




**24<sup>th</sup> Annual Estate Planning, Guardianship and Elder Law Conference**  
**August 4-5, 2022 • Moody Gardens • Galveston, TX**  
**August 4-5, 2022 • Live Webcast**

**Thursday Morning, Aug. 4, 2022**

**Presiding Officer:**

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

|                                 |  |
|---------------------------------|--|
| 7:30 am<br>In Galveston<br>Only | <b>Registration and Exhibit Hall Opens</b><br><br>Includes continental breakfast.  |
|                                 | <b>Thank You to Our Webcast Sponsor</b><br><br>  |
| In Galveston<br>Only            | <b>Thank You to Our Breakfast Sponsor</b><br><br>   |
| In Galveston<br>Only            | <b>Guest Meal Package—\$50</b><br><br>Have family joining you in Galveston? You can now purchase a guest meal package for them that includes Thursday and Friday's continental breakfasts and lunches. |
| 8:20 am                         | <b>Welcoming Remarks</b>   |

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| 8:30 am<br>0.50 hr                             | <p><b>You Never Give Me Your Money, You Only Give Me Your Funny Paper: Adventures in Will Drafting</b></p> <p>Practice pitfalls, stupid testator tricks, and everything else that can go wrong before a will gets successfully drafted, executed, and probated. Join the speaker on a tour of cringe. Learn a thing or two about how to stop the damage. But no promises.</p> <p>Dianne Reis, Attorney at Law - Plano, TX</p>  |
| 9:00 am<br>0.75 hr                             | <p><b>Medicaid Update</b></p> <p>Latest developments affecting planning and applications for Medicaid to pay for nursing home care and home care.</p> <p>H. Clyde Farrell, Farrell &amp; Johnson PLLC - Austin, TX<br/> Meredith Ann Sullivan, Farrell &amp; Johnson PLLC - Austin, TX<br/> Co-Author:<br/> Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX<br/> Materials By:<br/> Julie Ann Ezell-Perez, Ezell &amp; Ezell, PLLC - Harlingen, TX<br/> Benecia Flores, Petrosewicz Law Firm, P.C. - Richmond, TX</p>   |
| 9:45 am<br>0.75 hr                             | <p><b>Paying for Home Care and Arranging Home Care</b></p> <p>Most clients want to stay at home for as long as possible as they age or if they become disabled. Funding care at home requires understanding of the different rules for home care using Veterans Benefits, Medicaid, Medicare, reverse mortgages, and long-term care insurance, as well as how the complexity of the interplay between the programs. A discussion of the wait time or interest list of the programs, as well as the approximate hours of benefits will be included.</p> <p>Christina Leshner, The Law Office of Christina Leshner, PC - Houston, TX</p> |
| 10:30 am                                       | <p><b>15-Minute Break to Visit Exhibitors</b></p>  |
| In Galveston<br>Only                           | <p><b>Thank You to Our Break Sponsor</b></p> <p> <b>BANK OF TEXAS</b></p>   |
| 10:45 am<br>0.75 hr                            | <p><b>Utilizing Business Entities to Protect Your Business Assets</b></p> <p>Individuals all too often fail to properly separate their personal affairs from their family business, and this can be disastrous when it comes to asset protection and wealth preservation. The proper use of corporate entities can help protect your business related assets and wealth from various types of creditors — from debt collectors to judgment creditors and beyond — and can easily be incorporated into an individual's overall estate plan.</p> <p>Ben King, Ross &amp; Shoalmire, L.L.P. - Texarkana, TX</p>                           |
| 11:30 am<br>0.75 hr<br>0.75 hr<br>guardianship | <p><b>The Duty of Investment for Guardians of the Estate</b></p> <p>Exploring applicable common law duties, statutory duties, and practical applications of how guardian invests and diversifies a ward's estate.</p> <p>John B. Henry III, Law Office of John B. Henry, III, PLLC - Bellaire, TX</p>  |

12:15 pm  
In Galveston  
Only

**30-Minute Break for Lunch and Visit Exhibitors (in Galveston)**

Lunch included in registration.

**Thursday Afternoon, Aug. 4, 2022**

**Presiding Officer:**

**John B. Henry III**, Law Office of John B. Henry, III, PLLC - Bellaire, TX

**Luncheon Presentation**

In Galveston  
Only

**Thank You to Our Luncheon Sponsor**



12:45 pm  
0.50 hr

**Watch Your Step: Special Needs Trust Drafting and Administration Errors and Omissions**

Review the most common drafting errors and omissions that hinder the Trustee of a Special Needs Trust from providing the trust beneficiary with their best life experience.

Joy M. Eckelkamp, Rapp and Krock, PC - Houston, TX

1:15 pm

**15-Minute Break**

1:30 pm  
1.00 hr  
0.50 hr ethics  
1.00 hr  
guardianship

**Alternatives to Guardianship including Supports and Services**

Details about the vast possibilities of available, less restrictive, alternatives to guardianship including supports and services that may alleviate or limit the need for guardianship.

Hon. Jason Cox, Harris County Probate Court #3 - Houston, TX

Taft Robinson, Disability Rights Texas - Houston, TX

Materials By:

John B. Henry III, Law Office of John B. Henry, III, PLLC - Bellaire, TX

2:30 pm  
1.00 hr

**Estate Tax: Best Strategies for Estates and Gifts Leading Up to 2026**

The estate tax and gift tax exemptions are scheduled to roll back to about ½ of their current amounts at the end of 2025. A discussion on the latest strategies and best suggestions for utilizing the current larger exemptions before the roll back, with discussions to focus on planning opportunities for clients of varying net worth and practical issues facing decedent's estates.

Wesley L. Bowers, FizerBeck - Houston, TX

Bernard E. ("Barney") Jones, Attorney at Law - Houston, TX

Norma Montalvo Petrosewicz, Petrosewicz Law Firm, P.C. - Richmond, TX

3:30 pm

**10-Minute Break**

|                                 |  |
|---------------------------------|--|
| 3:40 pm<br>0.50 hr              | <p><b>Top Things to Consider When Terminating a Trust</b></p> <p>Terminating trusts can, and should, be done for a number of reasons in a variety of different circumstances. This presentation is going to help you identify those situations, guide you through important considerations when doing so, and provide you with some of the tools you may need.</p> <p>Zachary Wiewel, Texas Trust Law, PLLC - Austin, TX<br/>Materials By:<br/>Christopher D. Jones, Sprouse Shrader Smith PLLC - Amarillo, TX</p> |
| 4:10 pm<br>0.75 hr ethics       | <p><b>When Your Client May Have Diminished Capacity</b></p> <p>In estate planning and elder law, attorneys often have clients that may be in some stage of diminished capacity. This creates ethical and legal issues for the attorney that can't be ignored. Explore those issues and ways the attorney can navigate these turbulent waters.</p> <p>John R. McNair, J. McNair Dallas Law P.C. - Dallas, TX<br/>Co-Author:<br/>Michele Kosoy Goldberg, Attorney at Law - Bellaire, TX</p>                          |
| 4:55 pm<br>In Galveston<br>Only | <p><b>Adjourn to Reception</b></p>   |

## Friday Morning, Aug. 5, 2022

### Presiding Officer:

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

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|---|---|
| 7:30 am<br>In Galveston<br>Only                                 | <p><b>Conference Room and Exhibit Hall Opens</b></p> <p>Includes continental breakfast.</p>   |
| 8:00 am<br>1.00 hr<br>0.50 hr ethics<br>1.00 hr<br>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>Hon. Polly Jackson Spencer, Senior Statutory Probate Judge, Retired - San Antonio, TX<br/>Materials By:<br/>Maite Elorduy, Osborne, Helman, Knebel &amp; Scott, LLP - Austin, TX<br/>Jason S. Scott, Osborne, Helman, Knebel &amp; Scott, LLP - Austin, TX</p> |
| 9:00 am<br>1.00 hr<br>0.50 hr ethics<br>1.00 hr<br>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. Guy Herman, Travis County Probate Court #1 - Austin, TX</p>   |
| 10:00 am  | <p><b>15-Minute Break to Visit Exhibitors</b></p>   |

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|---------------------------------------|---|
| 10:15 am<br>0.75 hr                   | <p><b>Real Estate Issues in Elder Law</b></p> <p>Review issues to better protect your clients, including homestead and agricultural exemptions; recent changes; to inspect or not, what could possibly go wrong; easements; and transactions with an affidavit of heirship within four years of date of death.</p> <p>Rayito O. Stephens, Rayito O. Stephens Law Offices, PLLC - Pearland, TX</p>   |
| 11:00 am<br>0.75 hr<br>0.25 hr ethics | <p><b>What the Surviving Spouse Needs to Do, and What to Do if They Don't</b></p> <p>A practical discussion of the steps a surviving spouse can or should take when their spouse dies and what to do later if those steps are not taken.</p> <p>Glenn M. Karisch, The Karisch Law Firm, PLLC - Austin, TX<br/>Materials By:<br/>Brandy Baxter-Thompson, Calloway, Norris, Burdette &amp; Weber, PLLC - Dallas, TX<br/>Mickey R. Davis, Davis &amp; Willms, PLLC - Houston, TX</p> |
| 11:45 am<br>In Galveston<br>Only      | <p><b>30-Minute Break for Lunch and Visit Exhibitors (in Galveston)</b></p> <p>Included in registration.</p>  |

## Friday Afternoon, Aug. 5, 2022

### Presiding Officer:

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

### Luncheon Presentation

|                      |  |
|----------------------|--|
| In Galveston<br>Only | <p><b>Thank You to Our Luncheon Sponsor</b></p>    |
| 12:15 pm<br>0.50 hr  | <p><b>Small Crimes and Misdemeanors Related to Aging, Dementia, and/or Mental Health Issues</b></p> <p>A roadmap for attorneys who counsel clients and their families seeking practical resolution of these matters.</p> <p>Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX<br/>G. Gaye Thompson, Thompson &amp; Tiemann LLP - Austin, TX</p> |
| 12:45 pm             | <p><b>30-Minute Break and Vendor Announcements</b></p>   |

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| 1:15 pm<br>0.50 hr ethics                                    | <p><b>Ethics Jeopardy</b></p> <p>Test your knowledge of ethics rules in estate planning and probate by engaging in this interactive series of questions and multiple choice answers as to what you would do in certain situations in your practice. This will precede a panel discussion of experts who will discuss the rules applicable to the scenarios presented during the electronic testing.</p> <p>Wesley E. Wright, Wright Abshire, Attorneys - Bellaire, TX</p>   |
| 1:45 pm<br>0.75 hr ethics                                    | <p><b>To Blab or Not to Blab - Part 1</b></p> <p>A review of the rules that require attorneys to preserve client confidentiality and the often-overlooked rules that sometimes authorize and even require attorneys to disclose otherwise, confidential information, including the Rules of Ethics, HIPAA and [other rules]. The panel members will focus on real world dilemmas facing estate planning and probate attorneys every day from their three perspectives of the private practitioner, the judge, and the State Bar Ethics Attorney.</p> <p>Rita Alister, State Bar of Texas - Austin, TX<br/>Bernard E. ("Barney") Jones, Attorney at Law - Houston, TX<br/>Ruth Ann Stiles, Harris County Probate Court One - Houston, TX</p> |
| 2:30 pm  | <b>10-Minute Break</b>  |
| 2:40 pm<br>0.75 hr ethics                                    | <p><b>To Blab or Not to Blab - Part 2</b></p> <p>A review of the rules that require attorneys to preserve client confidentiality and the often-overlooked rules that sometimes authorize and even require attorneys to disclose otherwise, confidential information, including the Rules of Ethics, HIPAA and [other rules]. The panel members will focus on real world dilemmas facing estate planning and probate attorneys every day from their three perspectives of the private practitioner, the judge, and the State Bar Ethics Attorney.</p> <p>Rita Alister, State Bar of Texas - Austin, TX<br/>Bernard E. ("Barney") Jones, Attorney at Law - Houston, TX<br/>Ruth Ann Stiles, Harris County Probate Court One - Houston, TX</p> |
| 3:25 pm<br>1.00 hr<br>0.25 hr ethics<br>0.25 hr guardianship | <p><b>Ask the Experts</b></p> <p>Hear a panel of seasoned experts 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:<br/>H. Clyde Farrell, Farrell &amp; Johnson PLLC - Austin, TX<br/>Panelists:<br/>Glenn M. Karisch, The Karisch Law Firm, PLLC - Austin, TX<br/>Marilyn G. Miller, Marilyn G. Miller, Attorney at Law - Dripping Springs, TX<br/>Dianne Reis, Attorney at Law - Plano, TX</p>   |
| 4:25 pm  | <b>Adjourn</b>  |