

The 32nd Annual

Family Law Institute



Presented by Minnesota CLE and the MSBA Family Law Section

*This year's Family Law
Institute is More!*

*More timely topics!
More great speakers!
More fun!*

5 Reasons to Attend:

1. You can choose from **59** new and timely breakout sessions.
2. You will hear from **99** of your favorite family law experts, plus special guest speakers.
3. You will receive valuable course materials, including the **2011 Case Law and Legislative Update**.
4. You can view a **free webcast** following the conference and receive 1 bonus CLE credit.
5. You will re-connect with friends and colleagues, and leave the Institute feeling refreshed and **completely updated!**

Featuring Special Guest Speakers:

■ Chief Justice Lorie S. Gildea

In the keynote presentation, the Chief Justice of the Minnesota Supreme Court discusses the looming budget crisis and its impact on Minnesota's courts.

and

■ Sean Carter

The country's foremost Humorist at Law presents an entertaining look at legal ethics in his plenary session, *Thou Shalt Not Lie, Cheat or Steal: The Ten Commandments for Avoiding Ethical Problems as a Lawyer*.



Register today!

March 28 & 29, 2011 • Saint Paul RiverCentre • 175 West Kellogg Boulevard

Join more than 700 of your colleagues for two full days of learning, networking and fun...and leave with a wealth of great resource materials!

New Speakers

The 2011 Family Law Institute has involved many new speakers this year, including guest speakers:



Chief Justice Lorie S. Gildea

Lorie S. Gildea was appointed Chief Justice of the Minnesota Supreme Court on May 13, 2010. Prior to being appointed as an Associate Justice in 2006, she

served as a judge in the Fourth Judicial District, Hennepin County. Before being appointed to the bench in September 2005, she was a prosecutor in the Hennepin County Attorney's Office (2004-2005), Associate General Counsel at the University of Minnesota (1993-2004) and in private litigation practice at Arent Fox in Washington, D.C. (1986-1993).



Sean Carter

Sean Carter is the founder of Lawpsided Seminars, a company devoted to solid legal continuing education with a healthy dose of laughter. Mr. Carter graduated from Harvard Law School in 1992. His ten years of legal practice

focused on corporate securities and mergers and acquisitions. During this time, he represented such clients as GNC, Experian, The Boston Beer Company, Homeside Lending, Safelite Auto Glass, J. Crew and many others. Most recently, he served as in-house counsel to a publicly-traded finance company. In 2002, Mr. Carter left the practice of law to pursue a career as the country's foremost Humorist at Law. Since then, Mr. Carter has criss-crossed the country delivering his Lawpsided Seminars for state and local bar associations, law firms, in-house corporate legal departments and law schools.

The faculty also includes attorneys, judges, referees, child support magistrates, psychologists, financial professionals, and many others with special expertise in family law.

New Breakouts

Choose from dozens of new breakout sessions at the 2011 Family Law Institute. All-new breakout sessions include:

- Child Support Calculations in Split Custody Situations
- Hot Topics in Farm Divorces
- Handling Military Family Law Cases
- Best Practices for Early Neutral Evaluations
- Family Law Neutrals: What They Can and Can't Do
- Divorce Issues When Representing Business Owners
- Negotiating and Litigating International Child Abduction Matters
- Cohabitation Agreements and Other Planning Issues for Non-Traditional Families
- Understanding and Making Use of Mental Health Testimony in Family Court
- Parenting Plans for Very Young Children
- How to Prepare and Argue Motions in Family Court
- How to Draft an Order for the Court's Review
- How to Cross-exam Parties and Experts in Divorce Trials
- Ethics of Working with Pro Se Parties
- Ethics of Fee Collection
- Maintaining Boundaries in Family Law Practice
- Safety Practices for Family Lawyers
- Valuing the Small Business
- Advanced Issues in Spousal Maintenance
- Effect of Federal Health Care Legislation on Family Law
- Mortgages, Foreclosures and Shortsales: Real Estate in a Troubled Economy
- Top 10 Cases All Family Lawyers Must Know
- Mobile Phone Forensics
- Refresher Training for FENE Neutrals
- Family Law Appellate Mediation: The Program and the Process

Plus an entire track of sessions designed for new lawyers that will follow a divorce case from start to finish!

Encore Presentations!

We are repeating three of the most highly-rated sessions from the 2010 Family Law Institute:

- Bankruptcy and Divorce: Winning Strategies for Dealing with Debt
- Cohabitation Agreements and Other Planning Issues for Non-Traditional Families
- Understanding and Making Use of Mental Health Testimony in Family Court

If you missed them last year, be sure to attend this year.

Five Extra Benefits at this Year's Institute:

1 Special Credits – Ethics, Elimination of Bias and ADR

At this year's Institute, you can earn all your ethics and elimination of bias credits. You can also earn ADR credits towards your ADR roster requirement.

2 The Biggest Family Law Book Sale of the Year

The best time to buy the *Family Law Financial Deskbook*, *Minnesota Child Custody Deskbook* and other family law publications is at the 2011 Family Law Institute. All family law course books are 50% off and all family law deskbooks are 25% off. Don't miss out on these great savings!

3 Easily Searchable Materials on CD-ROM

Your registration fee includes the Family Law Institute manual and Case Law and Legislative Update on a fully-searchable CD-ROM, plus handouts for the sessions you attend. Plus, any late handouts or PowerPoint slides will be accessible through a link on the CD-ROM to the Minnesota CLE website!

4 Free Legal QuickSheetSM

A handy guide to programs providing services to battered women and their children.

5 Free Webcast

The Impact of Rising College Costs on Divorce, May 10, 12:00 to 1:00 p.m. Presented by Marian Saksena, Deborah Gallenberg and Katie Merkel. Attendees will receive webcast registration instructions after the Institute.

Family Law Section Food Drive

Once again, the Family Law Section of the Minnesota State Bar Association will collect donations of food, personal care items and money for Second Harvest Heartland. Your donations will go directly to Minnesota families in need. For more information, and to donate, visit:

www.2harvest.org/goto/2011familylawinstitute

Monday, March 28

8:00 – 8:45 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

8:45 – 9:00 a.m.
WELCOME
– *Institute Co-Chairs
Pamela J. Waggoner & Steven H. Snyder*

9:00 – 9:45 a.m.

KEYNOTE ADDRESS

Minnesota's Courts and the Budget Crisis

The 2011 Family Law Institute is pleased to welcome Chief Justice Lorie S. Gildea as our keynote speaker. Chief Justice Gildea will address the impact of the state's looming budget crisis on the court system.

– *Chief Justice Lorie S. Gildea*

9:45 – 10:30 a.m.

How Budget Cuts are Affecting Our Courts and the Practice of Family Law: A Judicial Panel Discussion

An in-depth discussion of how budget cuts may impact the practice of family law around the state and what family lawyers can do to assist the judiciary to diminish the threat the shrinking budget has on the practice of family law and the families we serve.

– *Judge Leland O. Bush, Judge Marybeth Dorn & Judge Sally L. Tarnowski*
– *Judge James T. Swenson (moderator)*

10:30 – 11:00 a.m. BREAK

11:00 – 12:00 p.m.

Thou Shalt Not Lie, Cheat or Steal: The Ten Commandments for Avoiding Ethical Problems as a Lawyer

Far too often, legal ethics seminars are filled with convoluted hypots that demonstrate conflicts of interests and ethical dilemmas that will never occur in the real world. Yet, the truth of the matter is that legal ethics really isn't that complicated. There are a few very basic things that lawyers must do (and not do) to avoid disciplinary problems. In this presentation, Mr. Carter delivers a "sermon" on The Ten Commandments for Avoiding Ethical Problems as a Lawyer.

– *Sean Carter*

12:00 – 1:15 p.m.
INSTITUTE LUNCHEON (provided by Minnesota CLE)

1:15 – 2:15 p.m. BREAKOUT SESSION A

1. Divorce from Start to Finish: Pleadings

The presenters will discuss information gathering, drafting and other important considerations at the beginning of the case.

– *William Casey, Judith Oakes, Rebecca M. Picard, Nancy Zalusky Berg & David C. Gapen*
– *Karen T. Kugler (moderator)*

2. Closure and Uncoupling Therapy: What Family Lawyers Should Know

Closure therapy is a process in which parties involved in divorce or relationship dissolution can disengage emotionally and focus on forgiveness, acceptance and moving forward. It is a time-limited process of 4-6 sessions that includes meeting together and individually, reading, journaling and creating a commitment to relate differently. It is particularly helpful for high conflict couples who are emotionally and financially exhausted and are motivated to change their relationship dynamics.

– *Karen K. Irvin & Judy R. Sherwood*

3. Antenuptial and Postnuptial Agreements: Careful Drafting in the Event of Litigation

Practitioners need to be careful when drafting antenuptial and postnuptial agreements to make sure they are enforceable and have the intended result. This session will address how to draft antenuptial and postnuptial agreements that comply with procedural and substantive fairness requirements while making sure your client gets the intended result.

– *James J. Vedder*

4. Spousal Maintenance Modification

How do you know when it is the right time to seek modification of a spousal maintenance obligation? You will learn the legal standard for spousal maintenance modification with an examination of case law, statutes and practice tips.

– *Ben M. Henschel & Joani C. Moberg*

5. Family Law Neutrals: What They Can and Can't Do

1.0 ADR credit applied for

Divorces often involve professionals beyond just the lawyers and the judge, such as parenting time expeditors, parenting consultants, custody evaluators and guardians ad litem. What authority does each have? How are they appointed or selected? Can they testify? Are their notes discoverable? How are their roles defined and limited by the courts or the parties? Attend this presentation for answers to these questions and your own.

– *Angie Banga*

6. 7 Things Every Family Lawyer Should Know About Juvenile Court

– *Jody M. Alholinna*

7. Divorce Issues When Representing Business Owners

Unique issues arise when a business owner is a party in a divorce action, including working with the owner's employees and corporate counsel, minimizing the disruptions to the ongoing business, as well as the normal issues related to valuing the business and determining income available for child support and spousal maintenance. An experienced family lawyer and financial expert will review the special issues in these complicated cases: advance planning

that can be done; special confidentiality, valuation and property division issues; the importance of legal documents; and special care needed to avoid problems when representing the business owner.

– *Stephen G. Dennis & Edward L. Winer*

8. How to Prepare and Argue Motions in Family Court

Valuable advice on family law motion practice from two district court judges.

– *Judge Sharon L. Hall & Judge Stephen M. Halsey*

9. This May Not Be Florida, but It Isn't Texas, Either: Same-Sex Divorce in Minnesota

Last year, a Hennepin County District Court granted a declaratory judgment to two female Minnesota residents who had been legally married in California prior to moving to Minnesota. The court declared the two women to be "single individuals." This session will discuss declaratory judgment and other possible legal paths to dissolve a same-sex marriage in Minnesota.

– *David E. Ahlvers & Morgan Holcomb*

10. Virtual Law Offices, Real Ethics Rules

1.0 ethics credit applied for

Technology changes much faster than the Rules of Professional Conduct. Eric Cooperstein will fire up his scanner and discuss the ethical implications of paperless offices and so-called "virtual" law practices.

– *Eric T. Cooperstein*

11. Cleaning Up the Stress Mess: Stress Management Advice for Family Lawyers

Have you ever found yourself so stressed out at work that you've had to lock yourself in your office and say the Serenity Prayer? "Lord, grant me the serenity to accept the things that I cannot change, the courage to change the things that I can, and the wisdom not to punch opposing counsel in the parking lot." If so, then perhaps you need to hear Sean Carter's tips on how to clean up the stress mess. Let's face it. Being a legal professional is not easy. The demands of dealing with judges, clients, and opposing counsel can make even the most balanced person want to go "legal." In Cleaning Up the Stress Mess, Mr. Carter draws on his decade of experience in both law firms and in-house legal departments to share his advice for building a more stress-free career.

– *Sean Carter*

12. Safety Practices for Family Lawyers

Family lawyers and staff, who interact daily with the public, need to identify personal safety issues. In the context of the attack on lawyer Terri Melcher, this session will focus on domestic violence lethality factors as well as methods of lowering risk.

– *Judge Mary Louise Klas, retired & Cynthia Vermeulen*

2:15 – 2:30 p.m. BREAK

2:30 – 3:30 p.m. BREAKOUT SESSION B

13. Divorce from Start to Finish: Discovery

The presenters will discuss written discovery in divorce cases and demonstrate a deposition.

– *William Casey, Judith Oakes, Rebecca M. Picard, Nancy Zalusky Berg & David C. Gapen*
– *Karen T. Kugler (moderator)*

14. Child Support in Split-Custody Situations

Minnesota law does not specifically state how to calculate child support when the parents have split custody of their children, that is, when each parent has at least one, but not all of the children, for most of the overnights in a year. Various approaches from other states will be presented using the Minnesota Child Support Guidelines.

– *Magistrate Jodie Metcalf & Pamela J. Waggoner*

15. Hot Topics in Farm Divorces

Are stored crops or unsold agricultural produce that are divisible in a property settlement also includable in calculating farm income? Why or why not? What is economic depreciation? How is it calculated? How do you challenge it? Do self-employment income calculations differ for maintenance and child support?

– *Raymond Walz*

16. Top 10 Tricky Tax Topics in a Divorce

Why would my client want to pay non-deductible spousal maintenance? How do we handle all of these loss carryovers? When can my client deduct interest on a property settlement? All of these questions and more will be answered by Tom Harjes, CPA/ABV/CFF, CVA, and Adam Landvik, CFP, CDFA.

– *Thomas W. Harjes & Adam Landvik*

17. Low-Cost Alternatives to Trial: Arbitration and Consensual Special Magistrates

1.0 ADR credit applied for

With the courts underfunded and overwhelmed, family lawyers may want to consider divorce arbitration or the appointment of a CSM. Learn when these alternatives are appropriate in family cases and the advantages and disadvantages of each.

– *Stephen B. Schmidt*

18. 7 Things Every Family Lawyer Should Know About Criminal Law

– *Jason C. Kohlmeyer*

4:45 – 5:45 p.m.

Reception Sponsored by Our Family Wizard

All 2011 Family Law Institute attendees are invited to stay for refreshments, snacks and conversation with faculty, colleagues and friends.

Tuesday, March 29

8:30 – 9:00 a.m.

CONTINENTAL BREAKFAST

9:00 – 11:30 a.m. (includes 15-minute break)

Annual Case Law and Legislative Update

A comprehensive review of the most important cases and the latest legislation, issues and trends in family law.

– Michael D. Dittberner, Bruce D. Kennedy, Dana McKenzie & Suzanne M. Remington

11:30 – 11:45 a.m.

QUESTIONS & ANSWERS

11:45 – 1:00 p.m.

INSTITUTE LUNCHEON (provided by Minnesota CLE)

1:00 – 2:00 p.m.

BREAKOUT SESSION D

35. Divorce from Start to Finish: The Trial

3-hour session

The presenters will demonstrate a divorce trial, including direct and cross-examination of witnesses.

– William Casey, Judith Oakes, Rebecca M. Picard, Nancy Zalusky Berg, David C. Gopen, Donna Cairncross, Karen Krittta & Jan Lowe
– Karen T. Kugler (moderator)

36. Child Support and Expedited Process Panel

2-hour session

– Magistrate Jan Craig Nelson (moderator)

• **When Should County Attorneys Be Involved in Dissolution of Marriage Cases?**

– Melissa A. Rossow

• **How to Calculate Income for Those Receiving Military Pay**

– Steven S. Collins

• **Recent Developments in the Parenting Expense Adjustment**

– Magistrate Steven J. Running

• **When and How to Argue Deviation Factors in Child Support Cases**

– Magistrate Maria K. Pastoor

3:45 – 4:45 p.m.

BREAKOUT SESSION C

24. Divorce from Start to Finish: Social Early Neutral Evaluation

1.0 ADR credit applied for

The presenters will demonstrate a social ENE.

– William Casey, Judith Oakes, Rebecca M. Picard, Nancy Zalusky Berg, David C. Gopen, Susan De Vries & Michael J. Goldfarb
– Karen T. Kugler (moderator)

25. Developing Creative Parenting Time Schedules

Dr. Harrington will discuss variations on the traditional parenting time schedule that fit the schedules of both parents and meet the developmental needs of the children involved.

– Beth Painter Harrington

26. Handling Military Family Law Cases: Navigating the Booby Traps and Minefields Without the Flak Jacket

In today's military operating environment, it is more likely than ever that practitioners will deal with Servicemembers as clients or opposing parties. Do not miss this riveting presentation which will help practitioners avoid malpractice traps and understand the common issues in family law cases involving military members. Topics including the Servicemembers Civil Relief Act, specific jurisdictional issues, pension division, military pay, and child support, as well as the various benefits available to service members and their families.

– Johanna Clyborne & Captain Lyndsey M.D. Olson

27. Advanced Property and Maintenance Issues

Lump sum maintenance, unequal property awards, and other atypical financial issues will be explored. Of particular importance will be suggestions from other sophisticated attorneys who have tried and settled cases that fall outside the more usual parameters. We will consider both creative settlement options and techniques for getting courts to listen to requests for lump sum maintenance and unequal marital property divisions while looking at such techniques as alternatives and/or in addition to invasion of nonmarital property under 'unfair hardship' standards.

– Judge Stephen C. Aldrich, retired & Jana Aune Deach

28. Preparing Your Clients for ICMCs, SENEs and FENEs

1.0 ADR credit applied for

Advice from a judicial officer, a therapist and a financial expert on the best practices for preparing your clients for these new settlement processes.

– Referee Mary Madden, Judy R. Sherwood & Dax V. Stoner

29. 7 Things Every Family Lawyer Should Know About Estate Planning and Probate

– Michael P. Sampson

30. Spousal Maintenance in 2011

Minnesota has seen many changes, and changing tides, in the issue of spousal maintenance over the years. This session will explore the latest in court decisions, tax effects, settlement scenarios and negotiation techniques.

– Gerald Williams

31. How to Cross-Examine Parties and Experts in Divorce Trials

Advice from an experienced litigator on the art of cross-examination, including tips on strategy, preparation and handling objections.

– Susan M. Lach

32. How to Ethically Collect Fees from Clients

1.0 ethics credit applied for

Even the best lawyers cannot succeed unless their clients pay their invoices. This session will focus on the best practices for ethically drafting fee provisions in representation agreements, managing retainers and using various fee collection tools.

– R. Leigh Frost & Dan Van Loh
– Eric T. Cooperstein (moderator)

33. Can't We All Just Get Along?

1.0 elimination of bias credit applied for

In this provocative and entertaining presentation, Mr. Carter explores the issues involved in recruiting and retaining minority and women employees. More importantly, he debunks some of the common myths surrounding the issue of diversity:

- Why "politically correct" behavior is anything but correct.
- Why green is everyone's favorite color.
- Why diversity must start from the bottom up.

– Sean Carter

34. Managing High-Conflict Family Law Disputes as Problem Solvers

Lawyers should be first and foremost problem solvers. This is never more evident than in high conflict family law matters. The two speakers will present and discuss the variety of roles and approaches that attorneys take in their family law practices and offer practical suggestions for being better problem solvers regardless of the level of experience of the individual attorney.

– Gary A. Debele & Zachary Kretschmer

19. Retirement Benefit Twists and Turns: Not Just Filling in a Form

In-depth discussion of some advanced and unusual considerations in dividing retirement benefits in your cases. How to determine the survivor benefits available and how to draft orders to address them. How to divide IRAs, deferred compensation and government plans. QDRO timing and other issues.

– Thomas M. Hughes

20. How to Draft an Order for the Court's Review

Attend this session for valuable drafting tips from a family court referee.

– Referee Timothy T. Mulrooney

21. Cohabitation Agreements and Other Planning Issues for Non-Traditional Families

Planning for unmarried couples is especially important as more couples don't marry because of choice or legal inability. This session will focus on planning for these couples, including providing legal protections with legal documents and important related tax planning.

– Shane Swanson

22. Ethically and Effectively Working with Pro Se Litigants

1.0 ethics credit applied for

Attorneys have ethical duties and boundaries when representing a client against a pro se party and a trial court has a duty to ensure fairness to a pro se litigant. Where does that leave you when you are the only attorney involved? Participants will gain a better understanding of the ethical considerations involved when representing a client against a pro se party, the legal information they can provide to an opposing pro se party, what the Court might expect of them as the only attorney involved, how the Court might treat the opposing pro se party, and tips for managing and presenting a case when a pro se party is involved.

– Walter W. Burk, Judge William H. Koch & Regina A. Wagner
– Deborah M. Gallenberg & Katie C. Ketcher (moderators)

23. Maintaining Boundaries in Family Law Practice

Do you give clients your cell phone number? Do you work for clients who are not paying you? Do you accept gifts from clients? Have you ever represented a friend or family member in a divorce? There are no right answers, but using audience voting technology, you can share your opinions on these important practice questions and participate in the discussion with the panel.

– Jill I. Frieders, Scott M. Rodman & Lymari J. Santana
– Jack E. Setterlund (moderator)

3:30 – 3:45 p.m.

BREAK

37. Valuing the Small Business in Divorce

The appraisal of a small business in a divorce setting has its own set of issues and challenges. Learn about the special treatment of certain issues in small company valuation, including data collection, key person treatment, personal goodwill, and current cap rates, as well as Minnesota precedent and its impact from an appraiser's point of view.

– *Patrick K. Schmidt*

38. Understanding and Making Use of Mental Health Testimony in Family Court

This presentation will address the general area of better understanding and effectively using mental health testimony in family law. Specific topics will include credentials, qualifications, and expertise of mental health experts, limits of mental health testimony, the significance of mental health diagnoses and the use of psychological testing in family court. We will discuss ways to make mental health data legally useful and effective questioning of mental health experts on direct and cross examination.

– *Scott A. Fischer*

39. Negotiating and Litigating International Child Abduction Cases

In a dynamic, multicultural society such as ours, it is becoming more common for child custody disputes to cross international borders. International child custody disputes require an understanding of the Hague Convention on the Civil Aspects of International Child Abduction, the Uniform Child Custody Jurisdiction and Enforcement Act, and the practicalities of enforcement of foreign orders on custody and parenting time. Learn how to navigate the intricacies of international child custody to be able to negotiate the return of a child or litigate the dispute in state or federal court.

– *Allison W. Maxim*

40. The Effect of Federal Health Care Legislation on Family Law

The presenter will discuss the 2010 National Healthcare Law – Individual Health Insurance – Mandate, Subsidy, Penalty – and how it affects family law matters, including marital termination agreements, dissolution of marriage judgments and decrees, and child medical support orders.

– *Ronald B. Sieloff*

41. Digital Forensics: How Producing Text Messages and Facebook Can Assist with OFPs, Restraining Orders, and Discovery in Divorce Cases

New technology relentlessly thrusts itself into the lives of our clients and their families and many of them adopt it with gusto. Do you find yourself ignoring potentially revealing sources of evidence due to the challenges of keeping up with it? This session will show the value of digital forensic approaches for collecting hard-to-find, but relevant evidence that can make the difference for your clients. Come and learn what family attorneys need to know about mobile phones and Facebook in 2011.

– *John J. Carney*

42. Refresher Training for Financial Early Neutral Evaluators

2-hour session
2 ADR credits applied for

A fast-paced review of the fundamentals of FENEs designed for evaluators who have completed the initial FENE training. The session will cover gathering information, affording parties an opportunity to be heard, formulating an evaluative opinion, and delivering the message. It will also offer an opportunity for evaluators to discuss and share strategies for overcoming common issues in FENEs.

– *Kevin McGrath & Tanja K. Manrique*

43. Intimate Partner Violence Best Practices: The Uniform Collaborative Law Act Raises the Bar for Lawyers, Mediators, and Early Neutral Evaluators

The proposed Uniform Collaborative Law Act (UCLA) breaks new ground by creating statutory domestic violence-related obligations for collaborative lawyers. Participants will become familiar with the new provisions and explore the extent to which they embody best practices for family lawyers (collaborative and non-collaborative), mediators, and early neutral evaluators. No matter what your role, a new definition of domestic violence and clarified professional obligations may be coming your way – are you ready?

– *Nancy Ver Steegh*

44. Cultural Marriage and Divorce in Minnesota: Implications of Ceremonial Practices Occurring Within and Outside the State

2.0 hour session
2.0 elimination of bias credits applied for

The goal of this session is to further explain intricacies in the Islamic and Hmong cultural marriage and divorce practices, and how cultural considerations may impact client decisions at the time of the initiation or dissolution of the marriage. A panel of four attorneys will address how to verify the legality of a marriage occurring outside the United States, look at the reasons why individuals may choose cultural marriage as opposed to a “legal” marriage within the state, and examine how cultural marriages are analyzed by the state when arising in issues of child custody, child support and domestic violence.

– *Anna P. Andow, Ilean Her & Imani Jaafar-Mohammad*
– *Kirsten L. Olson (moderator)*

45. Law and Literature Discussion – Ethics #1

1.0 ethics credit applied for
Limited to 25 participants. Pre-registration required.

This innovative program uses literature as well as the experiences of the participants to foster discussion of ethical issues facing family lawyers. The reading for this session is “Witness” by Madison Smartt Bell. Materials will be mailed in advance to the first 25 who register for this session. Check the place on the registration form to ensure your place in this special session.

– *Timothy J. Baland & Gary A. Debele*

2:00 – 2:15 p.m. BREAK

2:15 – 3:15 p.m.

BREAKOUT SESSION E

Divorce from Start to Finish: The Trial, cont.
Child Support and Expedited Process Panel, cont.
Refresher for Financial Early Neutral Evaluators, cont.
Cultural Marriage and Divorce in Minnesota, cont.

46. Bankruptcy and Divorce: Winning Strategies for Dealing with Debt

Can child support and alimony be discharged? How can I force the other side to pay the marital debt? Is there any way to protect the cabin/boat/car in a bankruptcy? How should tax debt be divided? Should my client file for bankruptcy before or after filing for divorce? How can I protect my fees if my client files for bankruptcy protection? Answers to these questions and yours.

– *Barbara J. May*

47. Evidence in Family Cases

Advice for handling evidentiary issues in motion practice, trial and appellate practice, and tips for avoiding errors commonly made by family lawyers.

– *Judge Edward Toussaint*

48. Revisiting Parenting Plans for Young Children

Whether parents are divorcing or were never married, working out parenting plans for very young children can be challenging. Child development experts will present essential information about factors to consider in helping clients to set up plans that really are in the child's best interests. The presentation will cover the most recent research on what young children need in parenting schedules.

– *Kirsten Lysne & Mindy F. Mitnick*

49. Mortgages, Foreclosures and Shortsales: Real Estate in a Troubled Economy

– *Kevin J. Dunlevy*

50. Family Law Practice: There's an App for That

1.0 law office management credit

Join a group of tech-savvy lawyers for a roundtable discussion of the latest gadgets and apps for family law practice. Come prepared to share your favorite app, tool or tip.

– *Thomas W. Tuft*

51. Having the Tough Conversation About Coercive Controls and Abuse in Your Client's Intimate Relationship: Increasing Your Interviewing Comfort Level

Recent research on the presence and impact of coercive controlling intimate relationships, some of which include sexual or physical violence, increases our understanding of how important it is that attorneys be able to ask about and discuss these critical and

often unexplored issues with clients. There is a wide range of abusive behaviors and the presence of coercion in relationships can have dramatic effects on the client's actual legal and practical needs and the attorney-client relationship. This session will introduce the participants to new tools for having the difficult but critical conversations that are more likely to expose clients' real needs.

– *Loretta M. Frederick*

52. Law and Literature Discussion – Ethics #2

1.0 ethics credit applied for
Limited to 25 participants.
Pre-registration required.

This innovative program uses literature as well as the experiences of the participants to foster discussion of ethical issues facing family lawyers. The reading for this session is “Shooting an Elephant” by George Orwell. Materials will be mailed in advance to the first 25 who register for this session. Check the place on the registration form to ensure your place in this special session.

– *Timothy J. Baland & Gary A. Debele*

3:15 – 3:30 p.m. BREAK

3:30 – 4:30 p.m. BREAKOUT SESSION F

Divorce from Start to Finish: The Trial, cont.

53. Representing a Disabled Client or Protecting a Dependent Disabled Child

This presentation explores strategies for protecting maintenance, child support, and property settlements while preserving Medical Assistance and SSI benefits in a dissolution proceeding for clients over the age of 65, blind, or disabled or who have disabled children.

– *Cathryn D. Reher*

54. Preparation of a Cash Flow Analysis for Self-Employed Individuals

Self-employed individuals have unique circumstances that yield various sources of cash flow. Learn to identify the various sources and understand the differing tax consequences of each. Sources include W-2 compensation, pass-through income, distributions, shareholder loans, passive real estate investment, and personal expenses paid by their businesses.

– *Jennifer L. Loeffler*

55. Trying a Custody Case on a Shoestring Budget

– *Referee James J. Street*

Institute Schedule At-a-Glance

Use this handy chart to plan your Family Law Institute experience!

56. Managing Complex Non-Marital Issues

Marital dissolutions invariably include non-marital claims made by one or both divorcing parties. The calculation of these claims can be quite complex. This session will provide expert insight regarding advanced aspects of non-marital claims from a financial perspective.

– Rick C. Berning & John H. Heidebrecht

57. Knowing the Law: The Top 10 Minnesota Family Law Cases Every Attorney Should Know

A review of the top 10 cases and their progeny that every family law attorney in Minnesota should know by heart. There will be a lively discussion of how these cases can affect your practice on a regular basis, including, but not limited to, court appearances, during settlement discussions with opposing counsel and at mediation. A helpful introduction for new attorneys, or a review for more experienced litigators.

– J. Lee Novelli & Michele K. Schorbahn

58. Family Law Appellate Mediation: The Program and the Process

1.0 ADR credit applied for

Judge Klaphake and the Family Law Mediation Program Coordinator will discuss how the appellate mediation program works, what the results have been, and how you can best represent your clients in the process.

– Maggie Hawkins & Judge Roger Klaphake

59. Law and Literature Discussion – Elimination of Bias

1.0 elimination of bias credit applied for
Limited to 25 participants.
Pre-registration required.

This innovative program uses literature as well as the experiences of the participants to foster discussion of bias issues facing family lawyers. The reading for this session is “Change” by Stuart Massad. Materials will be mailed in advance to the first 25 who register for this session. Check the place on the registration form to ensure your place in this special session.

– Timothy J. Baland & Gary A. Debele

Day 1 – March 28

TRACK	BREAKOUT A	BREAKOUT B	BREAKOUT C
DIVORCE FROM START TO FINISH	Pleadings	Discovery	Social Early Neutral Evaluation
CURRENT ISSUES	Closure and Uncoupling Therapy	Child Support in Split-Custody Situations	Developing Creative Parenting Time Schedules
CURRENT ISSUES	Antenuptial and Postnuptial Agreements	Hot Topics in Farm Divorces	Handling Military Family Law Cases
FINANCIAL	Divorce Issues When Representing Business Owners	Top 10 Tricky Tax Topics in a Divorce	Advanced Property and Maintenance Issues
ADR	Family Law Neutrals: What They Can and Can't Do	Low-Cost Alternatives to Trial: Arbitration and Consensual Special Magistrates	Preparing Your Clients for ICMCs, SENEs and FENEs
7 THINGS	7 Things Every Family Lawyer Should Know About Juvenile Court	7 Things Every Family Lawyer Should Know About Criminal Law	7 Things Every Family Lawyer Should Know About Estate Planning and Probate
ADVANCED	Spousal Maintenance Modification	Retirement Benefits Twists and Turns	Spousal Maintenance in 2011
TRIAL	How to Prepare and Argue Motions in Family Court	How to Draft an Order for the Court's Review	How to Cross-Examine Parties and Experts in Divorce Trials
SEAN CARTER	Stress Management Advice for Family Lawyers		Can't We All Just Get Along?
NON-TRADITIONAL FAMILIES	Same-Sex Divorce in Minnesota	Cohabitation Agreements and Other Planning Issues for Non-Traditional Families	
PRACTICE ISSUES	Safety Practices for Family Lawyers	Maintaining Boundaries in Family Law Practice	Managing High-Conflict Family Law Disputes as Problem Solvers
SPECIAL CREDITS	Virtual Law Offices, Real Ethics Rules	Ethically and Effectively Working with Pro Se Litigants	How to Ethically Collect Fees from Clients

Day 2 – March 29

TRACK	BREAKOUT D	BREAKOUT E
DIVORCE FROM START TO FINISH	The Trial (3-hour session)	
CHILDREN, CUSTODY & CHILD SUPPORT	Child Support and Expedited Process Panel (2-hour session)	
CURRENT ISSUES	The Effect of Federal Health Care Legislation on Family Law	Mortgages, Foreclosures and Short Sales
FINANCIAL	Valuing the Small Business in Divorce	Bankruptcy and Divorce
TRIAL	Understanding and Making Use of Mental Health Testimony in Family Court	Evidence in Family Cases
ADVANCED	Negotiating and Litigating International Child Abduction Cases	Revisiting Parenting Plans for Young Children
PRACTICE MANAGEMENT & TECHNOLOGY	Digital Forensics	Family Law Practice: There's an App for That
ADR	Refresher Training for Financial Early Neutral Evaluators (2-hour session)	
DOMESTIC VIOLENCE	Intimate Partner Violence Best Practices	Increasing Your Interviewing Comfort Level
SPECIAL CREDITS	Cultural Marriage and Divorce in Minnesota (2-hour session)	
SPECIAL CREDITS: LAW AND LITERATURE	Ethics #1: Witness	Ethics #2: Shooting an Elephant

Registration Information

COURSE MATERIALS

Your registration fee includes the Family Law Institute manual on a fully searchable CD-ROM, plus handouts for the sessions you attend. At the close of the Institute, you may return your CD-ROM for a hardcopy Institute manual, which will be mailed to you.

HOTEL ACCOMMODATIONS

Minnesota CLE has negotiated special rates for Institute attendees at the following hotels. Be sure to mention the Minnesota CLE Family Law Institute to receive these special rates. Make reservations early to ensure room/rate availability.

- **Best Western Kelly Inn – \$89 per night**
161 St. Anthony Avenue (I-94 & Marion Street); 651-227-8711
- **Holiday Inn St. Paul Downtown – \$114 per night**
175 West Seventh Street; 651-225-1515
- **Crowne Plaza Riverfront – \$129 per night**
11 East Kellogg Boulevard; 651-292-1900
- **The Saint Paul Hotel – \$145 per night**
350 Market Street; 651-292-9292

PARKING

Parking is available at the Saint Paul RiverCentre parking ramp for \$10 per day. Visit the RiverCentre website at www.rivercentre.org for directions and parking maps. For information on Park and Ride lots and bus schedules, call Metro Commuter Services at 651-602-1602.

CREDITS

Minnesota CLE is applying to the State Board of CLE for **11.0 total CLE credits**. Minnesota CLE also has applied for the following special credits:

- **1.0 ethics credit each** for sessions #10, #22, #32, #45 and #52
- **1.0 elimination of bias credit each** for sessions #33 and #59
- **2.0 elimination of bias credits** for session #44
- **1.0 law office management credit** for session #50
You may claim up to 6.0 law office management credits toward your 45-credit reporting requirement every three years.

In addition to regular CLE credits, sessions #5, #17, #24, #28, #42 and #58 also qualify as ADR credits which can be applied toward your state ADR roster reporting requirement.

The maximum number of total CLE credits an attendee may report for attending this Institute is 11.0 CLE credits.

CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the materials. Passholders may purchase the materials at 50% of the full retail price.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend, please contact us at least one week in advance of the program. For further assistance contact Minnesota CLE, 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call 651-227-8266 or 800-759-8840.

QUESTIONS?

Call Minnesota CLE at **651-227-8266** or **800-759-8840**. Or, visit us online at www.minncle.org.

The 2011 Family Law Institute

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SESSION A	SESSION B	SESSION C
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<input type="checkbox"/> #2	<input type="checkbox"/> #14	<input type="checkbox"/> #25
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Can't attend? You can still get the program materials!

The **2011 Family Law Institute Manual and Case Law and Legislative Update** are sold together as one product. Please indicate your format preference:

- _____ copy(ies) in **hardcopy** (\$155)
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