

## Faculty

### Mary R. Watson

Course Chair  
Attorney at Law  
Minneapolis

### Mary McGurran, LSW, NCG

Volunteers of America Minnesota  
Minneapolis

### Patrick R. Burns

First Assistant Director  
The Office of Lawyers Professional Responsibility  
Saint Paul

### James M. Crist

Steinhagen & Crist PLLP  
Minneapolis

### Mary Ferris Jensen

Attorney at Law  
Minneapolis

### William B. Orr, PhD., M.D.

Director Geriatric Psychiatry and  
Assistant Professor of Psychiatry  
University of Minnesota School of Medicine  
Minneapolis

### Susan T. Peterson

Henningson & Snoxell Ltd.  
Maple Grove



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RECYCLABLE

Advanced Issues in  
**Guardianships  
and  
Conservatorships**

Wednesday, February 24, 2010

Video replays available.



Minnesota State Bar Association  
Continuing Legal Education  
Your State Bar at Work For You

Fulfill both your ethics and elimination of bias credits!

# Advanced Issues in Guardianships and Conservatorships

If you are an attorney,  
a professional  
guardian or  
conservator, social  
worker, legal assistant  
or other professional  
who practices in the  
area of guardianships  
and conservatorships,  
you will benefit from  
this program.

Join us for a workshop that will  
take you **“beyond the basics”** as  
our talented faculty addresses  
such tough issues as:

- the ward's capacity to make  
decisions (1.0 elimination of bias credit  
applied for)
- creditor claims in conservatorships
- surety bonds
- civil commitments and how they  
relate to guardianships
- tips for communicating with  
incapacitated persons (1.0 elimination of  
bias credit applied for)
- the ethical obligations of revealing  
conflicts of interest and the illegal  
conduct of the guardian/conservator  
client (1.0 ethics credit applied for)
- and more!

Wednesday, February 24, 2010  
Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center, Minneapolis

Video replay details inside.

# Schedule

8:30 – 9:00 A.M. CHECK-IN & CONTINENTAL BREAKFAST

9:00 – 10:00 A.M.

## Conflicts and Theft: The Ethical Obligations of Revealing Conflicts of Interest and the Illegal Conduct of the Client

(1.0 hour of ethics credit applied for)

Mr. Burns, First Assistant Director with the Office of Lawyers Professional Responsibility, will address the attorney’s responsibilities when the guardian/conservator client lies to the court or has stolen the ward/protected person’s monies. He will also cover the new statutory obligation of court appointed attorneys to reveal conflicts of interest to the court and parties.

– *Patrick R. Burns*

10:00 – 11:00 A.M.

## So Many Claims/So Little Money!

Ms. Peterson will discuss creditor claims in conservatorships. How are claims presented? What does the conservator need to do upon receiving a claim? What happens when there is not enough money to pay all the claims?

– *Susan T. Peterson*

11:00 – 11:15 A.M. BREAK

11:15 – 12:15 P.M.

## The Money’s Gone – Now What? Surcharging the Bond

Mr. Crist will tell you what a surety bond is, the common events that trigger a bond claim, how to petition the court for a surcharge, who defends the conservator on the surcharge claim, and what happens after a bond is surcharged.

– *James M. Crist*

12:15 – 1:15 P.M. LUNCH (ON YOUR OWN)

### LIVE PRESENTATION

**Minneapolis**  
**Wednesday, February 24, 2010**  
Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center

**Albert Lea – 5/7/10**  
**Registration 8:30; Replay 9:00**  
Christian & Peterson  
314 South Broadway

**Alexandria – 4/9/10**  
**Registration 8:30; Replay 9:00**  
Douglas County Courthouse  
305 Eighth Avenue West  
Jury Assembly Room

**Brainerd – 3/26/10**  
**Registration 8:30; Replay 9:00**  
Brainerd Public Library  
416 Fifth Street South

**Crookston – 6/4/10**  
**Registration 8:30; Replay 9:00**  
University of Minnesota—Crookston  
2900 University Avenue, 105 Kiehle Hall

### VIDEO REPLAYS

Schedule times for replays are subject to change due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the course materials on the day of the seminar.

**Minneapolis – 3/10/10**  
**Minneapolis – 3/24/10**  
**Registration 8:30; Replay 9:00**  
Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center

**Duluth – 4/22/10**  
**Registration 8:30; Replay 9:00**  
Radisson Hotel Duluth—Harborview  
505 West Superior Street

**Marshall – 8/16/10**  
**Registration 8:30; Replay 9:00**  
Lyon County Government Center  
607 West Main Street

**Moorhead – 3/26/10**  
**Registration 9:00; Replay 9:15**  
Moorhead Public Library  
118 Fifth Street South

**Park Rapids – 4/9/10**  
**Registration 8:45; Replay 9:00**  
Hubbard County Courthouse  
301 Court Street

**Rochester – 3/26/10**  
**Registration 8:30; Replay 9:00**  
Minnesota School of Business  
2521 Pennington Drive NW

1:15 – 2:15 P.M.

## Elimination of Bias: Understanding and Working with Clients of Diminished Capacity with Regard to Decision Making

(1.0 hour of elimination of bias credit applied for)

When a guardian has been appointed, there is a general assumption that the ward loses the right to exercise choice. But is it true? Are there levels of capacity? Are there corresponding levels of choice? Whose choice is it? Dr. William B. Orr will separate the myths from the facts and help practitioners overcome the biases that arise when a client has been declared to have diminished capacity.

– *Dr. William B. Orr*

2:15 – 2:30 P.M. BREAK

2:30 – 3:30 P.M.

## Civil Commitment: What Is It And How Does It Relate to Guardianship?

Ms. Jensen will speak on civil commitments and how they relate to guardianships. Discussion will include the procedure and proof needed to get someone committed, how a commitment differs from a guardianship, is guardianship really the least restrictive alternative, should a ward be committed and when would that be favored, and the related issue of forced medications.

– *Mary Ferris Jensen*

3:30 – 4:30 P.M.

## Elimination of Bias: Tips for Communicating with Incapacitated Persons

(1.0 hour of elimination of bias credit applied for)

Licensed social worker Mary McGurran will share her expertise on recognizing dementia and mental illness and also provide tips for communicating with incapacitated clients (or their family members).

– *Mary McGurran*

### CREDITS

Minnesota CLE has applied to the State Board of CLE for **6.0** hours of CLE credit, including **1.0 hour of ethics credit** and **2.0 hours of elimination of bias credit**. In no case may you claim more than **6.0 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 written materials. Passholders may purchase the course materials at 50% of the full retail price.

### ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact Minnesota CLE as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call 651-227-8266 or 800-759-8840.

### QUESTIONS?

Please call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us online at **www.minncle.org**.

# Registration/ Order Form

## Advanced Issues in Guardianships and Conservatorships

Wednesday, February 24, 2010  
Minnesota CLE Conference Center 553-10 | Ido

### PLEASE “✓” APPROPRIATE BOX BELOW:

**LIVE – 2/24/10**  
 \$195 MSBA  \$195 paralegal  \$245 standard rate

**VIDEO**  
 \$165 MSBA  \$165 paralegal  \$215 standard rate

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### NEW LAWYER DISCOUNT!

I was first admitted to the bar after February 24, 2007, and have deducted \$60 from the registration fee marked above.

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### PROGRAM MATERIALS:

I cannot attend. Please send me the following:

\_\_\_\_\_ copy(ies) of the course manual at \$100 each plus shipping & handling and tax. *(available 3/3/10)*

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