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Trust and Probate Law and 1.0
Hour Legal Ethics

TRUSTS AND
ESTATES



CALIFORNIA LAWYERS ASSOCIATION
TRUSTS AND ESTATES SECTION



The Forty Third Annual Fall Program

FRIDAY, OCTOBER 25, 2019
TownePlace Suites San Bernardino/Loma Linda
10336 Richards Street
Loma Linda, CA 92354

Register Online: CALAWYERS.ORG/TRUSTS-AND-ESTATES

PROGRAM SCHEDULE

Registration

8:00 a.m. - 4:30 p.m.

Continental Breakfast

8:00 a.m. - 8:30 a.m.

Recent Developments in Trusts and Estates—Caveat: This Won't Get You Into Stanford or USC

8:30 a.m. - 9:30 a.m.

This program is an annual review of changes in statutory and case law that are most significant to California trusts and estates practitioners. The panelists will analyze the key developments of 2019, including new legislation and court decisions.

SPEAKERS: Vivian L. Thoreen, Holland & Knight LLP
Patrick A. Kohlmann, Temmerman
Cilley & Kohlmann

Networking Break

9:30 a.m. - 9:45 a.m.

Objection . . . ? Using Evidence Strategically in Trust and Estates Litigation

9:45 a.m. - 10:45 a.m.

How are we going to get this IN? How are we going to keep this OUT? These are the questions that every litigator should be asking when evaluating the facts and evidence of a case, and should be asked not only at trial, but at each stage of litigation. This program will explore evidentiary considerations and strategy in the context of trusts and estates proceedings from the pleading stage, through discovery, in law and motion practice, and at trial.

SPEAKERS: Lydia L. Lockett, Holland & Knight LLP
Vivian M. Rivera, Holland & Knight LLP

Networking Break

10:45 a.m. - 11 a.m.

A New Age of Estate Planning for Married Couples

11:00 a.m. - 12:00 p.m.

With the estate tax exemption higher than ever, married couples now have more flexibility and options in structuring their estate plans. This presentation will cover the planning opportunities for issues that previously took a back seat to estate taxes, such as basis adjustment, property taxes, control from the grave, creditor protection, and state estate taxes, as well as a review of "old" trust provisions that might not work as intended under current law, and will offer options to build in flexibility for changes in circumstances and changes in the estate tax laws.

SPEAKER: Erin L. Prouty, Hoffman Sabban & Watenmaker

Lunch Break

12:00 p.m. - 1:30 p.m.

Member Benefit: Make sure to stop by and get your professional head shot taken during lunch.

Appointed Attorneys in Conservatorship Cases are Advocates, Not Reporters

1:30 p.m. - 2:30 p.m.

In many probate courts, attorneys appointed to represent conservatees and proposed conservatees are under pressure to act as reporters to the court rather than as advocates for the interests of their clients as those interests are determined by their clients. The speakers argue that existing law and ethical rules require appointed attorneys to act as a vigorous advocate for their clients and prohibit them from acting as reporters to the court.

MCLE: 1.0 hours of which .5 applies to Legal Ethics

SPEAKERS: Ralph E. Hughes, Hughes & Pizzuto, APC
 Anne M. Rudolph, Hughes & Pizzuto, APC

Networking Break

2:00 p.m. - 2:15 p.m.

Top Ten Myths About Privilege for Trust and Estates Practitioners

2:15 p.m. - 3:15 p.m.

Battles over assertions of privilege can be time consuming, costly, and can hold up litigation. The last thing an attorney wants to do is assert unmeritorious objections of privilege only to have their objections overruled and sanctions imposed at a discovery hearing. This presentation will identify common misconceptions about the attorney-client privilege, attorney work-product doctrine, common interest doctrine, and mediation privilege, so that practitioners can better assess privilege issues and choose their battles accordingly.

MCLE: 1.0 hours of which .5 applies to Legal Ethics

SPEAKERS: Robert Barton, Holland & Knight LLP
 Lydia Lockett, Holland & Knight LLP

Networking Break

3:15 p.m. - 3:30 p.m.

T is for Trust and Trouble—6 Tricky Administration Issues

3:30 p.m. - 4:30 p.m.

This program will address tricky and recurring trust administration problems including marijuana related issues, contaminated land, cryptocurrency, litigation against a beneficiary, the estate tax return and changing situs. At the end of the program, the participant will be able to understand and identify the risks associated with each issue described, understand what questions to ask in conducting due diligence regarding a trust administration with these issues and ways to mitigate the problems.

SPEAKERS: Staci Nelson, Holland & Knight LLP
 Robert Barton, Holland & Knight LLP

REGISTRATION INFORMATION

PHOTO RELEASE:

This event may be recorded. By attending this event, you consent to be photographed, filmed, and/or otherwise recorded, and to any use, by the CLA, of your likeness, voice, and name in any and all media including social media. If you do not want your name or photo to be used, please let us know in advance. We cannot, however, honor requests to opt out of the use of your image or voice if you choose to ask a question during one of the event sessions.

CANCELLATIONS/REFUND POLICY:

Cancellations and requests for refunds must be received in writing no later than Friday, October 18, 2019 and are subject to a \$50 service charge. Refunds will not be available after this date.

QUESTIONS:

For registration information call 916-516-1757. Telephone registrations will not be accepted. For program content and/or Section information call 916-516-1755.

SPECIAL ASSISTANCE:

For special assistance, please call 916-516-1755.

ON-SITE REGISTRATION:

On-site registration will be on a space available basis. Call to confirm space availability or email ProgramRegistrations@calawyers.org to confirm space availability.

**California Lawyers Association is an approved
State Bar of California MCLE provider.**



REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____
(Required for email confirmation)

Program package includes 6.0 Hours of MCLE Credit and Legal Specialization in Estate Planning, Trust and Probate Law, 1.0 Hour of Legal Ethics credit, program materials on a USB drive, continental breakfast and lunch.

Check here if you do not want your information released.

PRE-REGISTRATION FEES (check the appropriate circle)

\$315 Trusts and Estates Section Members

\$410 Non-Section Members
(includes enrollment in the Trusts and Estates Section for 2019)

\$215 CYLA—California Young Lawyers Association

AMOUNT ENCLOSED OR TO BE CHARGED \$ _____

REGISTRATION INFORMATION

Deadline: In order to pre-register, your form and check, payable to California Lawyers Association, or credit card information, must be received by October 18, 2019.

Register Online: CALAWYERS.ORG/TRUSTS-AND-ESTATES

Mail To: Program Registrations, California Lawyers Association
400 Capitol Mall, Suite 650, Sacramento, CA 95814

Email To: Program Registrations at ProgramRegistrations@calawyers.org.
In order to email your registration, credit card information is MANDATORY. *(Photocopies of checks will NOT be accepted.)*

CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I authorize California Lawyers Association to charge my program registration to my VISA/MasterCard account. *(No other credit card will be accepted.)*

Account Number: _____
(VISA or MasterCard only)

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