

10TH ANNUAL
ESTATE PLANNING, GUARDIANSHIP
AND ELDER LAW CONFERENCE

Earn up to 13.50 Hours of Credit
Including 2.00 Hours of Ethics Credit and 3.00 Hours of Guardianship

Specialization Credit Expected for: Estate Planning & Probate Law,
Civil Trial Law, Tax Law and Family Law



August 14-15, 2008
Moody Gardens Hotel
Galveston, Texas

MAJOR SPONSORS

The Center for Special Needs Trust Administration
Encore Trust

10TH ANNUAL
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THURSDAY MORNING, AUG. 14, 2008

Presiding Officer:
H. Clyde Farrell, Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

The Interpretation, Construction and Drafting of Wills and Trusts: The Legislature's Influence

An understanding of how the legislature over the years has changed many of the common law rules of will construction, along with an appreciation of how the revocable trust differs from a will, are essential if the lawyer is to avoid common drafting errors found in estate planning documents.

Thomas M. Featherston, Jr., Waco, TX

9:45 a.m. .75 hr

Getting In and Out of Revocable Trusts

A discussion of key planning opportunities and pitfalls involving the use of revocable trusts, including effective use for aged and disabled clients, when and how to terminate, what happens at death, and amendments or revisions by agents. This session also includes sample clauses and forms.

Bernard E. Jones, Houston, TX

10:30 a.m. Break

10:45 a.m. .50 hr

Avoiding Common Mistakes in Making Lifetime and Testamentary Gifts to Charitable Organizations

The session addresses gifts of non-cash assets; how to designate charitable organizations as beneficiaries of outright gifts and split-interest gifts; strategies to reduce disclaimers by intended charitable recipients; drafting split-interest gifts; tax-planning strategies and use of formula classes.

Laura Hansen Dean, Austin, TX

11:15 a.m. .75 hr

Irrevocable Life Insurance Trusts and Bypass Trusts: Drafting and Funding

Learn the fundamentals that you need to consider when drafting and funding trusts that benefit a surviving spouse. How much authority can the spouse have, and still keep the trust property from being taxed in his or her estate? Hear practical tips on both drafting and administering these important trusts.

Mickey R. Davis, Houston, TX

THURSDAY AFTERNOON

Presiding Officer:
Renée C. Lovelace, Dripping Springs and Austin, TX

LUNCHEON PRESENTATION
Sponsored by The Center for Special Needs Trust Administration

12:00 p.m. Pick up Box Lunch

Included in conference registration fee.

12:15 p.m. .75 hr including .25 hr ethics

Ask the Experts: Estate Planning and Trusts

An opportunity for audience members to pose questions, including practice, professional and ethical issues, and hear discussion relating to topics covered during the morning sessions.

Moderator:

Hon. Polly Jackson Spencer, San Antonio, TX
 Mickey R. Davis, Houston, TX
 Laura Hansen Dean, Austin, TX
 Thomas M. Featherston, Jr., Waco, TX
 Bernard E. Jones, Houston, TX

1:00 p.m. Break

1:15 p.m. 1.00 hr

Probate Tool Box

This presentation will provide you with the tools necessary to advise clients on how to handle post mortem issues, including disposition of remains, access to premises, cremation and 128A notices.

Hon. Polly Jackson Spencer, San Antonio, TX
 Co-Author: Paul Premack, CELA, San Antonio, TX

2:15 p.m. .75 hr

Medicaid for Beginners: Dummies Can't Do It

A primer on the Medicaid application process, including communicating effectively with the client, assessing eligibility, completing and filing the application and random thoughts and tips.

Marilyn G. Miller, Dripping Springs, TX

3:00 p.m. Break

3:15 p.m. .75 hr including .75 hr ethics

Ethics of Medicaid Planning

Is it ethical to establish an estate plan to minimize estate taxes? Failure to discuss tax issues could lead to a malpractice suit. But is it ethical to maximize meager estates through the use of the Medicaid program? Would it be malpractice to fail to discuss Medicaid options? Just what is Medicaid planning?

Patricia F. Stichler, San Antonio, TX

4:00 p.m. .50 hr

Keeping the Money or Giving it Away: Does Impoverishment Really "Protect" the Client?

Guiding every client to self-impoverishment is dangerous and unethical. How can we help clients decide whether they will really benefit from transferring assets to qualify for Medicaid? This presentation shows how to conduct a quick overview of the client's ability to pay and demonstrates how computer-assisted cash-flow projections can help answer the question in three colors.

H. Clyde Farrell, Austin, TX

4:30 p.m. 1.00 hr

Agency Perspective

A panel of representatives from DADS and HHSC will discuss the current positions each agency is taking on a sundry of issues affecting Medicaid planners and their clients. Questions will be solicited in advance and also during the presentation.

Moderator: Wesley E. Wright, Bellaire, TX
 Flora A. Fearon, Austin, TX
 Beverly Luna, Austin, TX
 Stephanie Ryan, Austin, TX
 John Stockton, Austin, TX

5:30 p.m. Adjourn

FRIDAY MORNING, AUG. 15, 2008

Presiding Officer:
Hon. Gladys B. Burwell, Galveston, TX

8:30 a.m. .75 hr including .25 hr ethics

Breakfast Presentation
Ask the Experts: Long Term Care Planning and Medicaid

An opportunity for audience members to pose questions, including practice, professional and ethical issues, and hear discussion relating to topics covered during Thursday's sessions.

Moderator: H. Clyde Farrell, Austin, TX
 Randy Drewett, Beaumont, TX
 Pi-Yi Mayo, Baytown, TX
 Marilyn G. Miller, Dripping Springs, TX
 Patricia F. Stichler, San Antonio, TX

9:15 a.m. .75 hr

The Alphabet for Retirement: OASDI, SSD or SSI

A primer for the general practitioner regarding the top questions clients will expect you to answer about

Social Security Retirement Benefits.

Rebecca C. Morgan, Gulfport, FL
Mary Alice Jackson, Sarasota, FL

10:00 a.m. Break

10:15 a.m. .75 hr

Practical Asset Protection Planning in the Real World

An incremental approach that allows you to effectively inoculate your client's wealth against creditors without risking your client's freedom or your own license and reputation.

Jay Adkisson, Laguna Niguel, CA

11:00 a.m. .75 hr

Veterans Benefits Basics for Estate Planning and Elder Law Attorneys

This session will discuss the various types of benefits available to veterans, with an emphasis upon Medicaid and disability planning.

Randy Drewett, Beaumont, TX
Pi-Yi Mayo, Baytown, TX

FRIDAY AFTERNOON

Presiding Officer:

Hon. Gladys B. Burwell, Galveston, TX

LUNCHEON PRESENTATION

Sponsored by Encore Trust

11:45 a.m. Pick up Box Lunch

Included in conference registration fee.

12:00 p.m. .75 hr G including .25 hr ethics

Ask the Experts: Guardianship Topics including Medical Issues in Guardianships

An opportunity for audience members to pose questions, including practice, professional and ethical issues, and hear discussion relating to guardianship topics, including a discussion of medical evidence and its use in guardianship cases.

Moderator: Hon. Guy Herman, Austin, TX
Hon. Gladys B. Burwell, Galveston, TX
Deborah A. Green, Austin, TX
Stephen Jody Helman, Austin, TX
Hon. Steve M. King, Fort Worth, TX

12:45 p.m. Break

1:00 p.m. .75 hr G including .25 hr ethics

Roles and Responsibilities of Ad Litem

An overview of attorney ad litem responsibilities with an emphasis on everyday practicalities, tips and ethical issues.

Hon. Steve M. King, Fort Worth, TX

1:45 p.m. 1.00 hr G including .25 hr ethics

The Role of the Guardian

This session discusses the duties and responsibilities of a guardian under Texas law, including ethical issues. All aspects of guardian administration from initiation to closing will be covered, including the code requirements for selling and leasing property.

Stephen Jody Helman, Austin, TX

2:45 p.m. .50 hr G

The Post-Death Annulment of a Marriage Based on Incapacity under New Texas Probate Code § 47

This session provides an overview of TPC § 47, and provides an analysis of its impact on the jurisdiction of the family, guardianship, and probate courts.

James C. Benson, Ph.D., Houston, TX

3:15 p.m. Adjourn

REGISTRATION FOR ER08

Mail this registration form to:

The University of Texas School of Law, Attn. ER08
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**
Online registration available at www.utcle.org

PLEASE PRINT CLEARLY

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City _____ State _____ Zip _____

Telephone _____ Fax _____

Email Address _____

Invoices, confirmations and receipts are emailed to this address.

REGISTRATION

Includes Course Binder, and Thursday and Friday Box Lunch Presentations

Early Registration Fee due by Wed., August 6, 2008..... \$460.00

Registration Fee after Wed., August 6, 2008 \$510.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

Course Binder \$200.00

Note: Conference registration includes Course Binder.

Audio CD Set \$175.00

eBinder on CD (PDF format) \$200.00/\$50.00

(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

In-House CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from conference date for delivery.

In-House CLE for 2 includes Audio CD Set and 2 Course Binders \$750.00

_____ Add participants (includes Course Binder) for \$200 each \$ _____

TOTAL ENCLOSED \$ _____

METHOD OF PAYMENT

Check (make checks payable to: **The University of Texas at Austin**)

Purchase Order VISA or Mastercard (sorry, no AMEX or Discover)

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X _____ /
Authorized Signature Exp. Date (mm/yy)

G indicates guardianship hours in program

GALVESTON
August 14-15, 2008
CONFERENCE LOCATION



Moody Gardens Hotel
 Seven Hope Boulevard
 Galveston, TX 77554
 1-888-388-8484

SPECIAL ROOM RATE \$157
 good through July 23, 2008
 (subject to availability)

Parking: Complimentary
 Self-Parking
 (subject to change)

*Rooms sell out quickly – please
 reserve early!*

KEY DATES

Registration & Cancellation

August 6, 2008–5 p.m.
last day for early registration
 add \$50 for registrations
 received after this time

August 8, 2008–5 p.m.
last day for full refund

August 11, 2008–5 p.m.
last day for partial refunds
 \$50 processing fee applied

August 14, 2008–9 a.m.
conference begins

CONFERENCE FACULTY

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 Houston, TX

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www.lizannegeneserthate.com*



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E**

This course has been approved for
 Minimum Continuing Legal Educa-
 tion credit by the State Bar of Texas
 Committee on MCLE in the amount
 of 13.50 hours, of which 3.00 credit
 hours will apply to guardianship and
 2.00 hours legal ethics/professional
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E-mail us at
utcle@law.utexas.edu
 or call us at
512-475-6700
 for more information

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