

22<sup>ND</sup> ANNUAL  
**ESTATE PLANNING, GUARDIANSHIP  
AND ELDER LAW CONFERENCE**

July 30–31, 2020 ▪ Live Webcast

Earn up to 15.00 Hours of Credit Including 3.50 Hours of Ethics Credit and 4.00 Hours of Guardianship (Approved in TX, CA, LA, and OK)

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

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# TEXAS NAELA SUMMER CONFERENCE

Open to TX NAELA Members ONLY

July 29, 2020 ▪ Live Webcast

Earn Up To 5.75 Hours of Credit Including 1.25 Hour of Ethics Credit

EXCLUSIVE WEBCAST UNDERWRITER



2020

# TEXAS NAELA SUMMER CONFERENCE

Open to TX NAELA Members ONLY

July 29, 2020 ■ Live Webcast

Earn Up To 5.75 Hours of Credit Including 1.25 Hour of Ethics Credit

*Times listed are Central Standard*

## WEDNESDAY MORNING, JULY 29, 2020

### Presiding Officer:

Lori A. Leu, Leu & Peirce, Plano, TX

### 8:50 a.m. Welcoming Remarks

### 9:00 a.m. 1.00 hr

#### Elder Law Practice Management

Remote work, parking lot signings, and Zoom calls, Oh My! Explore hot topics of running an elder law practice in the current environment, this session will cover creative marketing, technology, and staffing. Please submit your questions in advance to [ConferenceQA@utcle.org](mailto:ConferenceQA@utcle.org).

Kelley M. Bentley, The Bentley Law Firm, Houston, TX  
Bryn A. Poland, Mayo & Poland PLLC, Baytown, TX  
P. James Rainey, Rainey & Rainey LP, Waco, TX

### 10:00 a.m. 5-Minute Break

### 10:05 a.m. .50 hr

#### MERP – Collaboration with HHSC for Optimal Results

Examine an overview of MERP, documentation requirements, and when collaboration is needed.

Jennifer Ann Lusk, HMS, Irving, TX

### 10:35 a.m. 5-Minute Break

### 10:40 a.m. 1.00 hr | .25 hr ethics

#### COVID-19 Panel – Changes in Times of Uncertainty

Explore ways to pivot a practice during unprecedented business environments, as well as how to prepare documents for clients who can't meet in person to execute, and current and potential future relief from physical execution requirements.

Monica A. Benson, Katten & Benson, Fort Worth, TX  
Eric Reis, Thompson & Knight LLP, Dallas, TX

### 11:40 a.m. Break for Lunch

Presentation resumes at 1:00 p.m.

Please take some time to visit our sponsors and exhibitors in the virtual exhibit hall at [www.utcle.org/conferences/ERT20/exhibit-hall](http://www.utcle.org/conferences/ERT20/exhibit-hall)

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## WEDNESDAY AFTERNOON

### Presiding Officer:

John R. McNair, J. McNair  
Dallas Law P.C., Dallas, TX

### 1:00 p.m. .75 hr

#### StarPlus Waiver Benefits: The Greatest Home Care Program Ever! (AKA Making It Happen With StarPlus Waiver)

StarPlus Waiver (a Texas Medicaid home care program) can provide 30-50 hours a week of home care services to clients. StarPlus Waiver can help prevent placement of the client into a nursing home. To successfully obtain benefits for clients, the StarPlus Waiver program requires pre-planning for the attorney and client. Explore the financial and medical requirement for StarPlus Waiver benefits, examine an overview of the StarPlus Waiver application process from interest list to benefits, and review common StarPlus Waiver application challenges and care provider challenges and how to work through them.

Christina Leshner, The Law Office of Christina Leshner, PC, Houston, TX  
Robert Pierce, The Law Office of Christina Leshner, PC, Houston, TX

### 1:45 p.m. 5-Minute Break

### 1:50 p.m. .75 hr ethics

#### Attorney Wellness: Speaking Up, Reaching Out

Mental health issues are taboo discussions at the workplace, yet when attorneys consider suicide, it's often a result of work-related stress. Explore real-world tips and information on how to spot a mental health crisis in someone you work with, and what to do once you are aware of a problem.

Stephanie Townsend Allala, Townsend Allala, Coulter & Kludt PLLC, El Paso, TX

### 2:35 p.m. 5-Minute Break

### 2:40 p.m. .75 hr | .25 hr ethics

#### Irrevocable Retained Interest Trusts in Medicaid Planning- Is your Home Made of Sticks or Bricks?

Explore the use of irrevocable trusts for protection of excess resources and avoidance of Medicaid estate recovery for a potential long-term care Medicaid applicant/client while maintaining some elements of control for tax purposes.

Michael B. Cohen, Michael B. Cohen and Associates, Dallas, TX

### 3:25 p.m. 5-Minute Break

### 3:30 p.m. 1.00 hr

#### End-of-Life Decisions

Discuss concepts, insights, and skills for adult children of chronically unpleasant older parents. Gain insight on assessing various capacities in older adults, such as financial management, contractual, and testamentary.

Paul K. Chafetz, Paul K. Chafetz, Phd PLLC, Dallas, TX

### 4:30 p.m. Adjourn to Annual Meeting



Join TX NAELA at 5:30 p.m.  
for their virtual Annual Meeting.

The meeting will be held in Zoom and you will receive more information by email.

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Certified Financial Planner (CFP) Professional Accreditation Approved; TX Guardianship Certification Board (GCB) Expected

*Times listed are Central Standard*

## THURSDAY MORNING, JULY 30, 2020

## Presiding Officer:

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

## 8:00 a.m. Welcoming Remarks

## 8:10 a.m. .50 hr

## Leaving IRAs to a Trust

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.

Tresi Weeks, The Weeks Law Firm, PLLC, Plano, TX

## 8:40 a.m. 5-Minute Break

## 8:45 a.m. .50 hr

## Feeling Insecure About Beneficiary Designations?

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.

Dianne Reis, Attorney at Law, Plano, TX

## 9:15 a.m. 5-Minute Break

## 9:20 a.m. .50 hr

## Overview of Medicaid Planning

What non-elder law attorneys need to know about planning for long-term care.

Pi-Yi Mayo, Mayo &amp; Poland PLLC, Baytown, TX

## 9:50 a.m. 5-Minute Break

## 9:55 a.m. .75 hr | .25 hr ethics

## Medicaid Update

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).

H. Clyde Farrell, Farrell & Johnson PLLC, Austin, TX  
Marilyn G. Miller, Marilyn G. Miller, Attorney at Law,  
Dripping Springs, TX

## 10:40 a.m. 5-Minute Break

## 10:45 a.m. .75 hr | .25 hr ethics

## Morals From the Courthouse: A Study of Recent Texas Cases Impacting the Wills, Probate, and Trust Practice

Discuss recent judicial developments relating to the Texas law of intestacy, wills, estate administration, trusts, and other estate planning matters.

Elisa Dillard Rainey, Rainey & Rainey, Attorneys at  
Law LP, Waco, TX

## Materials By:

Gerry W. Beyer, Texas Tech University School of Law,  
Lubbock, TX

## 11:30 a.m. 5-Minute Break

## 11:35 a.m. .75 hr | .50 hr ethics

## MERP Issues

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.

Patricia F. Sitchler, The Law Office of Patricia Flora  
Sitchler, La Vernia, TX

## 12:20 p.m. Break for Lunch

Presentations resume at 12:45 p.m.

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and exhibitors in the virtual exhibit hall at  
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## THURSDAY AFTERNOON

## Presiding Officer:

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

## LUNCHEON PRESENTATION

## 12:45 p.m. .50 hr

## Reasons to Live in Sin After 65

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 p.m. 5-Minute Break

## 1:20 p.m. .50 hr

## E-Signing of Wills and Other Documents

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 &amp; Poland PLLC, Baytown, TX

## Materials By:

William D. Pargaman, Saunders Norval Pargaman &  
Atkins, LLP, Austin, TX

## 1:50 p.m. 5-Minute Break

## 1:55 p.m. 1.00 hr | .50 hr ethics | 1.00 hr G

## Did I Do That? Understanding Supports and Services and Alternatives to Guardianship

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 p.m. 5-Minute Break

## 3:00 p.m. .75 hr | .75 hr G

## Waltzing Guardianships Across Texas

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 p.m. 5-Minute Break

3:50 p.m. .50 hr

### Estate Planning For Blended Families

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 p.m. 5-Minute Break

4:25 p.m. .50 hr

### Fixing Real Estate Headaches: Deeds, Trusts, and Title Issues

An overview of how to identify and address real estate issues unique to estate planners such as erroneous deeds (possibly from years ago), chain of title errors, lost trusts, and more.

Christopher D. Jones, Sprouse Shrader Smith PLLC, Amarillo, TX

4:55 p.m. 5-Minute Break

5:00 p.m. .75 hr | .25 hr ethics

### Delusional Drafters and the Consequences for Tyrannized Trustees

Examine common drafting mistakes seen by trustees.

Lynnelle Loke Moore, Loke Moore Law, PLLC, San Antonio, TX  
Nancy Sosa, Cadence Bank, Austin, TX

5:45 p.m. Adjourn

FRIDAY MORNING, JULY 31, 2020

#### Presiding Officer:

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

8:00 a.m. 1.00 hr | .50 hr ethics | 1.00 hr G

### Role of the Guardian

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.

Craig Hopper, Hopper Mikeska, PLLC, Austin, TX

9:00 a.m. 5-Minute Break

9:05 a.m. 1.00 hr | .50 hr ethics | 1.00 hr G

### Role of the Ad Litem

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.

Hon. Steve M. King, Senior Statutory Probate Judge, Fort Worth, TX

10:05 a.m. 5-Minute Break

10:10 a.m. .75 hr

### Independent Administration Checklist for New Practitioners

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.

Hon. Guy Herman, Travis County Probate Court #1, Austin, TX

10:55 a.m. 5-Minute Break

11:00 a.m. .50 hr

### Probate Avoidance – Non-Testamentary Planning Choice

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?

Paul Premack, The Premack Law Office, San Antonio, TX

11:30 a.m. Break for Lunch

Presentations resume at 11:55 a.m.

Last chance to visit with our exhibitors before prize drawings! Visit the virtual exhibit hall at [www.utcle.org/conferences/ER20/exhibit-hall](http://www.utcle.org/conferences/ER20/exhibit-hall)

FRIDAY AFTERNOON

#### Presiding Officer:

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

### LUNCHEON PRESENTATION

11:55 a.m. .50 hr

### How Clients Can Avoid Becoming a Burden on Devoted Children

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.

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

12:25 p.m. 5-Minute Break

12:30 p.m. Exhibitor Announcements

1:00 p.m. 5-Minute Break

1:05 p.m. .50 hr ethics

### Out of the Woodwork: Unethical Practices by Geriatric Professionals

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.

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

1:35 p.m. 5-Minute Break

1:40 p.m. .75 hr

### Bonds, Inventories, and Accountings

A practical overview of the statutory requirements for bonds, inventories and accountings, both annual and final, in supervised probate and guardianship proceedings.

Hon. Steve M. King, Senior Statutory Probate Judge, Fort Worth, TX

2:25 p.m. 5-Minute Break

2:30 p.m. .75 hr

### When the Best Defense is a Good Offense

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.

Marilyn G. Miller, Marilyn G. Miller, Attorney at Law, Dripping Springs, TX  
Hon. Michael Newman, Harris County Probate Court No. 2, Houston, TX

3:15 p.m. 5-Minute Break

3:20 p.m. 1.00 hr | .25 hr ethics | .25 hr G

### Ask the Experts

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 [ConferenceQA@utcle.org](mailto:ConferenceQA@utcle.org).

Moderator:  
H. Clyde Farrell, Farrell & Johnson PLLC, Austin, TX

Panelists:  
Craig Hopper, Hopper Mikeska, PLLC, Austin, TX  
Marilyn G. Miller, Marilyn G. Miller, Attorney at Law, Dripping Springs, TX

4:20 p.m. Adjourn

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**Texas NAELA members who attend UT Law's Estate Planning and Elder Law Conference may attend the TX NAELA Summer Conference at no charge!**  
(use far right column)

**WEDNESDAY ONLY**

**TX NAELA SUMMER CONFERENCE ONLY**  
(Open to TX NAELA Members ONLY)

*Includes Electronic Course Binder Download (PDF) in "Your Briefcase". Please contact customer service for information regarding binder availability.*

Individual registration . . . . . \$225

*Printed materials are not available for the July 29 conference.*

**Registration Subtotal \$** \_\_\_\_\_

**THURSDAY AND FRIDAY ONLY**

**UT LAW'S ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE**

*Includes Electronic Course Binder Download (PDF) in "Your Briefcase".*

Individual registration . . . . . \$595

**Printed Course Binder** – Available Through July 31  
*Please note that the printed binder will arrive after the scheduled webcast. Delivery to P.O. boxes is not permitted.*

Printed Course Binder . . . . . \$57.89 (\$55\*)

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**ALL THREE DAYS**

**UT LAW ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE AND TX NAELA SUMMER CONFERENCE**  
(Open to TX NAELA Members ONLY)

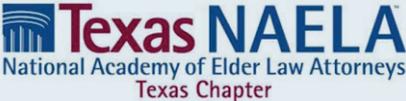
*Includes Electronic Course Binder Download (PDF) in "Your Briefcase".*

Individual registration . . . . . \$595

**Printed Course Binder** – Available Through July 31  
*Please note that the printed binder will arrive after the scheduled webcast. Delivery to P.O. boxes is not permitted.*

Thursday and Friday Conference . . . . . \$57.89 (\$55\*)

**Registration Subtotal \$** \_\_\_\_\_



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*Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4-6 weeks after live event. Hours may vary depending on actual event runtime.*

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**Post-Course Binder** – For Research and Self-Study  
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Electronic Post-Course Download (PDF) . . . . . \$243.56 (\$225\*)  
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July 29, 30–31, 2020 ■ Live Webcast

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ERT20/ER20

**LIVE WEBCAST**

July 29, 30–31, 2020

**KEY DATES**

**July 24, 2020**

*Last day for full refund cancellation*

**July 27, 2020**

*Last day for partial refund cancellation*

\$50 processing fee applied

**July 29, 2020, 8:50 a.m. CST**

*TX NAELA Summer Webinar Begins*

\*Open to Members ONLY

**July 30, 2020, 8:00 a.m. CST**

*UT Elder Law Webinar Begins*

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Senior Statutory Probate Judge  
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