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Continuing Legal Education

THE UNIVERSITY OF TEXAS SCHOOL OF LAW
THE WEALTH MANAGEMENT AND TRUST DIVISION
OF THE TEXAS BANKERS ASSOCIATION

Wealth Management & Trust
A DIVISION OF TEXAS BANKERS ASSOCIATION

16TH ANNUAL CHANGES AND TRENDS AFFECTING

SPECIAL NEEDS TRUSTS

A Guide for Attorneys, Financial Advisors and Trust Officers

February 13–14, 2020
DoubleTree by Hilton Hotel ▪ Austin, Texas

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SPECIAL NEEDS TRUSTS

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THURSDAY MORNING, FEB. 13, 2020

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

8:00 a.m. Registration Opens
Includes continental breakfast.

8:35 a.m. Welcoming Remarks

8:45 a.m. 1.00 hr

SNT Basics
Take a look at special needs trusts and things to consider when selecting the appropriate option. Gain insight on the intersection of trusts with governmental benefits and delve into the types of special needs trust with case examples.

Molly Abshire, Wright Abshire, Attorneys, Bellaire, TX

9:45 a.m. .50 hr

Pooled SNTs: Guidelines for Best Practices
Examine the best practices guidelines developed as part of a recent Life Passages Planning Project. Discuss the various guidelines, why those were included, and review examples of their application.

Rebecca C. Morgan, Stetson University College of Law, Gulfport, FL

10:15 a.m. Break

10:30 a.m. .50 hr | .25 hr ethics

Maximizing Public Benefits (Basics)
Hear an overview of public benefits and Medicaid programs for clients, including "waiver" programs and how to use them to provide long-term care services for clients. Discuss practice tips for new practitioners.

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

11:00 a.m. .75 hr | .25 hr ethics

Emerging Trends in SNTs
Imagine that you are a parent of a 17-year-old child named Kathy who has been diagnosed with Autism, and expected to live until she is 87 years old. Discuss challenges that Kathy's trustee would need to address if her parents passed away over the next 70 years including current and future laws and regulations, ABLE Accounts, support systems and government aid. Highlight current challenges in different Social Security Administration Regions across the nation, and how those trends could affect the Texas Special Needs Trust practitioners.

Stephen W. Dale, The Dale Law Firm, PC, Pacheco, CA

11:45 a.m. Pick Up Lunch
Included in registration.

THURSDAY AFTERNOON

Presiding Officer:
Bryn A. Poland, Mayo & Poland PLLC, Baytown, TX

LUNCHEON PRESENTATION

12:05 p.m. .50 hr

Letters of Intent for SNTs
Letters of intent are pivotal in future planning and are invaluable in administrating a trust. A letter of intent ensures the trustee knows the abilities, limitations, likes, dislikes, interests, routines, history, future, hopes and dreams of the beneficiary. Gain insight on the important aspects that should be included in a useful letter of intent.

Haley D. Greer, The Arc of Texas, Austin, TX

12:35 p.m. Break

12:50 p.m. .50 hr

Public Benefits for Children
Review public benefits and Medicaid programs for children. Learn tips on navigating clients through the various programs and bypassing wait lists.

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

1:20 p.m. .50 hr

Divorce and Disability / Child Support
An overview of support issues in divorce cases involving children and spouses with disabilities and the use of SNTs to protect benefits.

Keith D. Maples, Noelke Maples St. Leger Bryant, LLP, Austin, TX

1:50 p.m. .75 hr

A View from the HHSC
A discussion of current issues and trends from the Texas Health and Human Services Commission.

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

2:35 p.m. Break

2:45 p.m. .50 hr | .25 hr ethics

Protecting and Maximizing Public Benefits (Advanced)
Discuss recent changes in laws and policies affecting benefits. Hear the latest developments and strategies for protecting and maximizing benefits.

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

3:15 p.m. 1.00 hr | .50 hr ethics

New POMs Clarification on the Fee Approval Requirements

Learn more about POMS GN 03920.007 and the questions it raised, the legislative and administrative advocacy that followed its release, and what may happen now that it has been archived.

Stacy Braverman Cloyd, National Organization of Social Security Claimants' Representatives, Washington, DC
Constance R. Somers, Law Office Of Constance Somers, San Antonio, TX

4:15 p.m. .50 hr | .25 hr ethics

Nuts and Bolts of Preparing a Fee Petition for Social Security Representation

After winning the case there are additional steps needed to finally get paid. Learn what is required in the client contract, how our first draft is prepared, terms to avoid, addressing the Judge's concerns, getting clients assistance, where to send the completed fee petition, expected time needed for follow-up, and additional insight.

John Driskill, Morgan & Weisbrod LLP, Dallas, TX

4:45 p.m. Adjourn to Reception

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Frost BANKING INVESTMENTS INSURANCE

4:45 p.m. – 5:45 p.m.

Join program faculty and attendees for drinks and hors d'oeuvres.

FRIDAY MORNING, FEB. 14, 2020

Presiding Officer:
Peyton Taylor, Texas Bankers Association, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:15 a.m. .75 hr

Working with the Social Security Administration: Appeals, Overpayments and ISM Charges

Gain a better understanding of the timeline and process of appeals, options for managing overpayments, and strategies to eliminate in-kind support and maintenance charges.

Alison Packard, Packard Law Firm, San Antonio, TX

9:00 a.m. .50 hr

IRAs and SNTs

Many parents' IRAs and 401(k)s are a significant part of their estate, and they may want to leave it to their child with disabilities to provide for his or her future care. Explore various issues that arise when incorporating retirement benefits into special needs planning, including taxation and SSI/Medicaid disqualification. Whether the distribution is outright, over a period of years, or to a conduit or accumulation special needs trust, proper planning can maximize the benefit to the child with special needs.

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

9:30 a.m. 1.00 hr

Interplay of Guardians and Trustees In and Out of Court + Administering SNTs Established in Other States and Other SSA Regions (Case Studies)

Complexities abound with SNTs involving multiple decision makers and multiple states. Discuss creative solutions using ABLE accounts, automated distribution plans facilitated by True Link, experienced corporate trustees, and pooled trusts.

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

Panelists:
Haley D. Greer, The Arc of Texas, Austin, TX
Nancy Sosa, Cadence Bank, Austin, TX
Peter J. Wall, True Link Financial, Denver, CO

10:30 a.m. Break

10:45 a.m. 1.00 hr

SSA Regional Trust Leads Presentation Regarding SSI Trusts

A discussion with the Regional Trust Leads on the regional centralization of the SSI trust review business process, including 2019 POMS updates. In addition, hear about drafting errors, including case examples.

Amanda Flood, U.S. Social Security Administration, Dallas, TX
Dana Marquez, U.S. Social Security Administration, Dallas, TX

11:45 a.m. .50 hr | .25 hr ethics

NonCitizens' and Public Benefits

Learn about noncitizen's eligibility for public benefits and how various statuses may affect sponsors, recipients and family members in a "deterrence only" policy environment.

Terry Lynn Garrett, The Garrett Law Firm, PLLC, Austin, TX
Melanie Ibarra, The Garrett Law Firm, PLLC, Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:
Renée C. Lovelace, The Lovelace Law Firm, P.C., Austin, TX

LUNCHEON PRESENTATION

12:35 p.m. .50 hr

Quality of Life Tools: Bloom Where You Are Planted

The goal of quality of life considerations is to help make your clients/beneficiaries feel valued and to appreciate life despite their challenges. In most cases, distribution requests between beneficiaries and professionals are framed as necessities or needs rather than improving their quality of life. Learn tools and specific recommendations of large and small distributions for evaluating requests in part through quality of life considerations.

Leah Cohen, arrangeCARE, Austin, TX

1:05 p.m. Break & Vendor Annoucements

1:35 p.m. .75 hr

Powers of Appointment in Special Needs Planning: Mystical Authority Made Magical!

Define the role and use of powers of appointment in the context of public benefits, tax, and dispositive wishes so that problems can be solved rather than created.

G. Mark Shalloway, Shalloway & Shalloway, West Palm Beach, FL

2:20 p.m. .50 hr

Home Sweet Home?

Hear common considerations and unusual issues surrounding the ownership and maintenance of a house for a trust beneficiary.

Elisa Dillard Rainey, Rainey & Rainey, Attorneys at Law LP, Waco, TX
Nancy Sosa, Cadence Bank, Austin, TX

2:50 p.m. 1.00 hr ethics

Special Needs Trusts Ethics Jeopardy

Cover various categories of ethical issues SNT attorneys, using the Texas Disciplinary Rules of Professional Conduct, where the answers are in the form of questions. Get ready to volunteer to play Special Needs Trusts Ethics Jeopardy!

Mary Alice Jackson, Boyer & Boyer P.A., Sarasota, FL
Rebecca C. Morgan, Stetson University College of Law, Gulfport, FL

3:50 p.m. Adjourn

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 13.50 hours, of which 2.75 credit hours will apply to legal ethics/professional responsibility credit.

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).

Texas Board of Legal Specialization Credit Approved for Estate Planning and Probate Law and Tax Law.

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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 16.00 credits in Specialized Knowledge and Applications.

Delivery Method: Group-Live
Program Level: Overview
Advance Preparation: None

CFP CREDIT

Certified Financial Planner (CFP) CE Credit approval expected.

CTFA CREDIT:

This course is expected to have 13.50 hours continuing education credits by American Bankers Association (ABA) Professional Certifications for the CTFA designation.

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True Link Financial
Denver, CO

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*Planning Committee member

HOW TO REGISTER

Online:
www.utcle.org/conferences/SN20/signup

Mail:
The University of Texas
School of Law
ATTN: CLE
PO Box 7759
Austin, TX 78713-7759

Fax:
512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Full Service Experience: Registration for the live event includes continental breakfasts, Thursday and Friday luncheon presentations, and a Thursday evening reception, along with countless networking opportunities throughout the event.

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Registrant's Email (required) ______________

Assistant's Email (optional) ______________

Invoices, confirmations, and receipts are emailed to these addresses.

LIVE EVENT REGISTRATION

Special group registration rates may be available. Call 512.475.6700.
Includes Electronic Course Materials, Thursday evening reception, and Thursday and Friday Luncheon Presentations

Individual Registration

❑ Individual registration by Wednesday, February 5 . . . . $525
❑ Individual registration after Wednesday, February 5. . . . . $575

Printed Course Binder – Available for order through Wednesday, February 5
Note: Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase".

❑ Printed Course Binder $37.89 ($35*)

TOTAL EVENT REGISTRATION $ ________

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST $150! CALL 512.475.6700 TO REGISTER.

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eConference – For Texas and California MCLE Credit
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.

❑ Individual eConference $475

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Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

❑ Electronic Post-Course Download (PDF) $243.56 ($225*)
❑ Printed Post-Course Binder. $319.34 ($275*)

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❑ eLibrary 12-Month Subscription $319.34 ($295*)

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METHOD OF PAYMENT

❑ Check (make check payable to The University of Texas at Austin)

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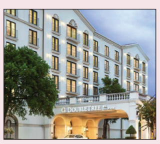
February 13–14, 2020

CONFERENCE LOCATION



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800.866.3126 (reservations)

Special Room Rate: $169
Good through January 22, 2020
Reference "UT Law Special Needs Trusts" when reserving online or by phone.
(Subject to Availability)

Parking:
Daily or overnight self-parking: $8
Valet parking: $20
(Subject to Change)

KEY DATES

February 5, 2020
Last day to order a printed binder

February 5, 2020
Last day for early registration
Add $50 for registrations received after this time

February 7, 2020
Last day for full refund cancellation

February 10, 2020
Last day for partial refund cancellation
$50 processing fee applied

February 13, 2020, 8:35 a.m.
Conference begins

Wealth Management & Trust
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WEALTH MANAGEMENT AND TRUST, a division of the Texas Bankers Association, is a one-of-a-kind organization dedicated to serving the unique needs of wealth management, trust and estate planning organizations and professionals. We offer a diverse menu of continuing education events such as our Annual Conference (April 29–May 1, 2020 in Dallas). We also offer news, professional reference publications and advocacy products and services. To learn more about us or to become an associate member, please visit our website: **www.texasbankers.com/trust**

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