16th Annual Estate Planning, Guardianship and Elder Law Conference
August 7-8, 2014 • Moody Gardens • Galveston, TX

Thursday Morning, Aug. 7, 2014

Presiding Officer:
H. Clyde Farrell, Farrell & Pak PLLC - Austin, TX

8:00 am	**Registration Opens** Includes continental breakfast.
8:50 am	**Welcoming Remarks**
9:00 am 0.75 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 am 0.50 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 am 0.50 hr 0.25 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 JTWROS status, how to complete beneficiary designations, etc.). Arielle M. Prangner, Davis & Willms, PLLC - Houston, TX
10:45 am	**Break**
11:00 am 0.75 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 am 0.75 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 pm	**Pick Up Lunch** Included in registration.

Thursday Afternoon, Aug. 7, 2014

Presiding Officer:
Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX

LUNCHEON PRESENTATION

12:50 pm 0.75 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 pm	**Break**
1:50 pm 1.00 hr 0.50 hr ethics 1.00 hr guardianship	**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. This session has moved to 8:00 AM Friday Hon. Steve M. King, Tarrant County Probate Court #1 - Fort Worth, TX
2:50 pm 0.50 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 pm	**Break**
3:30 pm 0.75 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. Securities and advisory services offered through SagePoint Financial, Inc., member FINRA/SIPC. Park Place Financial, Bellaire, Texas (713) 667-4884, is not affiliated with SagePoint Financial or registered as a broker-dealer or investment advisor. Christopher J. Maurer, J.D., CFP

4:15 pm 0.75 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 pm 0.50 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 pm	**Adjourn to Networking Reception** **Thank You to Our Reception Sponsor** Frost Wealth Advisors

Friday Morning, Aug. 8, 2014

Presiding Officer:
Patricia F. Sitchler, Schoenbaum, Curphy & Scanlan, P.C. - San Antonio, TX

7:30 am	**Conference Room Opens** Includes continental breakfast.
8:00 am 1.00 hr 0.25 hr ethics 0.25 hr guardianship	**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. This session has moved to 12:20 PM Friday 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 am 0.75 hr 0.25 hr guardianship	**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 am	**Break**
10:00 am 0.75 hr 0.75 hr guardianship	**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 am 0.75 hr ethics 0.50 hr guardianship	**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 am 0.50 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 pm	**Pick Up Lunch** Included in registration.

Friday Afternoon, Aug. 8, 2014

Presiding Officer:
Hon. Gladys B. Burwell, Senior Statutory Probate Judge - Friendswood, TX

LUNCHEON PRESENTATION

12:20 pm 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. This session has moved to 1:50 PM Thursday Pi-Yi Mayo, Law Office of Pi-Yi Mayo - Baytown, TX

1:20 pm	**Break**
1:35 pm 1.00 hr 0.50 hr ethics 1.00 hr guardianship	**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 pm 0.50 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 pm 0.75 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 pm	**Adjourn**