



# NCBA 2017 Annual Review

## LIVE • LIVE WEBCAST

Thursday-Friday, October 19-20, 2017  
NC Bar Center, Cary

## CLE CREDIT: 12.0 Hours

Includes 2.0 Hours of Ethics/Professional Responsibility and 1.0 Hour Substance Abuse/Mental Health

## VIDEO REPLAYS (at printing)

Cary, Mon-Tue., December 18-19, 2017  
Cary, Tue.-Wed., February 13-14, 2018  
Cary, Tue.-Wed., May 1-2, 2018  
Concord, Thu.-Fri., February 1-2, 2018  
Gastonia, Thu.-Fri., January 25-26, 2018  
Winston-Salem, Thu.-Fri., January 18-19, 2018



## UPDATES & REGISTRATION

[www.tinyurl.com/CLE663ARP](http://www.tinyurl.com/CLE663ARP)

Planned by the NCBA CLE Department

**SUMMARY:** You asked, and we listened! The *NCBA 2017 Annual Review* is filled with topics chosen by you, providing important updates featuring North Carolina case law and legislation.

This 12-hour program brings you up-to-speed on current changes in business law, cybersecurity, elder law, estate planning and litigation. Also receive updates on Annual Review favorites including civil, criminal, family and real property law. This program provides two hours of ethics/professional responsibility credit and one hour of substance abuse/mental health credit.

Join us on October 19-20 for the Live program, held at the NC Bar Center in Cary, or attend the Live Webcast from your home or office.

The North Carolina Bar Association is accredited by the North Carolina State Bar as a provider of continuing legal education.

**NORTH CAROLINA**  
**BAR ASSOCIATION**  
seeking liberty + justice

# NCBA 2017 Annual Review

#663ARP and #663LWC | October 19–20, 2017

## FOUR WAYS TO REGISTER

ONLINE\* [www.ncbar.org/CLE](http://www.ncbar.org/CLE) • PHONE\* 800.228.3402 • FAX\* 919.677.1774

MAIL\*\* Attn: Accounting–NCBA, P.O. Box 3688, Cary, NC 27519-3688

\*Credit cards only. \*\*Please make checks payable to NCBA.

TUITION | LIVE • WEBCAST • VIDEO REPLAY (VR) | Select format and tuition rate below.

REGISTRANT TYPE	EARLY BIRD TUITION Received one week prior to program date.	REGULAR TUITION Received less than one week prior to program date.	WEBCAST TUITION
NCBA Member	<b>\$395</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$465</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$490</b> <input type="checkbox"/> Webcast
NCBA Paralegal Division Member	<b>\$245</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$315</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$340</b> <input type="checkbox"/> Webcast
Non-member	<b>\$465</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$535</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$560</b> <input type="checkbox"/> Webcast
Full-time LANC Attorney (NCBA Member)	These categories do not qualify for Early Bird tuition.	<b>\$245</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$270</b> <input type="checkbox"/> Webcast
1st Year Licensed in NC (NCBA Member)		<b>\$198</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$223</b> <input type="checkbox"/> Webcast
CLE Passport Holder		<b>12 tokens</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>12 tokens</b> <input type="checkbox"/> Webcast
<input type="checkbox"/> Judge (NCBA Member) <input type="checkbox"/> Clerk of Court (NCBA Member) <input type="checkbox"/> Law Professor (NCBA Member)	These categories do not qualify for Early Bird tuition or include any MCLE fees.	<b>\$75</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	Choose from the applicable Webcast tuition options above.
<input type="checkbox"/> Law Student Division Member <input type="checkbox"/> Paralegal Division Student Member		<b>\$25</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	

VIDEO REPLAY LOCATIONS | For details and an updated list, see [www.tinyurl.com/663ARP](http://www.tinyurl.com/663ARP).

- Cary | #663BAR | Dec. 18–19, 2017
- Concord | #663CRD | Feb. 1–2, 2018
- Cary | #663BR2 | Feb. 13–14, 2018
- Gastonia | #663GAS | Jan. 25–26, 2018
- Cary | #663BR3 | May 1–2, 2018
- Winston-Salem | #663WIN | Jan. 18–19, 2018
- Other (if applicable, from website): City: \_\_\_\_\_ | Code: #663 \_\_\_\_\_

REGISTRANT INFORMATION | Please print clearly.

663ARP-B

Print Full Name: \_\_\_\_\_

Firm/Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and ZIP: \_\_\_\_\_

Daytime Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

NC State Bar No. (Required for MCLE Credit): \_\_\_\_\_

PAYMENT | Registration is processed only after payment is received. Please print clearly.

Enclosed is a check, payable to **NCBA**.  Please charge my credit card.

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Total Amount: \_\_\_\_\_ Signature: \_\_\_\_\_

# Program Agenda



## Thursday, October 19, 2017, 8:15a–4:15p

8:15a **Registration**

8:55 **Welcome and Introductions** | Jason L. Walters

9:00 **Avoiding Common Ethical Pitfalls\*** | Nichole P. McLaughlin  
A detailed summary of how to avoid a bar complaint and what to do if you get one

10:00 **Privacy and Cybersecurity Update** | Matthew A. Cordell and Elizabeth H. Johnson  
This session summarizes recent developments in the law of privacy and information security in the United States and abroad. It includes practical advice to help you position your clients in light of the latest trends in this rapidly-evolving area.

11:00 **Break**

11:15 **Real Property Case Law Update** | Amy P. Hunt  
A review of the most relevant real property cases in North Carolina from the past 12–18 months

12:15p **Networking Lunch** (included at Live program only)

1:00 **Criminal Law Update** | Kearns Davis and Jan E. Pritchett

- State Case Law Update: Key recent decisions from the North Carolina Supreme Court and North Carolina Court of Appeals
- Federal Case Law Update: Key recent decisions from the U.S. Supreme Court and U.S. Court of Appeals for the Fourth Circuit

2:00 **Estate Planning Update** | Benton G. Sawrey  
A summary of recent cases and changes to law impacting estate planning and the administration of a decedent's estate

3:00 **Break**

3:15 **When a Client Becomes an Adversary: Strategies for Preventing and Collecting Unpaid Legal Fees** | R. Matthew Van Sickle  
During the course of your career, you will likely run into a client who is not paying your bills. Learn tips for identifying the reasons for unpaid bills, tools to assist with preventing clients from falling in arrears, and ethical considerations and strategies for collecting from former clients.

4:15 **Adjourn**

## Friday, October 20, 2017, 8:15a–4:15p

8:15a **Registration**

8:55 **Welcome and Introductions** | M. Denisse Gonzalez

9:00 **Business Law Update** | Anna S. Mills

- A review of statutory changes, including revisions to the North Carolina Business Corporation Act and the new North Carolina Choice of Law and Forum in Business Contracts Act
- A case law update on business law topics
- A round up of other changes important for your practice

- 10:00 **Civil Law Update** | **Steven B. Epstein**
- Hear key recent decisions from the North Carolina Supreme Court, Court of Appeals and Business Court
  - Address substantive areas of civil law, Rules of Civil Procedure and Rules of Evidence
- 11:00 **Break**
- 11:15 **Elder Law Update** | **Kathleen R. Rodberg**
- An overview of state and federal changes in elder law and related practice areas over the past year including:
- VA Benefits
  - UAGPPJA
  - Impact of NC's Uniform Trust Decanting Act on special needs trusts
  - Impact of NC's Uniform Power of Attorney Act on elder law and Medicaid planning
- 12:15p **Networking Lunch** (included at Live program only)
- 1:00 **Family Law Update** | **Amy L. Britt**
- Engage in a fast-paced overview of last year's family law cases and legislative changes. Topics to include:
- Alimony/PSS
  - Child custody and support
  - UCCJEA
  - Equitable distribution
  - Military pensions
- 2:00 **e-Ethics: Tricks, Traps and Trends\*** | **Patrick Brown**
- A discussion of ethical considerations with emerging technologies
  - Traps for the unwary—threats both foreign and domestic
  - Quick and easy ways to protect client confidentiality
  - Where do we go from here? Striking an ethical balance
- 3:00 **Break**
- 3:15 **ABA Landmark Study and Implications for the Profession<sup>†</sup>** | **Thomas R. "Tom" Holt**
- Lawyer assistance programs across the country have known anecdotally for years that attorneys were at greater risk for depression, anxiety and alcohol problems than the general public and even other professionals. A recent national landmark ABA study on attorney mental health is the first to ever bring into sharp focus, with hard data and real numbers, what we are facing in our profession across a spectrum of issues. This program provides participants with an overview of the study, how it was conducted and detailed research findings along with a discussion of implications for the profession and call to action suggestions.
- 4:15 **Adjourn**

\* Indicates portion providing Ethics/Professional Responsibility credit  
† Indicates portion providing Substance Abuse/Mental Health credit

We extend our sincere gratitude to the moderators and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

# Program Information



## Moderators

- M. Denisse Gonzalez, Cisco Systems, Raleigh
- Jason L. Walters, Davis & Hamrick LLP, Winston-Salem

## Speakers

- Amy L. Britt, Cheshire Parker Schneider & Bryan PLLC, Raleigh
- Patrick Brown, Lawyers Mutual Liability Insurance Company of North Carolina, Cary
- Matthew A. Cordell, VF Corporation, Greensboro
- Kearns Davis, Brooks Pierce McLendon Humphrey & Leonard LLP, Greensboro
- Steven B. Epstein, Poyner Spruill LLP, Raleigh
- Thomas R. “Tom” Holt, Bagwell Holt Smith PA, Chapel Hill
- Amy P. Hunt, Horack Talley Pharr & Lowndes PA, Charlotte
- Elizabeth H. Johnson, Wyrick Robbins Yates & Ponton LLP, Raleigh
- Nichole P. McLaughlin, North Carolina State Bar, Raleigh
- Anna S. Mills, Womble Carlyle Sandridge & Rice LLP, Charlotte
- Jan E. Pritchett, Schlosser & Pritchett, Greensboro
- Kathleen R. Rodberg, McGuire Wood & Bisette PA, Asheville
- Benton G. Sawrey, Narron O’Hale & Whittington PA, Smithfield
- R. Matthew Van Sickle, Lynch Van Sickle Law PLLC, Cary

## Information

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

- **Embassy Suites, 201 Harrison Oaks Boulevard, Cary**  
**Nightly Rate:** \$169 single/double and includes evening manager’s reception and full, cooked-to-order breakfast  
**Reservations:** 919.677.1840 or [www.tinyurl.com/NCBA-Embassy](http://www.tinyurl.com/NCBA-Embassy)  
**NCBA Corporate Account Special Rate Code:** 2691626  
**Please note:** The rates may vary according to guest room availability.
- **TownePlace Suites by Marriott, 120 Sage Commons Way, Cary**  
**Nightly Rate:** \$114 studio queen with sleeper sofa (Sunday–Thursday) and includes complimentary hot breakfast. All rooms have a fully equipped kitchen.  
**Reservations:** 919.678.0005 | **Ask for the NC Bar Association corporate rate.**

**FINE PRINT • REGISTRATION** Registrations are limited by space, and may include a live video broadcast overflow room. **TRANSFERS** Registrants may transfer from a Live program, Video Replay, Webcast, Webinar or Phone/Audio Streaming Program without penalty within three business days after the program date. **CANCELLATIONS** Cancellations must be received by 9:00 a.m. the third business day prior to the program to qualify for a refund (less \$75 administrative fee). Those not attending will receive the digital program materials in full consideration of tuition paid. **MCLE CREDIT** The North Carolina Bar Association is an accredited CLE sponsor under the MCLE Regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education. This program is approved (but not sponsored) by the Board for the designated number of CLE hours. Each attorney must maintain a record of his/her attendance for the NC State Bar annual report. MCLE credit is reported by NCBA only if a NC State Bar number is provided. Your CLE tuition includes mandatory State Bar fees used to support the State Bar’s Mandatory Continuing Legal Education program, the Chief Justice’s Commission on Professionalism and the Chief Justice’s Equal Access to Justice Commission. Your tuition also includes digital access to all program materials. **DIGITAL PROGRAM MATERIALS** You will receive a notification email when digital materials are available to download. To retrieve digital materials, log in and select “Your Course Materials” on the CLE website. All of the materials for this program will be available for download in advance of the program. **VIDEO REPLAYS** To qualify for the Early Bird tuition, registration must be received one week prior to program date. NC State Bar rules require a minimum number of preregistered active State Bar members. NCBA reserves the right to cancel any video program prior to the program date if registrations do not meet the NC State Bar requirement. Some sites require additional registration or evaluation forms. Visit [www.tinyurl.com/CLE663ARP](http://www.tinyurl.com/CLE663ARP) to confirm video replay registration and program start times. CLE credit hours at Video Replays are subject to change. Video replay program attendees may purchase the printed manuscript at cost. Due to printing and shipping lead times we are unable to accommodate requests for print materials made fewer than seven (7) days prior to any video replay program. **PERSONS WITH DISABILITIES** We make every effort to ensure that our programs are held in facilities which are fully accessible to persons with disabilities. If you plan to attend our program and need special facilities or assistance relating to a disability, please contact the CLE Department at least one week prior to the date of the program. **INCLEMENT WEATHER** We make every effort to notify registrants when a program is canceled or delayed due to weather. If inclement weather is forecast, please check your local news listings or contact event venue. NCBA programs will follow the work schedule of the hosting institutions, to include delayed openings. **CLE SCHOLARSHIPS** A limited number of scholarships are available to members in financial need. Contact Membership Services at 1.800.662.7407 or email [akemple@ncbar.org](mailto:akemple@ncbar.org). **EVENT SPONSOR AND EXHIBITOR OPPORTUNITIES** Interested in meeting the attendees of this program? Become an exhibitor or sponsor! Contact Jennifer Shapiro at [CLESponsorship@ncbar.org](mailto:CLESponsorship@ncbar.org) for detailed information about these opportunities and their benefits. **FOR MORE INFORMATION, VISIT [WWW.NCBAR.ORG/CLE](http://WWW.NCBAR.ORG/CLE).**

**NCBA**

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"I'm going to take a lot of good reviews to my firm. The materials are also EXCELLENT resources!"

"A general update on various areas of the law is interesting."

"Even though I attended via Webcast, I found that the materials supplied were more than detailed enough. Therefore, the materials really can be used for reference materials with relevant case law in one place."

—Attendees, NCBA 2016 Annual Review