

The 2020

PROBATE & TRUST LAW

Section Conference



DON'T MISS THESE CONFERENCE HIGHLIGHTS!

- Across-the-Board Updates on Critical Issues, Including the New SECURE Act
- 2020 Non-Tax Case Law Update
- 2020 Legislative Update
- 50+ breakout sessions in 11 topical tracks – choose those most relevant to your practice

OCTOBER 16 & 17, 2020

**LIVE ONLINE CONFERENCE –
NO IN-PERSON ATTENDANCE**

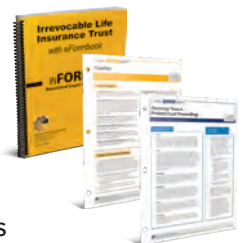
See inside for details.

SPECIAL GUEST SPEAKERS:

- **Natalie Choate**
Nutter McLennen & Fish LLP, Boston, Massachusetts
Planning for Retirement: The SECURE Act and Other Recent Developments
- **Stuart I. Teicher**
National Ethics Expert, East Brunswick, New Jersey
How Good Lawyers Get into Bad Ethical Trouble
- **Matthew Wesley**
Managing Director of the Center for Family Wealth – Merrill
Bellevue, Washington
The Culture Trap: Addressing the Blind Spot of Planning for Families

BONUS RESOURCES:

- InFORMed Annotated Document – Irrevocable Life Insurance Trusts
- Legal QuickSheet – Guide to Capacity
- Legal QuickSheet – Guide to Attorneys' Fees in Probate Court Proceedings



DAY 1 – FRIDAY, OCTOBER 16

MORNING PLENARY SESSIONS

7:50 – 8:20 a.m.
JOIN ONLINE

8:20 – 8:30 a.m.
WELCOME & INTRODUCTION

8:30 – 9:15 a.m.
2020 Non-Tax Case Law Update

A review of all Minnesota published and unpublished probate and trust cases and national published probate and trust cases that provide relevant insight to our practice of law in Minnesota.

Robert A. McLeod

9:15 – 10:00 a.m.
**Planning for Retirement:
The SECURE Act and
Other Recent Developments**

What's new in planning for retirement benefits in the last year or so? SECURE, SECURE, SECURE! Enacted in December 2019, SECURE has upended estate planning techniques for our clients' IRAs and other retirement plans. What it means, what to tell clients, what has (and hasn't) changed, and what we still don't know. Plus, new IRS life expectancy tables!

Natalie Choate

10:00 – 10:30 a.m.
BREAK

BONUS RESOURCES

► **InFORMed Annotated Document**
Irrevocable Life Insurance Trusts

► **Legal QuickSheet**
Guide to Capacity

► **Legal QuickSheet**
*Guide to Attorneys' Fees
in Probate Court Proceedings*

10:30 – 11:30 A.M. BREAKOUT A

FUNDA- MENTALS

101
**Your First Client:
Using the Initial Client Interview to
Inform the Estate Plan**
Chris Tymchuck

PLANNING

102
**I Spy with My Elder Law Eye:
Spotting Elder Law Issues in Estate Plans**
Jill M. Sauber

LARGE ESTATES

103
**Case Studies in Estate Planning for
Retirement Benefits: Real Life Situations
after SECURE**
Natalie Choate

LITIGATION / ADR

104
**Judicial Perspectives on Probate and
Estate Litigation**
*Judge Philip Carruthers, Judge Robert A. Docherty,
Judge Sara R. Grewing, Sonny F. Miller, Alan I. Silver &
Pamela D. Steinle*

TRUSTS

105 *2-hour session*
Special Needs and Pooled Trusts: How to Keep Them Working Effectively for Our Clients
*Geneva E. Finn, Laurie A. Hanson, Reid S. Raymond & Jeffrey W. Schmidt
Lori L. Guzmán (moderator)*

PROBATE

106
**How to Handle the Nuts and Bolts Issues
Before the Probate Starts**
Ivory S. Umanah

SPECIAL CREDITS

BEST PRACTICES

107 *Repeated at #709*
**Planning with Irrevocable
Life Insurance Trusts**
William S. Forsberg & Jody A. Cohen Press



PARALEGALS

108 *Not for Attorney CLE credit*
S Corporations in Estate Planning
Nicholas J. Kaster & Jeffrey S. Waldron

11:45 A.M. – 12:45 P.M. BREAKOUT B

201
**Your First Will and Trust:
Key Considerations When Drafting Your
First Will and Trust**
Omni N. Kiecker

202
**Small Estates Panel: Examining Perplexing
Planning and Administration Problems**
*Theresa M. Kowalski & Mary Frances M. Price
James T. McNary (moderator)*

203
**Making Retirement Benefits Payable
to Trusts**
Natalie Choate

See Session 204

204
**The Top 10 Things That Cause Litigation in
Probate Cases**
David R. Crosby

205
**Life and Death:
Estate Planning Strategies for
Health Savings Accounts**
Ryan McKeown

206 *Not for Attorney CLE credit*
**The Ethical Paralegal:
Your Guide to Compliance with
Legal Ethical Rules**
Nicole S. Frank & Amy M. Halloran

12:45 – 1:45 P.M. LUNCH BREAK

1:45 – 2:45 P.M.
BREAKOUT C

3:00 – 4:00 P.M.
BREAKOUT D

4:15 – 5:15 P.M.
BREAKOUT E

301
Your First Health Care Directive and Power of Attorney
Melissa Hagstrum Bayne

401
Your First Probate: How to Manage Important Timelines and Deadlines
Paul D. Funke

501
Your First Irrevocable Trust
Jayne E. Sykora

302
Do You Need Answers to Those Tough Social Security Questions?
Brian Rudolph & Rhonda Whitenack

402
Big Changes to the Guardianship and Conservatorship Statutes: A Practitioner's Guide
Robert A. McLeod

502
On the Edges of Capacity – Implications for Estate Planning
Brian A. Dillon & Marya P. Robben

303
Large Estates Panel: What to Do in Anticipation of the 2020 Election – Act or Wait?
*Bradley Frank, Courtney A. Grimsrud & Laura Halferty
Michael P. Sampson (moderator)*

403
Wealth Transfer to Minors – Planned Gifts and Intestate Inheritance
Caitlin E. Abram & Lauren G. Barron

503
Two of a Kind: Strengthening Your Hand by Pairing a SD Trust with a SD LLC
*Timothy W. Billion & Patrick G. Goetzinger
Adam C. Stern (moderator)*

304
Litigation and Planning Surrounding Family Businesses
Randy G. Gullickson & Rodney J. Mason

404
10 Keys to an Effective Elder/Estate Mediation
Alan B. Bachman & Janeen L. Massaros

504
How to Manage Probate and Estate Litigation in Minnesota and Surrounding States
Berly D. Nelson, Jennifer A. O'Neill & Denise S. Rahne

305
Trustee Liability and the Enforceability of Exculpatory Clauses
Jesse C. Beier & Joseph J. Cassioppi

405
How to Deal with a Client's Special Assets
Matthew J. Shea & Edward H. Tully

505
Addressing Addiction and Mental Health in Estate Planning
Rachel T. Schromen

306
2020 Probate Panel
*William R. Asp, Andrea S. Breckner, Cynthia R. Costello,
Daniel R. Donovan & Julie Peterson
Susan J. Link (moderator)*

406
Probate Tales of Success and Failure – Statewide
Margaret "Pook" Grathwol & Ruthanne Hedstrom Vos

506
Answers to the Top 10 Questions Received by Probate Registrars
*Darla Busian, Laura J. Stevens, Barbara Peterson & Peggy Zdon
Jaclynn M. Sparby (moderator)*

307 *1.0 ethics credit applied for*
The Art of Ethical Practice for the Estate and Trust Lawyer: The Usual Suspects
Rachel M. Dahl & Jennifer J. Elston

407 *1.0 ethics credit applied for*
How to Avoid and Resolve Conflicts of Interest in Estate Planning Matters
Susan M. Humiston

507 *1.0 elimination of bias credit applied for*
Elimination of Bias: Navigating and Embracing Generational Differences
Leslie Sinner McEvoy

308
Medical Assistance (MA) Update 2020
Amber M. Hildebrandt & Julian J. Zweber

408 *Repeated at #609*
The SECURE Act: Where Do We Go from Here?
Bryan Jamison

508
Emptying the Estate of the Items Nobody Wants
Sonja Birkeland & Sarah B. Sicheneder

309 *Not for Attorney CLE credit*
The Effective Probate and Trust Paralegal: 10 Key Tips for Finding the Information You Need
Jennifer L. Gilk & Nikki Hermanson

409 *Not for Attorney CLE credit*
How to Prepare a Final Account
Cynthia R. Costello

509 *Not for Attorney CLE credit*
Don't Overthink It; Don't Underthink It – Paralegal Panel
*Annie White & Jana L. Quast
Cynthia R. Costello (moderator)*

DAY 2 – SATURDAY, OCTOBER 17

7:30 – 8:00 A.M.
JOIN ONLINE

8:00 – 9:00 A.M.
BREAKOUT F

9:15 – 10:15 A.M.
BREAKOUT G

View complete session descriptions online at www.minncle.org

FUNDAMENTALS	601 Your First Estate Tax Return <i>Andrew T. Howard & Brooke Hanssen</i>	701 New Lawyer Panel: Advice, Dos and Don'ts, Q and A and Resources <i>Theresa G. Johnson, Taylor Kaspar, Philip J. Ruce, Jeremy P. So & Letty M-S Van Ert Kimberly A. Prchal (moderator)</i>
PLANNING	602 Life Insurance 101 – Tips and Traps in Understanding Life Insurance and Working with Life Insurance Agents <i>Jennifer L. Gilk & Nancy S. Hansen</i>	702 S Corporations in Estate Planning <i>Nicholas J. Kaster & Jeffrey S. Waldron</i>
LARGE ESTATES	603 DING Trusts under Fielding <i>Trisha W. Hall & Cameron R. Seybolt</i>	703 Understanding the Trust Income Taxation of Various Irrevocable Trusts Holding IRAs Assets Funded After the Secure Act Effective Date <i>Marcia E. Urban</i>
FAMILY DYNAMICS / COMMUNICATIONS	604 Avoiding Family Friction: Identifying and Mitigating Potential Flashpoints <i>James T. McNary</i>	704 The Culture Trap: Addressing the Blind Spot of Planning for Families <i>Matthew W. Wesley</i>
LITIGATION / ADR	605 Just, Fair, Reasonable, and Necessary – The Current Landscape of Attorneys' Fees in Probate Court Proceedings <i>Susan A. King, Kim Ruckdaschel-Haley & Alan I. Silver Kirstin E. Helmers (moderator)</i>	705 The Use (and Abuse) of Injunctive Relief in Trust Litigation <i>Judge Martin S. Fallon & Julian C. Zebot</i>
TRUSTS	606 2020 Update on Trust Decanting and Modifications <i>Christopher B. Hunt, Dale J. Schoonover & David J. Shannon</i>	706 2020 Trust Officer Panel <i>Carissa W. Brown, Barry A. Kelner, Jason W. Schuller & Sarah N. Sondag Sharma Foley Affeldt (moderator)</i>
AGRICULTURE	607 A Checklist for Successful Farm Transition Planning <i>Christopher M. Roe</i>	707 Post-Death Division of Agricultural Assets <i>Toni M. Sandin</i>
SPECIAL CREDITS	608 <i>1.0 ethics credit applied for</i> How Millennials Will Change 3 Key Ethics Concepts <i>Stuart I. Teicher</i>	708 <i>1.0 elimination of bias credit applied for</i> Elimination of Bias: Women in Estate Planning <i>Laurie A. Hanson, Marya P. Robben, Sarah B. Sicheneder & Pamela D. Steinle Jennifer S. Santini (moderator)</i>
ENCORE	609 <i>Repeat of #408</i> The SECURE Act: Where Do We Go from Here? <i>Bryan Jamison</i>	709 <i>Repeat of #107</i> Planning with Irrevocable Life Insurance Trusts <i>William S. Forsberg & Jody A. Cohen Press</i>



10:15 – 10:45 A.M. BREAK

10:45 A.M. – 3:15 P.M.
PLENARY SESSIONS

10:45 – 11:15 a.m.

2020 MN Legislative Update

A fast-paced review of estate planning related developments in the 2019 legislative session.

Adam J. Rohne & Cameron R. Seybolt

11:15 – 11:30 a.m.

MSBA Probate and Trust Law Section Meeting

11:30 a.m. – 12:15 p.m.

How Good Lawyers Get into Bad Ethical Trouble

.75 ethics credits applied for

The scariest stories that lawyers hear are those tales where responsible lawyers who care about acting in an ethically appropriate way end up getting into disciplinary trouble. In this program, Stuart Teicher, Esq., “the CLE Performer” reviews key rules that most lawyers sort-of know, but might not appreciate in detail. Learn the key things to watch out for in misrepresentation (Rule 4.1), conflicts (Rule 1.7), reporting misconduct (Rule 8.3), and more. You’ll leave this seminar a safer, stronger attorney.

Stuart I. Teicher

12:15 – 12:30 p.m.

Demonstration of Minnesota CLE’s New Automated Drafting Wills Platform

Michael P. Sampson

12:30 – 1:00 p.m. LUNCH BREAK

1:00 – 2:00 p.m.

Ethical Limitations on Lawyers’ Superpowers

1.0 ethics credit applied for

Did the drafters of our ethics code believe that lawyers are superheroes? It seems so. In this unique program, Stuart Teicher, Esq. (the “CLE Performer”) weaves together talk of superpowers, superheroes, and other fun stuff to explain important ethics rules and explore both the breadth and limitations on a lawyer’s power. Topics Include: The allocation of decision-making authority between lawyer and client (Rule 1.2); The rule about withdrawing from representation (Rule 1.16); Our duties as an advisor (Rule 2.1).

Stuart I. Teicher

2:00 – 2:15 p.m. BREAK

2:15 – 3:15 p.m.

Bias Has Been Eliminated... Hypothetically Speaking

1.0 elimination of bias credit applied for

The occurrence of stereotypically outlandish bias has decreased in recent years (thankfully). But that doesn’t mean that we’ve eliminated bias from the profession. In fact, it unfortunately continues to exist in more subtle ways. Join the “CLE Performer,” Stuart Teicher, Esq., as he explores implicit bias, uses several hypothetical examples to reveal how bias manifests itself in the practice...and gives a few ideas about what lawyers can do to eliminate it from the profession.

Stuart I. Teicher

FREE POST-CONFERENCE WEBCASTS

View 3 FREE Webcasts | Earn 3 Extra Credits

The learning continues even when the conference is over! Following the conference, all attendees may view 3 webcasts for free and receive 3 additional CLE credits. Instructions for how to register will be distributed at the conference.

1 TUESDAY, NOVEMBER 3 | 12:00 – 1:00 P.M. | 1.0 STANDARD CLE CREDIT APPLIED FOR
Charitable Gifts and Trusts: The Top 5 Things Attorneys Should Know
Sheryl G. Morrison & James R. Thomson

2 TUESDAY, NOVEMBER 3 | 2:00 – 3:00 P.M. | 1.0 STANDARD CLE CREDIT APPLIED FOR
How to Use CLEWills
Michael P. Sampson

3 WEDNESDAY, NOVEMBER 4 | 12:00 – 1:00 P.M. | 1.0 STANDARD CLE CREDIT APPLIED FOR
Irrevocable Trusts and the Interplay with MA Benefits
Jessica T. Lindstrom & Jill M. Sauber

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- Minnesota Trust Administration Deskbook with eFormbook
- Minnesota Estate Administration Deskbook with eFormbook
- Guardianship and Conservatorship Law Handbook
- Minnesota Probate and Trust Law Deskbook
- Elder Law Handbook



Visit the Minnesota CLE Publications booth on the EventMobi site to take advantage of these special offers!

Offers available only to online attendees of the 2020 Probate & Trust Law Section Conference

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Minneapolis

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Apple Valley

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Office of Lawyers
Professional Responsibility
Saint Paul

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Fredrikson & Byron PA
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Jamison & Jamison, P.A.
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Private Wealth Management
Minneapolis

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Kiecker Law Office
Belle Plaine

SUSAN A. KING
Moss & Barnett,
A Professional Association
Minneapolis

THERESA M. KOWALSKI
Attorney at Law
Minnetonka

JESSICA T. LINDSTROM
Winthrop & Weinstine
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Maslon LLP
Minneapolis

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Dorsey & Whitney LLP
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Serkland Law Firm
Fargo, North Dakota

JENNIFER A. O'NEILL
O'Neill Elder Law, LLC
Hudson, Wisconsin

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Tenth Judicial District
Center City

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Fourth Judicial District
Minneapolis

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Wells Fargo Law Department
Minneapolis

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Minneapolis

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Minneapolis

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Robins Kaplan LLP
Minneapolis

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City National Bank
Minneapolis

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Hennepin County Attorney's Office
Minneapolis

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Lathrop GPM LLP
Minneapolis

CHRISTOPHER M. ROE
Blethen Berens
Mankato

• **ADAM J. ROHNE**
Wells Fargo Law Department
Minneapolis

PHILIP J. RUCE
Stone Arch Law Office
Saint Louis Park

KIM RUCKDASCHEL-HALEY
Best & Flanagan LLP
Minneapolis

BRIAN RUDOLPH
Social Security Administration
Saint Paul

MICHAEL P. SAMPSON
Maslon LLP
Minneapolis

TONI M. SANDIN
Sandin Law, Ltd
Fargo, North Dakota

JENNIFER S. SANTINI
Sykora & Santini PLLC
Minneapolis

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Saubler Legal Services LLC
Bloomington

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Schmitz, Schmidt & Anderson PA
Saint Paul

DALE J. SCHOONOVER
Fredrikson & Byron, P.A.
Minneapolis

RACHEL T. SCHROMEN
Schromen Law, LLC
Saint Paul

JASON W. SCHULLER
Bell Bank Wealth Management
Minneapolis

CAMERON R. SEYBOLT
Fredrikson & Byron, P.A.
Minneapolis

DAVID J. SHANNON
Faegre Drinker Biddle & Reath LLP
Minneapolis

MATTHEW J. SHEA
Lathrop GPM LLP
Minneapolis

SARAH B. SICHENEDER
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ALAN I. SILVER
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SARAH N. SONDAY
Comerica Trust
Minneapolis

• **JACLYNN M. SPARBY**
Fourth Judicial District
Minneapolis

PAMELA D. STEINLE
Steinle Law PLLC
Saint James

ADAM C. STERN
First Trust Company, LLC
Saint Paul

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Henson & Efron, P.A.
Minneapolis

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Sykora & Santini PLLC
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A Professional Association
Minneapolis

MATTHEW W. WESLEY
Center for Family Wealth – Merrill
Bellevue, Washington

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Trust Point, Inc.
Minneapolis

ANNIE WHITE
Best & Flanagan LLP
Minneapolis

RHONDA WHITENACK
Social Security Administration
Bloomington

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Ballard Spahr LLP
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WEALTH

About the Online Conference

Because the health and safety of all participants is our top priority the 2020 Probate and Trust Law Section Conference will be an online-only event.

You will receive:

- Access to the online stream of all plenary sessions and your choice of pre-recorded breakout sessions
- Electronic versions of all materials, including the conference manual, the InFORMed Annotated Document and the 2 Legal QuickSheets
- Your choice of 5 additional seminar hours from Minnesota CLE's OnDemand Classroom
- Access to the EventMobi site which will allow you to:
 - Ask the speakers questions
 - Network with other participants
 - Access all pre-recorded breakout sessions post-conference (not for CLE credit)
 - Visit with sponsors and exhibitors
 - Enter to win prizes
 - And much more!

LOCATION

This is an online conference that registrants will be able to join through their account on the Minnesota CLE website at www.minncle.org.

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 #160-S, Saint Paul, MN 55114 or call 800-759-8840.

SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those individuals with a financial need. To obtain a scholarship application, please contact Grant at gdavies@minncle.org.

CANCELLATION POLICY

Paid registrants who cancel before the seminar will receive a full credit on their account, or refund upon request. Paid registrants who do not cancel and are unable to attend will retain access to the seminar materials through their website account. Passholders may purchase the materials at 50% of the full retail price.

CREDITS – CONFERENCE

Minnesota CLE is applying to the Minnesota State Board of CLE for 12.25 CLE credits, including 1.75 ethics credits and 1.0 elimination of bias credit. We anticipate that sessions #307, #407 and #608 each will qualify for 1.0 ethics credit, and that sessions #507 and #708 each will qualify for 1.0 elimination of bias credit. The maximum number of credits viewers may claim for this conference is 12.25 credits, not including the post-conference webcasts.

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