

## Program Information



### Planners

- **Nicole L. “Nicki” Applefield**, Patla Straus Robinson & Moore PA, Asheville
- **Kara O. Gansmann**, Cranfill Sumner & Hartzog LLP, Wilmington
- **David W. Silver**, The Graham Nuckolls Conner Law Firm PLLC, Greenville

### Speakers

- **David Godfrey**, American Bar Association Commission on Law and Aging, Washington, DC
- **A. Frank Johns**, Booth Harrington & Johns of North Carolina PLLC, Greensboro
- **Hugh M. Lee**, Brody School of Medicine, East Carolina University, Greenville
- **B. Bailey Liipfert III**, Liipfert Law Group PLLC, Winston-Salem
- **Robert A. “Bob” Mason**, Mason Law, Asheboro
- **Nancy A. Mayer**, Nancy A. Mayer, Attorney at Law PLLC, Durham
- **Letha Sgritta McDowell**, Hook Law Center, Virginia Beach, VA
- **Valerie L. Peterson**, ElderCounsel LLC, Orange County, CA
- **Larry H. Rocamora**, McPherson Rocamora Nicholson & Wilson PLLC, Durham
- **Kathleen Rose Rodberg**, McGuire Wood & Bisette PA, Asheville
- **Aimee Smith**, Craige Jenkins Liipfert & Walker LLP, Winston-Salem
- **William C. “Bill” Trosch**, Conrad Trosch & Kemmy PA, Charlotte

### Hotel Information

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

**Pinehurst Resort**  
80 Carolina Vista Drive, Pinehurst, NC 28374

**Rate:** Modified American Plan (MAP):  
MAP rate is per person, per night and includes lodging, breakfast and dinner.  
\$232 single occupancy or \$159 double occupancy  
**Reservations:** [www.tinyurl.com/PinehurstResort](http://www.tinyurl.com/PinehurstResort)  
or 855.235.8507  
**Cut-off Date:** January 29, 2018  
**Rate Code:** NC Bar Association



**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 NC 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/CLE697ELS](http://www.tinyurl.com/CLE697ELS) 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.NCBA.ORG/CLE](http://WWW.NCBA.ORG/CLE).**



Elder & Special Needs Law

# 22nd Annual Elder & Special Needs Law Symposium

LIVE

Thursday–Friday, February 22–23, 2018  
Pinehurst Resort, Pinehurst

**CLE CREDIT: 11.0 Hours**

Includes 1.5 Hours Ethics/Professional Responsibility credit

**VIDEO REPLAYS, UPDATES & REGISTRATION**  
[www.tinyurl.com/CLE697ELS](http://www.tinyurl.com/CLE697ELS)

"I enjoyed the variety in topics. The speakers were knowledgeable. The attendees were friendly. I'm amazed that busy attorneys can pull off something like this so beautifully."

"The materials are great and we can read them on our own time. Organization was superb."

"It was a great opportunity for networking and, as a first time attendee, I learned a lot regarding the current state of things in Elder Law."

-Attendees, 21st Annual Elder & Special Needs Law Symposium

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Planned by the NCBA Elder & Special Needs Law Section

**SUMMARY:** The 22nd Annual Elder & Special Needs Law Symposium offers insight from respected elder law and special needs law practitioners from North Carolina and across the country. This year's program provides an in-depth review of the latest strategies for Medicaid and special needs planning, a discussion on the major ethical issues to be aware of when representing clients with disabilities, and insight for attorneys practicing fiduciary litigation. Attendees can expect to:

- Receive information on federal employees' retirement, pension and healthcare benefits
- Learn special needs trust planning strategies for dealing with retirement benefits
- Explore public housing benefits and other sources of public assistance
- Learn about supported decision making for clients with dementia

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

# 22nd Annual Elder & Special Needs Law Symposium

#697ELS | Thursday–Friday, February 22–23, 2018

## 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 the NCBA.

TUITION | LIVE • 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.
NCBA Elder & Special Needs Law Section Member	<b>\$450</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$525</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
NCBA Member	<b>\$470</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$545</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
NCBA Paralegal Division Member	<b>\$295</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$370</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
Non-member	<b>\$545</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$620</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
Full-time LANC Attorney (NCBA Member)	These categories do not qualify for Early Bird tuition.	<b>\$295</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
1st Year Licensed in NC (NCBA Member)		<b>\$198</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
CLE Passport Holder		<b>11 tokens</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)
<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)
<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 | To register for a Video Replay, visit this program's webpage at [www.tinyurl.com/CLE697ELS](http://www.tinyurl.com/CLE697ELS) to view all locations and dates, then enter your selection below.

City: \_\_\_\_\_ | Date: \_\_\_\_\_ | Code: #697 \_\_\_\_\_

## REGISTRANT INFORMATION | Please print clearly.

697ELS-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, February 22, 2018, 11:45a–5:30p

11:45a **Registration and Boxed Lunch** (included at Live program only)

12:20p **Welcome and Introductions**

12:30 **Medicaid and VA Pension Benefits Planning**

**Valerie L. Peterson**

Learn about the latest Medicaid, VA benefits and special needs planning strategies for crisis cases and clients looking to plan proactively. Hear the latest news about the proposed changes to the VA pension eligibility regulations.

2:00 **Supported Decision-Making and Dementia Clients**

**David Godfrey**

The fundamental right of self-determination is priceless, and guardianship should always be a last resort. Supported decision-making (SDM) is a paradigm of person-centered planning that can be used to avoid a guardianship and promote autonomy. Learn about SDM and assessing capacity in clients with dementia.

3:00 **Recent Developments**

**Letha Sgritta McDowell and Kathleen Rose Rodberg**

4:30 **Blended Families and Divorce in Elder Law**

**Letha Sgritta McDowell**

As “gray divorces” and blended families are becoming more common among the aging population, this presentation focuses on key aspects to consider when planning for elder clients with these circumstances.

5:30 **Reception**

Sponsored by Resource Preservation Solutions

### Friday, February 23, 2018, 8:15a–5:00p

8:15a **Continental Breakfast** (included at Live program only)

8:40 **Announcements and Introductions**

8:45 **Leaving Retirement Benefits to People with Special Needs**

**Larry H. Rocamora**

Planning for retirement benefits for persons with disabilities can be challenging. Learn about the various options for leaving retirement benefits to persons with special needs, including how to draft an effective accumulation provision in a special needs trust.

9:45 **Navigating Housing and Public Benefits**

**B. Bailey Liipfert III and Aimee Smith**

Help clients with special needs or disabilities navigate the benefits available to them by learning more about public benefits programs, personal care services and the unique housing issues these clients face.

10:45 **Break**

11:00 **Planning Strategies for Clients with Federal Employee Benefits**

**Nancy A. Mayer**

Federal employees and annuitants have many benefits that are unique to this workforce. This presentation describes these benefit programs, the applicability of different programs and choices available to Federal employees and annuitants. This allows attendees to better understand Federal employees and annuitants.

12:00p **Elder & Special Needs Law Section Annual Meeting**

Casey N. Ferri, Conrad Trosch & Kemmy PA, Charlotte, 2017-2018 Section Chair, presiding

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

1:45 **Breakout Sessions** (choose one)

• **Fiduciary Litigation Strategies**

**William C. “Bill” Trosch**

Fiduciary litigation requires sound trial strategies and a well-executed trial plan. Know the claims, tactics, and procedures required of fiduciary litigation to succeed. This presentation also includes drafting tips to avoid traps, pitfalls and fiduciary litigation.

• **Advising Clients About Long-Term Care Insurance**

**Hugh M. Lee**

A presentation to prepare attorneys to discuss and advise clients about trends in long-term care insurance. Topics include market trends, current costs, types of products offered, opportunity costs and methods for helping clients decide if long-term care insurance is appropriate for them.

3:15 **Break**

3:30 **Ethics Panel for Fiduciary Representation\***

**A. Frank Johns and Robert A. “Bob” Mason**

Client identification, client capacity and conflicts of interest are just some of the ethical issues faced by elder law and special needs law attorneys. Review strategies for ethically representing clients with disabilities with experts in the elder and special needs law field.

5:00 **Adjourn**

\* Indicates portion providing Ethics/Professional Responsibility credit

We extend our sincere gratitude to the NCBA Elder & Special Needs 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.