
SUMMARY: This program provides a comprehensive review and discussion of the North Carolina Uniform Power of Attorney Act in advance of its effective date — January 1, 2018. Speakers include the primary drafters of the new Act and just a few of the numerous people who shared their insight and experience with the drafters, all of whom are uniquely qualified to provide insight on the Act, its history, changes to North Carolina law under the new Act, the provisions of the new Act and the application of these provisions.

This CLE focuses on a review of the general and specific authorities that may be granted to an agent by the principal, agent duties and liabilities, and discussions of the use and application of a power of attorney under the new Act for gifting, estate planning, real estate transactions, banking, and judicial relief. Highlights of this program include discussions regarding the new North Carolina Statutory Short Form Power of Attorney and the introduction and review of an alternative form for a North Carolina power of attorney—including drafting tips for a power of attorney under North Carolina law and the new Act.

The North Carolina Bar Association is accredited by the North Carolina State Bar as a provider of continuing legal education.
# Power of Attorney: 2018 NC Uniform Power of Attorney Act
#743POA and #743LWC | November 3, 2017

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## VIDEO REPLAY LOCATIONS

To register for a Video Replay, visit this program's webpage at www.tinyurl.com/CLE743POA to view all locations and dates, then enter your selection below.

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Program Agenda

Friday, November 3, 2017, 8:00a–4:15p

8:00a  Registration

8:25   Welcome and Introductions

8:30   A Preface to the North Carolina Uniform Power of Attorney Act
       Janice L. Davies
This introduction to the North Carolina Uniform Power of Attorney Act covers the history and purposes of the Act for North Carolina. Also, this presentation provides a summary of the Act and some highlights regarding the effect of the Act on Chapter 32A and the applicability of the Act.

9:15   Authorities to Agent or Co-Agents by Principal
       Brooks F. Jaffa
This presentation discusses co-agents and reviews the general and specific authorities for agent and co-agents along with the limitations, incorporation and construction of such authorities.

10:00  Break

10:15  Taking the Job, Being Paid for the Job and Ending the Job
       Rebecca L. Smitherman
Agent or co-agent acceptance, duties, compensation, exoneration, liability, resignation, and termination of an agent’s authority. A review of acceptance by an agent, the mandatory and default duties of an agent, compensation for, and reimbursement of, an agent, exoneration of an agent in a power of attorney, the liability of an agent or co-agent, and the notice of resignation and resignation of an agent.

11:00  Planning and the North Carolina Uniform Power of Attorney Act
       Larry H. Rocamora and Brent W. Stephens
This presentation is a practical review of matters related to planning and the North Carolina Uniform Power of Attorney Act, including a discussion of the new statutory short form power of attorney, gifting, authorities for certain planning and certain acts authorized by the court.

12:00p Networking Lunch (included at Live program only)

12:45  Real Property and the North Carolina Uniform Power of Attorney Act
       Nancy S. Ferguson and Linda F. Johnson
This presentation is a practical review of specific matters related to real estate and the North Carolina Power of Attorney Act for the benefit of all attorneys who address real estate matters in their practice along with the perspective of a person or title company presented with a power of attorney.

1:45   Banking and the North Carolina Power of Attorney Act
       S. Kyle Agee, Nathan R. Batts and Nancy J. Coppola
This presentation is a practical review of specific matters related to banking and financial institutions under the North Carolina Uniform Power of Attorney Act, including the acceptance of and reliance upon a power of attorney, liability for refusal to accept an acknowledged power of attorney, and the Agent's Certification as to the validity of a power of attorney and an agent's authority and reviews some other laws applicable to financial institutions that control if the Act is inconsistent with the other laws.
2:30 Break

2:45 Judicial Relief and Other Judicial Matters
Elizabeth K. Arias and James E. Hickmon
A review of judicial relief under the North Carolina Uniform Power of Attorney Act, including standing, jurisdiction, venue, standards for review and discussion of the proceedings applicable to a North Carolina Power of Attorney

3:30 Drafting a North Carolina Power of Attorney
Graham D. Holding
This presentation discusses the North Carolina Statutory Short Form, reviews an alternative form for a North Carolina Power of Attorney and includes practice tips for drafting under the North Carolina Uniform Power of Attorney Act

4:15 Adjourn

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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
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A limited number of scholarships are available to members in financial need. Contact Jennifer Shapiro at CLESponsorship@ncbar.org for detailed information about these opportunities and their benefits. FOR MORE INFORMATION, VISIT WWW.NCBAR.ORG/CLE.
Program Information

Planners
- Janice L. Davies, Davies Law PLLC, Charlotte
- Tanya N. Oesterreich, Oesterreich Law, Concord

Speakers
- S. Kyle Agee, Johnston Allison & Hord PA, Charlotte
- Elizabeth K. Arias, Womble Carlyle Sandridge & Rice LLP, Raleigh
- Nathan R. Batts, NC Bankers Association, Raleigh
- Nancy J. Coppola, First Citizens Bank & Trust Company Legal Department, Raleigh
- Janice L. Davies, Davies Law PLLC, Charlotte
- Nancy S. Ferguson, Chicago Title Company LLC, Greensboro
- James E. Hickman, Hickmon & Perrin PC, Charlotte
- Graham D. Holding, Robinson Bradshaw & Hinson PA, Charlotte
- Brooks F. Jaffa, Cranford Buckley Schultze Tomchin Allen & Buie PA, Charlotte
- Linda F. Johnson, Senter Stephenson & Johnson, Fuquay-Varina
- Larry H. Rocamora, McPherson Rocamora & Nicholson PLLC, Durham
- Rebecca L. Smitherman, Craige Jenkins Liipfert & Walker LLP, Winston-Salem
- Brent W. Stephens, Craige Jenkins Liipfert & Walker LLP, Winston-Salem

We extend our sincere gratitude to the NCBA Elder & Special Needs Law Section and the Estate Planning & Fiduciary Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

Hotel 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
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  Reservations: 919.677.1840 or 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.

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Elder Law and Estate Planning

Power of Attorney:
2018 North Carolina Uniform Power of Attorney Act

LIVE • LIVE WEBCAST
Friday, November 3, 2017
NC Bar Center, Cary

CLE CREDIT: 6.5 Hours

VIDEO REPLAYS, UPDATES & REGISTRATION
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