23rd Annual Elder & Special Needs Law Symposium

LIVE
Thursday–Friday,
February 21–22, 2019
Pinehurst Resort
80 Carolina Vista Drive
Pinehurst

REGISTER TODAY!
Save 10% if registration is received by January 31, 2019.
www.tinyurl.com/CLE800ELS
At the 23rd Annual Elder & Special Needs Law Symposium, scholars and industry leaders from around the country discuss legal issues and challenges facing seniors and special needs clients.

The program features topics ranging from taxation of trusts and the use of pooled special needs trusts to innovative strategies for maximizing asset protection. This year’s keynote presentation addresses newer concepts in senior co-housing and aging communities. Attendees also obtain the following benefits:

- Understand the 2018 changes to VA pension rules and how to advise clients on eligibility, transfers and penalties
- Learn about employment discrimination affecting seniors and resolutions to these matters
- Explore how scams, fraud and financial exploitation are pursued both by private sector litigation and by public agencies
- Gain greater knowledge of the impact of the Tax Cuts and Jobs Act (TCJA) on elder law planning

WHAT PEOPLE ARE SAYING...

I thought the program was the right level and that the speakers did a good job of making sure the audience got the basics.

Valuable updates about new developments in case law and statutes.

—Attendees, 22nd Annual Elder & Special Needs Law Symposium
# AGENDA

## THURSDAY, FEBRUARY 21, 2019 | 11:45 a.m. – 5:15 p.m.

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<tr>
<td>11:45</td>
<td>Registration and Boxed Lunch</td>
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<td>12:20</td>
<td>Welcome and Introductions</td>
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| 12:30 | Scams and Fraud Affecting Seniors | Harris  
Learn about the kinds of fraud and scams that target seniors and how to avoid falling prey to these schemes. The presenter addresses how to counsel clients and families about protection from these “too good to be true” scenarios. |
| 1:30  | Keynote: Senior Housing Options and Aging Communities | Glass  
This presentation highlights senior housing options and the needs of seniors who are aging alone. Explore the newer concept of senior co-housing communities with research, studies and findings that support how these communities will help seniors age safely. |
| 3:00  | Break                                                                                         |
| 3:15  | The New Veteran’s Administration Pension Benefits Rules | Barnes  
Learn about the recent 2018 changes to the VA pension program rules and dive into the specifics of the new regulations concerning eligibility, transfers and penalties. Highlights include in-depth explanations of the changes and recommended strategies for implementing effective VA benefits planning under the new rules. |
| 5:15  | Adjourn followed by Reception                                                                 |

## FRIDAY, FEBRUARY 22, 2019 | 8:15 a.m. – 5:00 p.m.

<table>
<thead>
<tr>
<th>Time</th>
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<tr>
<td>8:15</td>
<td>Continental Breakfast</td>
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<tr>
<td>8:40</td>
<td>Announcements and Introductions</td>
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| 8:45  | Recent Developments | McDowell and Rodberg  
Learn about recent case law, legal updates and statutory developments from across the state and nation relevant to elder law issues, special needs law, trusts, guardianships and fiduciary litigation. |
| 10:15 | Employment Discrimination Affecting Seniors | Fletcher |
| 11:15 | Break                                                                                         |
| 11:30 | Psychology of Transition† | Moraites  
In practice and in personal life, explore how lawyers can more easily transition in daily endeavors and larger milestone events. These transitional concepts can also translate to advice for aging clients experiencing their own transitions in life. |

1. **Break**
   - Sponsored by Krause Financial Services
2. **The New Veteran’s Administration Pension Benefits Rules**
   - Barnes
   - Learn about the recent 2018 changes to the VA pension program rules and dive into the specifics of the new regulations concerning eligibility, transfers and penalties. Highlights include in-depth explanations of the changes and recommended strategies for implementing effective VA benefits planning under the new rules.
3. **Break**
   - Sponsored by American Cancer Society
4. **Psychology of Transition†**
   - Moraites
   - In practice and in personal life, explore how lawyers can more easily transition in daily endeavors and larger milestone events. These transitional concepts can also translate to advice for aging clients experiencing their own transitions in life.
12:30 **Networking Lunch**

1:30 **BREAKOUT SESSIONS** (select one)

**The Marriage of Two Professions: Leveraging Legal and Financial Strategies to Maximize Asset Protection, Minimize Taxes and Expand Choices** | Hinds and Shickich

This session presents information about the Pension Protection Act (and how to minimize tax consequences when paying for long-term care), reviews the differences between 7702B (true long-term care) and 101g (chronic illness) insurance policies, and explores innovative leveraging strategies when funding financial products into an irrevocable asset protection trust. The session also reviews and contrasts traditional LTCi insurance versus asset-based LTC insurance and includes case study illustrations. Practitioners gain a better understanding of long-term care insurance, ways of offering better planning to clients and when to include a financial professional in the process.

OR

**Review of Tax Cuts and Jobs Act and Its Impact on Elder Law Planning and Client Needs** | Lawson

This session addresses certain aspects of the Tax Cuts and Jobs Act that affect client estate and elder law planning. The presenter makes recommendations for planning considerations with clients and offers topics for discussions with clients.

3:30

3:45

**Elder & Special Needs Law Section Annual Meeting** | David W. Silver, The Graham Nuckolls Conner Law Firm, Greenville, 2018-2019 Section Chair, presiding

**Private Litigation of Financial Abuse and Exploitation of Elders** | Goldstein

This session focuses on litigation tactics for pursuing individuals who financially exploit seniors and breach fiduciary duties. Hear the proven strategies for successfully tracking a claim from its inception to a pleaded cause of action to favorable judgment.

4:00

5:00 **Adjourn**

† Indicates portion providing Substance Abuse/Mental Health credit
SPEAKERS

- Eric B. Barnes, The ElderCare Law Firm Inc., Kaysville, UT
- Murphy H. Fletcher, McGuire Wood & Bissette Law Firm, Asheville
- Anne P. Glass, Ph.D., University of North Carolina, Wilmington
- Heather Whitaker Goldstein, The Van Winkle Law Firm, Asheville
- Hugh A. Harris Jr., North Carolina Department of Justice, Raleigh
- Amber Gouin Hinds, WealthMerge, Midland, GA
- Katie A. Lawson, The Law Office of Katie A. Lawson PLLC, Raleigh
- Letha Sgritta McDowell, Hook Law Center, Virginia Beach, VA
- Joanne Marcus, MSW, Commonwealth Community Trust, Richmond, VA
- Robert A. “Bob” Mason, Mason Law PC, Asheboro
- Robynn E. Moraites, North Carolina Lawyer Assistance Program, Raleigh
- Kathleen Rose Rodberg, McGuire Wood & Bissette PA, Asheville
- John Shickick, WealthMerge, Portland, OR

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

Pinehurst Resort
80 Carolina Vista Drive
Pinehurst, NC 28374

- Nightly Rates:
  $232 single occupancy
  $159 per person/per night double occupancy

  Modified American Plan (MAP) rates are per person, per night and include lodging, breakfast and dinner

- Reservations: 855.235.8507
- Cut-off Date: January 28, 2019

CLE AND PUBLICATION SCHOLARSHIPS
Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.

Apply at www.ncbar.org/cle/scholarship.

PLANNERS

- Nicole Applefield Engel, Patla Straus Robinson & Moore PA, Asheville
- Kara O. Gansmann, Cranfill Sumner & Hartzog LLP, Wilmington
- Nancy A. Mayer, Nancy Mayer, Attorney at Law PLLC, Durham

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 highest quality.

Considered the gold standard for North Carolina estate practitioners, this bestselling procedural guide continues to improve the quality of probate practice through the use of systematic and uniform procedures.

Along with the most recent legislative updates, pertinent case law, and more than 185 essential forms, this comprehensive ninth edition is enhanced with new and expanded sections on the following key topics:

- Basis consistency reporting (IRS Form 8971) (NEW)
- Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (NEW)
- Standby guardianship (EXPANDED)
- "Living probate" (EXPANDED)
- Trust administration (EXPANDED)
- Comprehensive back-of-the-book index (NEW)

Available Formats:
eVersion or Print & eVersion

Publication Date:
February 8, 2018

SAVE THE DATES!

July 25-27, 2019:
40th Annual Estate Planning & Fiduciary Law Program

February 20-21, 2020:
24th Annual Elder Law & Special Needs Law Symposium

Contact the CLE Department for updates and details at 800.662.7407.
REGISTER TODAY!

Online: www.tinyurl.com/CLE800ELS | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

STEP 1: Tell us who you are. (Please print clearly.)

Print Full Name: _______________________________________
Address: _______________________________________________
City, State and ZIP: _______________________________________
Daytime Phone Number: _________________________________
Email Address: __________________________________________
NC State Bar No. (Required for MCLE Credit): _________________

STEP 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

Standard Rate: ☐ $740 / ☐ $665 Early
NCBA Member: ☐ $615 / ☐ $555 Early
Elder & Special Needs Law Section Member: ☐ $570 / ☐ $515 Early
CLE Premier Pass: ☐ $0

STEP 3: Select your learning format.

☐ Live (800ELS) ☐ Video Replay (See below.)

Video Replay registration (if selected).

Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE800ELS and indicate your choice below.

Location: _________________ Date: __________ Code: _______________

STEP 4: Complete your payment information.

(Registration is complete only after payment is processed. Please print clearly.)

I am registering for this program at the tuition rate checked above.

☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: _______________________________ Exp. Date: ________
Total Amount: ________ Signature: _______________________________

Online: www.tinyurl.com/CLE800ELS | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.
REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be cancelled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee’s image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.