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ONLINE ONLY
Thursday & Friday,
January 28 & 29, 2021

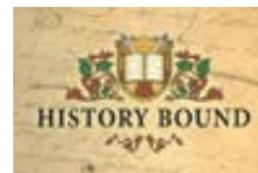
The 30th Annual Minnesota

Elder Law Institute



- Get the **Latest COVID-19 Related Elder Law Information**
- **Update** your Office Practice with our **Ethics Session: Clients with Diminished Capacity**
- **Be Prepared** for **Tough Scenarios**, including Adult Foster Care and Elder Abuse
- Satisfy Your **Elimination of Bias** Credit Requirement

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The 30th Annual Minnesota

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January 28 & 29, 2021
 LIVE ONLINE -
 NO IN-PERSON ATTENDANCE

Register at www.minncle.org

In-Person Passholders -
 You may use your Pass to register for
 the online Institute at no charge.

DAY 1 – THURSDAY, JANUARY 28

8:25 – 8:55 a.m.

JOIN ONLINE

8:55 – 9:00 a.m.

ANNOUNCEMENTS

9:00 – 10:00 a.m.

Practicing Elder Law in a COVID World: What We’ve Learned, What We’ll Keep, and What We’re Going to Toss in the 2020 Dumpster

A panel of experienced elder law attorneys will share the on-the-fly tricks and traps of practicing law in a global pandemic, and will talk about the impact of shutdowns and quarantines on day-to-day practice, what has worked to bridge isolation, how technology played a productive (or not) role and speculate about what might change permanently for the future.

– *Brenna M. Galvin*
– *Jeffrey W. Schmidt*
– *Jill M. Sauber*

10:00 – 10:05 a.m.

BREAK

10:05 – 11:20 a.m.

2021 Legislative Update

Your can’t miss session for legislative updates surrounding COVID-19 and the impact on your practice, plus proposed statutory repeals and annual case law update.

– *Suzanne M. Scheller*

11:20 – 11:30 a.m.

BREAK

11:30 a.m. – 12:00 p.m.

Legislative Agenda Discussion

The MN NAELA Public Policy Committee is focused on three key issues: (1) Repeal 501C.126; (2) Fixing the Schmalz statutory language; and (3) 256B.15 2009 regarding recovery against estate of surviving spouse of MA recipient. This session will give an update on these matters and predictions for 2021.

– *Margaret M. “Pook” Grathwol*
– *Mary Frances Price*

12:00 – 1:10 p.m.

LUNCH BREAK & AWARDS CEREMONY

1:10 – 2:10 p.m.

Nursing Home Abuse 101

This session will discuss strategies to successfully hold nursing home operators liable for systematic neglect of their patients, infection prevention and control, and strategies to uncover facts to bolster your case.

– *Joel E. Smith*

2:10 – 2:15 p.m.

BREAK

2:15 – 3:15 p.m.

What to Do If You Feel a Family Member Is Exploiting or Abusing an Elder

This session focuses on equipping attorneys in private practice with tools necessary to recognize and respond to situations where a family member is abusing or exploiting an elder.

– *Christine B. Courtney*

3:15 – 3:20 p.m.

BREAK

3:20 – 4:20 p.m.

Ethics – Clients With Diminished Capacity

1.0 ethics credit applied for

This session will address professional responsibility issues that can arise when representing a client with diminished capacity. Topics will include communication, allocation of authority, decision making, conflicts of interest and Rules of Professional Conduct 1.2, 1.4, 1.7 and 1.14.

– *Timothy M. Burke*

DAY 2 – FRIDAY, JANUARY 29

8:25 – 8:55 a.m.

JOIN ONLINE

8:55 – 9:00 a.m.

ANNOUNCEMENTS

9:00 – 10:00 a.m.

Eliminating Racial Bias in Client Intake: Learning from the Clients We Don’t Serve

1.0 elimination of bias credit applied for

This session will provide insight on client intake through the eyes of an important person: the client. A person of color with Medical Assistance needs was referred to the private bar from legal aid for assistance. She and her spouse ultimately did not access legal services at a juncture that would have allowed them to preserve hard-earned assets within their family. The client, a legal aid attorney, and a private attorney share their subsequent conversation about the role of elder law attorneys in advancing racial equity.

– *Maya Missaghi*
– *Laura Orr*

10:00 – 10:05 a.m.

BREAK

10:05 – 10:50 a.m.

The Rebirth of Alternative Care: What Law Change May Make It More Appealing Than Elderly Waivers?

An experienced elder law attorney will guide attorneys through financial eligibility and service benefits of Elderly Waiver and Alternative Care, and how a recent law change may make the latter program the preferred option for your clients.

– *Cathryn D. Reher*

10:50 – 11:00 a.m.

BREAK

11:00 a.m. – 12:00 p.m.

Elimination of Bias: Building Capacity to Serve: The Aging HIV and LGBTQ+ Communities

1.0 elimination of bias credit applied for

– *Jill Moody*
– *Bill Tiedemann*

12:00 – 1:00 p.m.

LUNCH BREAK

1:00 – 2:00 p.m.

BREAKOUT SESSION A

FOUNDATIONS

101

Elder Law for the Non-Specialist

- What is Elder Law?
 - Restrictions on calling yourself an “Elder Law Specialist.”
 - How to become a Non-Specialist Elder Law Lawyer.
- *Amber Hildebrandt*
– *Julian J. Zweber*

ADVANCED

102

Medical Assistance Compliant Annuities

Attendees will learn:

- What makes an annuity medical assistance compliant?
 - What are the rules for using annuities in medical assistance planning?
 - Strategies for using annuities in medical assistance planning.
- *David A. Rephan*

2:00 – 2:15 p.m.

BREAK

2:15 – 3:15 p.m.

BREAKOUT SESSION B

FOUNDATIONS

201

10 Things You Need to Know About Practicing Elder Law in Greater Minnesota

- *Callyn T. Bedker*
- *Aaron Bransky*
- *Lisa Chesley*
- *Ryan J. Long*
- *Jack J. Austin (moderator)*

ADVANCED

202

Pooled Trusts for Over 65

This session will answer the timely question as to whether individuals 65 and older may place funds in a pooled trust sub-account and retain their eligibility for Medicaid without suffering a penalty.

– *Laurie Hanson*

3:15 – 3:30 p.m.

Closing Remarks

– *Jack J. Austin*
MSBA Elder Law Section Chair

COURSE INFORMATION

ONLINE INSTITUTE

Thursday-Friday, January 28-29, 2021
View online at www.minncle.org
Registration for online Institute must be made online at www.minncle.org

IN-PERSON PASSHOLDERS

You may use your Pass to register for the online Institute at no charge.

COURSE MATERIALS

All course materials will be provided electronically.

CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **10.5 CLE credits, including 1.0 ethics credit for the Day 1 closing plenary, and 1.0 elimination of bias credit each for the Day 2 plenary sessions at 9:00 a.m. and 11:00 a.m.** The maximum number of total credits attendees may claim is 10.5 credits.

SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those with a financial need. Contact Grant at gdavies@minncle.org or 651-254-2111 for details or to obtain an application.

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 us at 800-759-8840.

CANCELLATION POLICY / NO-SHOW 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.

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The 30th Annual Minnesota

Elder Law Institute

January 28-29, 2021 | Attend Online

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THURSDAY-FRIDAY, JANUARY 28-29, 2021

Registration must be made online at www.minncle.org

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\$425 MSBA member

\$425 paralegal

\$495 standard rate

Passholders attend at no charge.

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The **electronic version** is available for \$75 (plus tax). The electronic version may be purchased online after February 15 at www.minncle.org.