


# 22<sup>nd</sup> Annual Estate Planning, Guardianship and Elder Law Conference July 30-31, 2020 • Live Webcast

## Thursday Morning, July 30, 2020

### Presiding Officer:

H. Clyde Farrell, Farrell & Johnson PLLC - Austin, TX

7:30 am	<p><b><a href="#">Virtual Exhibit Hall Open</a></b>- Remember you can visit with our exhibitors face to face in <a href="#">Zoom</a> as well!</p> <p>Please take time to visit our sponsors and exhibitors in the <a href="#">virtual exhibit hall</a>. You have the opportunity to meet with sponsors and exhibitors in our Zoom room to hear about their products and services and also possibly win some great prizes.</p>
8:00 am	<p><b>Welcoming Remarks</b></p> <p><b>Thank You to Our Exclusive Webcast Sponsor:</b></p> 
8:10 am 0.50 hr	<p><b>Leaving IRAs to a Trust</b></p> <p>Many clients have significant IRAs and 401(k)s, which we must plan for when preparing their estate plans. Learn the basic rules for naming a trust for children as a beneficiary of IRAs and 401(k)s, including Designated Beneficiary and Stretch IRA rules. Explore the requirements and impact of various trust options, including see-through, conduit, accumulation and special needs trusts.</p> <p>Tresi Weeks, The Weeks Law Firm, PLLC - Plano, TX</p>
8:40 am	<p><b>5-Minute Break</b></p>
8:45 am 0.50 hr	<p><b>Feeling Insecure About Beneficiary Designations?</b></p> <p>The SECURE Act took away the stretch-out for many IRA beneficiaries, while making it even harder to use what few options are left. Join us for a guide to the impossible.</p> <p>Dianne Reis, Attorney at Law - Plano, TX</p>
9:15 am	<p><b>5-Minute Break</b></p>
9:20 am 0.50 hr	<p><b>Overview of Medicaid Planning</b></p> <p>What non-elder law attorneys need to know about planning for long-term care.</p> <p>Pi-Yi Mayo, Mayo &amp; Poland PLLC - Baytown, TX</p>
9:50 am	<p><b>5-Minute Break</b></p>

<p>9:55 am 0.75 hr 0.25 hr ethics</p>	<p><b>Medicaid Update</b></p> <p>Latest developments affecting planning and applications for Medicaid to pay for nursing home care and home care, including new COVID-19 policies, new policies exempting certain retirement accounts from countable assets, status of Lady Bird Deeds and Transfer on Death Deeds, current Medicare and Medicaid eligibility numbers, summary of all 109 Texas Medicaid programs (and 9 other means-tested benefits).</p> <p>H. Clyde Farrell, Farrell &amp; Johnson PLLC - Austin, TX Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX</p>
<p>10:40 am</p>	<p><b>5-Minute Break</b></p>
<p>10:45 am 0.75 hr 0.25 hr ethics</p>	<p><b>Morals From the Courthouse: A Study of Recent Texas Cases Impacting the Wills, Probate, and Trust Practice</b></p> <p>Discuss recent judicial developments relating to the Texas law of intestacy, wills, estate administration, trusts, and other estate planning matters.</p> <p>Elisa Dillard Rainey, Rainey &amp; Rainey, Attorneys at Law LP - Waco, TX Materials By: Gerry W. Beyer, Texas Tech University School of Law - Lubbock, TX</p>
<p>11:30 am</p>	<p><b>5-Minute Break</b></p>
<p>11:35 am 0.75 hr 0.50 hr ethics</p>	<p><b>Top Ten Medicaid Estate Recovery Issues - 2019 and Forward</b></p> <p>Texas Health and Human Services Commission and Office of Inspector General-MERP resolved several MERP issues in 2019 and early 2020 but there are still outstanding issues that must be addressed by practitioners. The author will provide an overview of changes and suggested good practices in resolving MERP issues.</p> <p>Patricia F. Sitchler, The Law Office of Patricia Flora Sitchler - La Vernia, TX</p>
<p>12:20 pm</p>	<p><b>Break for Lunch - Presentations Resume at 12:45</b></p> <p>Please take time to visit our sponsors and exhibitors in the <a href="#">virtual exhibit hall</a>. You have the opportunity to meet with sponsors and exhibitors in our Zoom room to hear about their products and services and also possibly win some great prizes.</p>

## Thursday Afternoon, July 30, 2020

**Presiding Officer:**

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

**Thank You to Our Premier Sponsor:**



## Luncheon Presentation

12:45 pm 0.50 hr	<b>Reasons to Live in Sin After 65</b>  Getting married later in life comes with a number of potentially negative consequences. Explore the bigger threats and possible solutions.  John K. Ross IV, Ross & Shoalmire PLLC - Texarkana, TX
1:15 pm	<b>5-Minute Break</b>
1:20 pm 0.50 hr	<b>E-Signing of Wills and Other Documents</b>  On-Line Notary, Unsworn Declarations, and Remote signings during a pandemic and after. Examine how to get client documents signed in light of COVID-19 and beyond.  Bryn A. Poland, Mayo & Poland PLLC - Baytown, TX Co-Author: William D. Pargaman, Saunders Norval Pargaman & Atkins, LLP - Austin, TX
1:50 pm	<b>5-Minute Break</b>
1:55 pm 1.00 hr 0.50 hr ethics 1.00 hr guardianship	<b>Did I Do That? Understanding Supports and Services and Alternatives to Guardianship</b>  Exploring the range of supports and services and alternatives to guardianship and a decision tree to determine the necessity of a guardianship in the continuum of care.  John B. Henry III, Law Office of John B. Henry, III, PLLC - Bellaire, TX
2:55 pm	<b>5-Minute Break</b>
3:00 pm 0.75 hr 0.75 hr guardianship	<b>Waltzing Guardianships Across Texas</b>  Learn the 5 W's of transferring a guardianship within the boundaries of Texas.  Kelly M. Cross, Law Offices of Chris Pettit and Associates, P.C. - Seguin, TX
3:45 pm	<b>5-Minute Break</b>
3:50 pm 0.50 hr	<b>Estate Planning For Blended Families</b>  We live in a time when many estate planning clients don't fit into the mold of the "traditional family" with one marriage and children from that marriage. Many clients are in second marriages with his kids, her kids, their kids, etc. It provides a challenging planning landscape. Review some of the ethical issues created by this planning, explore various planning techniques, as well as techniques to avoid, and techniques that might be better to address the potential conflicts associated with this situation.  John R. McNair, J. McNair Dallas Law P.C. - Dallas, TX
4:20 pm	<b>5-Minute Break</b>

4:25 pm 0.50 hr	<p><b>Fixing Real Estate Headaches: Deeds, Trusts, and Title Issues</b></p> <p>An overview of how to identify and address real estate issues unique to estate planners such erroneous deeds (possibly from years ago), chain of title errors, lost trusts, and more.</p> <p>Christopher D. Jones, Sprouse Shrader Smith PLLC - Amarillo, TX</p>
4:55 pm	<p><b>5-Minute Break</b></p>
5:00 pm 0.75 hr 0.25 hr ethics	<p><b>Delusional Drafters and the Consequences for Tyrannized Trustees</b></p> <p>Examine common drafting mistakes seen by trustees.</p> <p>Lynnelle Loke Moore, Loke Moore Law, PLLC - San Antonio, TX Nancy Sosa, Cadence Bank - Austin, TX</p>
5:45 pm	<p><b>Adjourn</b></p>

## Friday Morning, July 31, 2020

### Presiding Officer:

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

7:30 am	<p><a href="#"><u>Virtual Exhibit Hall Open</u></a></p> <p>Please take time to visit our sponsors and exhibitors in the <a href="#"><u>virtual exhibit hall</u></a>. You have the opportunity to meet with sponsors and exhibitors in our Zoom room to hear about their products and services and also possibly win some great prizes.</p>
8:00 am 1.00 hr 0.50 hr ethics 1.00 hr guardianship	<p><b>Role of the Guardian</b></p> <p>Examine 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.</p> <p>Craig Hopper, Hopper Mikeska, PLLC - Austin, TX</p>
9:00 am	<p><b>5-Minute Break</b></p>
9:05 am 1.00 hr 0.50 hr ethics 1.00 hr guardianship	<p><b>Role of the Ad Litem</b></p> <p>A review 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.</p> <p>Hon. Steve M. King, Senior Statutory Probate Judge - Fort Worth, TX</p>
10:05 am	<p><b>5-Minute Break</b></p>

10:10 am 0.75 hr	<p><b>Independent Administration Checklist for New Practitioners</b></p> <p>A guide to opening an independent administration in both testate and intestate estates. Explore of the benefits and detriments of an independent administration in the post-COVID-19 world.</p> <p>Hon. Guy Herman, Travis County Probate Court #1 - Austin, TX</p>
10:55 am	<p><b>5-Minute Break</b></p>
11:00 am 0.50 hr	<p><b>Probate Avoidance - Non-Testamentary Planning Choice</b></p> <p>Examine possible replies when your client says “I don’t want my family to suffer through a probate”. What options are available? Is probate ever the better choice?</p> <p>Paul Premack, The Premack Law Office - San Antonio, TX</p>
11:30 am	<p><b>Break for Lunch - Presentations Resume at 11:55 a.m.</b></p> <p>Please take time to visit our sponsors and exhibitors in the <a href="#">virtual exhibit hall</a>. You have the opportunity to meet with sponsors and exhibitors in our Zoom room to hear about their products and services and also possibly win some great prizes.</p>

## Friday Afternoon, July 31, 2020

### Presiding Officer:

**Christina Leshner**, The Law Office of Christina Leshner, PC - Houston, TX

### Luncheon Presentation

11:55 am 0.50 hr	<p><b>How Clients Can Avoid Becoming a Burden on Devoted Children</b></p> <p>When a client's children serve as caregivers, care coordinators, and fiduciaries, they face costs and risks not faced by a client's other family members. Explore ways in which clients may be able to reduce risks or burdens to devoted children while protecting their own care and control.</p> <p>Renée C. Lovelace, The Lovelace Law Firm, P.C. - Austin, TX</p>
12:25 pm	<p><b>5-Minute Break</b></p>
12:30 pm	<p><b>Exhibitor Announcements</b></p>
1:00 pm	<p><b>5-Minute Break</b></p>
1:05 pm 0.50 hr ethics	<p><b>Out of the Woodwork: Unethical Practices by Geriatric Professionals</b></p> <p>With the increase of an aging population, comes an increase in service providers willing and wanting to help older adults. Not every professional has the client's best interest in mind. A summary of professionals that may take advantage of clients and how to spot them will be discussed, as well as what type of credentialing the professionals should have.</p> <p>Christina Leshner, The Law Office of Christina Leshner, PC - Houston, TX</p>

1:35 pm	<b>5-Minute Break</b>
1:40 pm 0.75 hr	<p><b>Bonds, Inventories, and Accountings</b></p> <p>A practical overview of the statutory requirements for bonds, inventories and accountings, both annual and final, in supervised probate and guardianship proceedings.</p> <p>Hon. Steve M. King, Senior Statutory Probate Judge - Fort Worth, TX</p>
2:25 pm	<b>5-Minute Break</b>
2:30 pm 0.75 hr	<p><b>When the Best Defense is a Good Offense</b></p> <p>Has a client ever told you “it not complicated, I just need a simple will”? Explore some potential problems that might be avoided with careful drafting and what to do if you need to defend your client’s position.</p> <p>Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX Hon. Michael Newman, Harris County Probate Court No. 2 - Houston, TX</p>
3:15 pm	<b>5-Minute Break</b>
3:20 pm 1.00 hr 0.25 hr ethics 0.25 hr guardianship	<p><b>Ask the Experts</b></p> <p>Hear 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. Please submit your questions in advance to <a href="mailto:ConferenceQA@utcle.org">ConferenceQA@utcle.org</a>.</p> <p>Moderator: H. Clyde Farrell, Farrell &amp; Johnson PLLC - Austin, TX Panelists: Craig Hopper, Hopper Mikeska, PLLC - Austin, TX Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX</p>
4:20 pm	<b>Adjourn</b>