planning for Retirement Benefits**

An overview of the most common retirement benefits and how to work with and coordinate those benefits with a client's estate plan during life, at death and following death.

Katherine C. Akinc, Ikard Golden Jones P.C.,
Austin, TX

9:45 a.m. .50 hr**Leaving an IRA to a Trust**

A discussion of conduit trusts and accumulation trusts, and how a few tweaks to your standard trust forms can allow a trustee to defer income tax for years after the IRA owner dies.

Dianne Reis, Attorney at Law, Plano, TX

10:15 a.m. .50 hr | .25 hr ethics**Nuts and Bolts: Planning for the Transfer of Non-Probate Assets at Death**

Examine non-tax issues associated with non-probate assets and learn practical methods to coordinate those assets into the estate plan, including tips for due diligence in managing paperwork associated with those assets (e.g., letters terminating JTROS status, how to complete beneficiary designations, etc.).

Arielle M. Prangner, Davis & Willms, PLLC,
Houston, TX

10:45 a.m. Break**11:00 a.m. .75 hr****Kick It Up a Notch: Adding a Dash of SNT to Your Estate Planning Recipe**

A discussion of important governmental benefits issues to consider—and language to include—when drafting traditional wills and trusts.

Donald F. Carnes, Hill Ducloux Carnes & De La Garza, Austin, TX
Deborah A. Green, The Law Offices of Deborah Green, Austin, TX

11:45 a.m. .75 hr**Nursing Facility and Home Health Care Contracts: An Overview of Basic Rights and Obligations**

A primer for the practitioner helping clients navigate a resident's rights in a skilled-care facility and understand the obligations of in-home caregivers and their employers.

Marilyn G. Miller, Attorney at Law,
Dripping Springs, TX

12:30 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Wesley E. Wright, Wright Abshire,
Attorneys, Bellaire, TX

LUNCHEON PRESENTATION

12:50 p.m. .75 hr**Between Death and Probate: Selected End-of-Life Issues**

Review and learn ways that estate planners can help clients prepare for death by exploring legal and practical issues associated with death and dying, including advanced directives, what to do when someone dies and disposing of physical remains.

Melissa J. Willms, Davis & Willms, PLLC, Houston, TX

1:35 p.m. Break**1:50 p.m. 1.00 hr | .50 hr ethics | 1.00 hr G****The Role of the Ad Litem**

An overview of the responsibilities of the attorney ad litem and guardian ad litem in guardianship proceedings with an emphasis on practical application of the statutes, conduct in uncontested and contested proceedings and pointers on applications for fees. The materials include numerous checklists, comprehensive references and forms.

Hon. Steve M. King, Tarrant County Probate Court #1,
Fort Worth, TX

2:50 p.m. .50 hr**Determination of Capacity**

A discussion focused on the medical process of assessing decisional capacity with particular emphasis on the cognitive processes that mediate decisional impairments.

Dr. Jason E. Schillerstrom, The University of Texas
Health Science Center at San Antonio,
San Antonio, TX

3:20 p.m. Break**3:30 p.m. .75 hr****Strategies to Potentially Maximize Social Security Benefits**

This presentation covers social security retirement benefit planning, and addresses unusual benefit strategies including restricted application and file and suspend. Government Pension Offset and Windfall Elimination Provisions are also discussed.

Christopher J. Maurer, J.D., CFP

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4:15 p.m. .75 hr**VA Benefits: Finding the Pearls**

It is not enough to gather the oysters; the true value is in the pearl. When practicing VA benefits, knowing the basics of eligibility and how to file an application is not enough. This presentation gives you the "pearls" to make you more proficient when representing veterans.

Victoria L. Collier, The Elder & Disability Law Firm of
Victoria L. Collier, PC, Decatur, GA

5:00 p.m. .50 hr**Dealing with Non-U.S. Applicants for Medicaid Benefits**

An examination of the effect citizenship and nationality requirements have on Medicaid eligibility plus a contextual discussion on the path to citizenship.

Kelley M. Bentley, Wright Abshire, Attorneys,
Bellaire, TX

Commentator:

Janet B. Beck, University of Houston Law Center,
Houston, TX

5:30 p.m. Adjourn to Networking Reception

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FRIDAY MORNING, AUG. 8, 2014

Presiding Officer:

Patricia F. Sitchler, Schoenbaum,
Curphy & Scanlan, P.C., San Antonio, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. 1.00 hr | .25 hr ethics | .25 hr G

Ask the Experts

A panel of seasoned practitioners respond to your frequently—and sometimes infrequently—asked questions including practice, professional and ethical issues in estate planning, probate, guardianship and elder law.

Moderator:

H. Clyde Farrell, Farrell & Pak PLLC, Austin, TX

Panelists:

Randy Drewett, Attorney at Law, Beaumont, TX
Craig Hopper, Hopper Mikeska, PLLC, Austin, TX
Marilyn G. Miller, Attorney at Law,
Dripping Springs, TX
Patricia F. Sitchler, Schoenbaum, Curphy &
Scanlan, P.C., San Antonio, TX

9:00 a.m. .75 hr | .25 hr G

Case Law Update: Estate Planning, Guardianship and Probate

A review of recent cases involving estate planning and administration, guardianship issues and probate matters, and a discussion of the important lessons to be learned from each.

Mary Alice Jackson, Attorney at Law, Austin, TX

9:45 a.m. Break

10:00 a.m. .75 hr | .75 hr G

Creating a Guardianship

Learn how to create a guardianship under the Texas Estates Code—with new forms for a new era!

Craig Hopper, Hopper Mikeska, PLLC, Austin, TX

10:45 a.m. .75 hr ethics | .50 hr G

Top Ten Mistakes in Guardianship Litigation

The most common mistakes and missed opportunities by attorneys handling contested guardianship matters, including contested applications, removals and related litigation.

Sarah Patel Pacheco, Crain, Caton & James, P.C.,
Houston, TX

11:30 a.m. .50 hr

The View from HHSC

Hear the Texas Health and Human Services Commission (HHSC) address current issues in long-term care Medicaid eligibility.

Shari L. Nichols, Texas Health and Human Services
Commission (HHSC), Austin, TX

12:00 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Hon. Gladys B. Burwell, Senior Statutory
Probate Judge, Friendswood, TX

LUNCHEON PRESENTATION

12:20 p.m. 1.00 hr

What Every Estate Planner Needs to Know about the Affordable Care Act

You have heard a lot about the Affordable Care Act lately, but what does it mean for you? This presentation covers the basics of the ACA and some important parts of the law that you may not already know. Learn how the ACA not only benefits your clients, but could also benefit you as an employer.

Pi-Yi Mayo, Law Office of Pi-Yi Mayo, Baytown, TX

1:20 p.m. Break

1:35 p.m. 1.00 hr | .50 hr ethics | 1.00 hr G

Role of the Guardian

An examination of the duties and responsibilities of a guardian under Texas law and guardianship administration from initiation to closing, including the code requirements of selling and leasing property, ethical issues and more.

Stephen Jody Helman, Osborne, Helman, Knebel &
Deleery, L.L.P., Austin, TX

2:35 p.m. .50 hr

Planning for Clients without Perfect Successor Trustee Children

Clients' estate and long-term care plans are often based on having one or more ideal successor trustee children to carry out the clients' wishes. This session addresses steps to improve planning for clients' long-term care and later estate administration when their plans depend upon corporate fiduciaries, other unrelated parties or less-than-perfect children.

Renée C. Lovelace, The Lovelace Law Firm, P.C.,
Austin, TX

3:05 p.m. .75 hr

Planning for Same-Sex Couples after *Windsor*

The federal recognition of same-sex married couples has far-reaching consequences, as does the finding that DOMA is unconstitutional. The *Windsor* decision affects planning in every way a marriage can affect planning. Especially in states that do not recognize such marriages, the decision presents a myriad of planning challenges for same-sex couples.

Alan K. Davis, Meadows, Collier, Reed, Cousins,
Crouch & Ungerman, L.L.P., Dallas, TX

3:50 p.m. Adjourn

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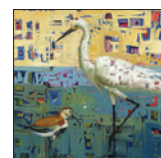
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“

Excellent topics and speakers. Overall, a great conference!

This course is always excellent and worth attending. I've enjoyed it for many years.

The entire program was directly applicable to my practice.

'Ask the Experts' is always why I come; it's fantastic.

This has been a very educational and enjoyable conference.

A well-organized conference with well-qualified, professional speakers.

I appreciate the level of expertise of the speakers.

Great program. Super topics. Super speakers. Great forms. Useful and applicable information.

”

HOW TO REGISTER

Online:

www.utcle.org/conferences/ER14

Mail:

The University of Texas
School of Law
Attn. Registration
PO Box 7759
Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

*Dietary requirements or Accessibility needs?
Call 512.475.6700 or email service@utcle.org*

ACCREDITATION

CLE CREDIT

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 14.50 hours, of which 2.25 credit hours will apply to legal ethics/professional responsibility credit and 3.75 hours will apply to Guardianship credit.

Texas Legal Specialization Credit Approved for Estate Planning and Probate Law, and Tax Law

The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively approved provider (#169).

CPE CREDIT

The University of Texas School of Law is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

Earn up to 16.50 credits in Specialized Knowledge and Applications and 0.50 credits in Taxes.

Delivery Method: Group-Live

Program Level: Overview

Advance Preparation: None

To comply with NASBA Standards, the Registry sponsor is required to maintain records of participation, dates and locations of programs and number of CPE credits earned by participants. Attendance sign-in sheets will be available at the registration desk and attendees claiming CPE credit must sign in to verify attendance for each segment. You will need your CPA license number to sign in. A CPE Certificate of Completion will be issued at the conclusion of the conference.

CFP CREDIT

Approved for 19.00 Hours of Certified Financial Planner Credit (CFP).

REGISTRATION FORM

PLEASE PRINT CLEARLY

ER14

Bar Card# _____ ☐ TX ☐ Other State: _____ ☐ N/A

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Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION—Includes Course Materials, Thursday and Friday Luncheon Presentations and Thursday Evening Networking Reception

For Group registration, call 512.475.6700.

1. Select Registration Type

☐ Individual registration by July 30, 2014 \$555

☐ Individual registration after July 30, 2014 \$605

2. Select Course Materials Format

☐ Electronic Course Binder on USB Key ONLY

☐ Printed Course Binder ONLY

IN-HOUSE—For Texas MCLE Credit

ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3–5 weeks after conference date. Shipping included.

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ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE

August 7–8, 2014 ■ Moody Gardens Hotel ■ Galveston, Texas

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ER14

GALVESTON

August 7–8, 2014

CONFERENCE LOCATION



Moody Gardens Hotel

Seven Hope Boulevard
Galveston, TX
888.388.8484

Special Room Rate: \$168

good through July 16, 2014
(subject to availability)

Parking:

Complimentary self-parking;
\$5 daily valet; \$18 overnight valet

KEY DATES

July 30, 2014

last day for early registration
add \$50 for registrations
received after this time

August 1, 2014

last day for cancellation (full refund)

August 4, 2014

last day for cancellation (partial refund)
\$50 processing fee applied

August 7, 2014, 8:50 a.m.

Conference begins

REASONS TO ATTEND THE ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE

The Estate Planning, Guardianship and Elder Law Conference presents current developments and practical tips for estate planners and elder law attorneys, offers essential information for guardians ad litem, and provides a must-have set of materials and resources.

- Understand the impact of the Affordable Care Act, plus estate planning for same-sex couples in Texas after *Windsor*
- Review the latest developments during the “Case Law Update”
- Get answers to your questions at the popular “Ask the Experts” panel
- Gain insight into estate planning for retirement benefits, including leaving an IRA to trust, and the nuts and bolts of drafting and filing beneficiary designations
- Learn strategies on how to maximize Social Security and VA benefits
- Hear from the HHSC on current issues in Medicaid eligibility
- Analyze select topics including determination of capacity, tricks and traps in nursing home and home health agency contracts, practical post-mortem issues, and much more
- Review guardianship essentials and hot topics—earn up to 3.75 hours of Guardianship credit
- Earn up to 2.25 hours of legal ethics credit
- Network during Thursday evening’s Reception—all attendees are invited

This conference is informative and informal—attendees and faculty are welcome to dress “beach casual” and bring the family to enjoy Moody Gardens on Galveston Island!