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SEPTEMBER 15–16, 2016 | PLYMOUTH

2ND ANNUAL

Elder Law *institute*

Serve the Expanding Needs of Your Clients Confidently

Networking Events

Exhibit Hall Showcase and Mid-Day Reception

Breakfast Roundtable: Networking and Marketing

Special Add-On Seminar

Veterans' Benefits and Claims: A Practical Approach

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ICLE
THE INSTITUTE OF CONTINUING LEGAL EDUCATION
The education provider of the State Bar of Michigan
The State Bar of Michigan • The University of Michigan Law School • Wayne State University Law School • University of Detroit Mercy School of Law • Western Michigan University Thomas M. Cooley Law School • Michigan State University College of Law

Serve the Expanding Needs of Your Clients Confidently

Michigan's most respected experts give you the tools you need to become successful in this growing practice area. Avoid giving away business your aging clients are bringing to you. Get grounded and discover solutions in core and evolving elder law issues: protective orders, health exchanges, Medicaid benefits, housing options, taxes, special needs trusts, and the barrage of ethical problems you'll face.

Navigate Government Benefits

Benefits can be complicated—and are constantly changing. Our experts will guide you through the issues, one step at a time. This year we've dedicated our entire Core Concepts Track to Medicaid. You'll also learn about Social Security, Medicare, and more (stay for our special seminar on VA benefits).

Attract New Clients

Learn to promote your services and build your brand. Nationally recognized expert Michael Gilfix shows you how to provide full-service assistance.

Stay Ahead of the Curve

Don't miss our Caselaw and Statute Update—back by popular demand. Get a practical overview of recent changes that will help you avoid pitfalls.

Learn from the Best

Health and disability experts, housing and care specialists, financial planners, case managers, service providers, and experienced elder law and special needs lawyers give strategies for working with senior clients.

Improve Your Drafting

Create better special needs trusts, durable powers of attorney, and legal representation agreements.

Address the Challenges of Capacity

Clarify ethical issues and use probate court to achieve positive results for a person who lacks sufficient capacity.

Make Effective CMH Appeals

Examine the options and rights your clients have when their services are terminated and make effective appeals to restore benefits.

Already Experienced in Elder Law?

No matter how long you've been practicing elder law, you'll benefit from our Advanced Benefits Track that will bring you up to date and give you new strategies to face the complexities surrounding this important area of practice.

Featured Speakers

Michael Gilfix

Gilfix & La Poll Associates LLP, *Palo Alto, CA*

Michael Gilfix, a founding partner of the firm, is a nationally known authority in estate planning, elder law, and special needs trusts. In 1973 he created Senior Adults Legal Assistance, a free legal aid program that still thrives today. He is a cofounder and fellow of the National Academy of Elder Law Attorneys (NAELA).

Robert D. Mannor

Mannor Law Group PLLC, *Grand Blanc*

Robert D. Mannor focuses his practice on elder law, estate planning, veterans' benefits, and holistic life care planning. He is nationally board certified as an elder law attorney (CELA) by the National Elder Law Foundation. An active member of the National Academy of Elder Law Attorneys, he is president of NAELA's Michigan chapter.

Lauretta K. Murphy

Miller Johnson, *Grand Rapids*

Lauretta K. Murphy practices in the areas of probate and estate planning, sophisticated estate and gift tax planning, business ownership and succession planning, elder law and disability planning, and special needs planning. She chairs the firm's trust, estate, and family wealth management practice group.

Sara A. Schimke

Jaffe Raitt Heuer & Weiss PC, *Southfield*

Sara A. Schimke focuses her practice on estate planning, long-term care planning, special needs planning, and various other elder law practice areas. She is a member of the governing council for the Elder Law and Disability Rights Section of the State Bar of Michigan and the National Academy of Elder Law Attorneys.

Special Paralegal Pricing

Our Core Concepts Track is perfect for paralegals. Bring yours at a discounted rate—new this year!

See back cover.

Details

September 15–16, 2016

Plymouth, Michigan
The Inn at St. John's

CLE: 9 | **Ethics:** 0.5
Level: Basic/Intermediate/Advanced

Special Add-On Seminar
Veterans' Benefits and Claims: A Practical Approach
Friday, September 16
See page 11.

Networking Events
Thursday, September 15
Exhibit Hall Showcase and Mid-Day Reception
Friday, September 16
Breakfast Roundtable: Networking and Marketing
See page 5.

Discounted rooms available at The Inn at St. John's
See page 8.

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Agenda

8:00am Continental Breakfast, Vendor Showcase, and Registration (Both Days)

THURSDAY, SEPTEMBER 15, 2016

8:00am	Making the Most of Your ICLE Resources—Demonstration by ICLE Staff
9:00am	Welcome and Introduction to the Case Study
9:20am	Elder Law Practice Advice from the Trenches
10:45am	Networking Break

	Advanced Benefits Track	Core Concepts Track	Financial & Health Planning Track
11:00am	Preplanning While Clients Are Competent	Medicaid Essentials—Rules	Health Exchanges and Medicaid Expansion
12:00pm	Networking Lunch		
1:15pm	How to Deal Effectively with Incapacity Using the Probate Court	Medicaid Essentials—Basic Planning	Financial Planning and Elder Law
2:15pm	A Dozen or More Issues That Keep Experienced Elder Law Lawyers Up at Night	Medicaid Essentials—The Application	Calculating When to Take Social Security
3:00pm	Exhibit Hall Showcase and Mid-Day Reception		
3:45pm	CMH Appeals	Medicaid Essentials—Post-Eligibility	Medicare Basics

4:40pm Closing Keynote: Elder Law Town Hall

FRIDAY, SEPTEMBER 16, 2016

8:00am	Breakfast Roundtable: Networking and Marketing (Limit 50)
9:00am	Elder Law Caselaw and Statute Update

	Running Your Practice Track*	Special Needs Track*
10:00am	Drafting Your Legal Representation Agreement	Basics of ADA
10:35am	Networking Break	
10:50am	Marketing Your Elder Law Services	The Ages and Stages of Social Security Benefits
11:35am	Everyday Elder Law Ethics	Using Special Needs Trusts Effectively
12:25pm	The Ins and Outs of Assisted Living	Administration of Special Needs Trusts

* MP3 download available to all registrants after the seminar.

Tracks

Moderator
Thursday Plenary and Special Needs Track

Amy Rombyer Tripp
Chalgian & Tripp Law Offices PLLC, *Jackson*

Moderator
Friday Plenary and Running Your Practice Track

Terrence G. Quinn
The TGQ Law Firm, *Ann Arbor*

Plenary Sessions

8:00am/Thursday

Continental Breakfast, Vendor Showcase, and Registration

8:00am/Thursday

Making the Most of Your ICLE Resources—Demonstration by ICLE Staff

Are you making the most of your Partnership resources? Do you really know everything that you have and how to use it? Learn to make the most of your Partnership resources and to use the website effectively on a computer or mobile device. Discover the Partnership's main resources and primary law research capabilities and get tips for quickly finding what you need. Plus, use the ICLE Community to network and get specific practice questions answered.

9:00am/Thursday

Welcome and Introduction to the Case Study

9:20am/Thursday

Elder Law Practice Advice from the Trenches

Drawing on decades of experience, Michael Gilfix shares his most practical advice to get you equipped to run a successful, profitable, and efficient elder law practice. From patient advocate planning to long-term care strategies to information gathering and working with related professionals, gain the tools you need to provide full-service assistance to your clients.

Michael Gilfix, Gilfix & La Poll Associates LLP, *Palo Alto, CA*

12:00pm/Thursday

Networking Lunch

3:00pm/Thursday

Exhibit Hall Showcase and Mid-Day Reception

4:40pm/Thursday

Closing Keynote: Elder Law Town Hall

Michael Gilfix and select faculty members lead an interactive discussion of new developments, national and local trends, and up-to-the-minute planning strategies in this freewheeling session to close the day. Get in on the discussion and get your questions answered.

Michael Gilfix, Gilfix & La Poll Associates LLP, *Palo Alto, CA*;
Gregory R. Kish, Scott & Huff PC, *Traverse City*;
Sara A. Schimke, Jaffe Raitt Heuer & Weiss PC, *Southfield*;
Amy Rombyer Tripp, Chalgian & Tripp Law Offices PLLC, *Jackson*

8:00am/Friday

Breakfast Roundtable: Networking and Marketing

Sit down with the leaders in elder law practice to learn how they rose to the top of their field. Share your experiences, get your questions answered, and network with your colleagues. Get new ideas on how to promote yourself and your practice. (Limit 50—advance registration required)

9:00am/Friday

Elder Law Caselaw and Statute Update

Stay ahead of the curve with this practical overview of recent case law and statutory changes in Michigan and around the country. Focusing on examples that will likely have the biggest impact on elder and special needs practitioners, apply recent law to advance your clients' interests and avoid possible pitfalls.

Christopher W. Smith, Chalgian & Tripp Law Offices PLLC, *Southfield*;
Joseph D. Weiler, Jr., Chalgian & Tripp Law Offices PLLC, *Midland*

Tracks

Moderator
Core Concepts Track

Melisa M. W. Mysliwiec

Fraser Trebilcock, *Grand Rapids*

Moderator
Advanced Benefits Track

Sanford J. Mall

Mall Malisow & Cooney PC, *Farmington Hills*

Core Concepts Track

11:00am/Thursday

Medicaid Essentials—Rules

Start with the basics of Medicaid and become familiar with how to search the rules online, the top five rules to review, everything you must know about filing deadlines and notice requirements, plus the alphabet soup of BEMs, BAMs, CFRs, and more.

Katie Lynwood, Buhl Little Lynwood & Harris PLC, *East Lansing*

1:15pm/Thursday

Medicaid Essentials—Basic Planning

Learn to apply the long-term care Medicaid rules to understand your client's eligibility for nursing home Medicaid, MI Choice waiver, and PACE programs. Master when and how to implement several effective planning strategies.

Gregory R. Kish, Scott & Huff PC, *Traverse City*

2:15pm/Thursday

Medicaid Essentials—The Application

Take a step-by-step approach to your next Medicaid application. Gather needed information, meet key dates, and complete the assets declaration, Medicaid application, and other key documents with confidence. Shepherd the application through the DHHS process to approval!

Charles S. Ofstein, DeMent and Marquardt PLC, *Kalamazoo*

3:45pm/Thursday

Medicaid Essentials—Post-Eligibility

Review post-eligibility estate planning and strategies for addressing estate recovery. Grasp the administrative hearing process and maintain proper planning even when a client's circumstances change.

Brian R. Jenney, Kemp Klein Law Firm, *Troy*

Advanced Benefits Track

11:00am/Thursday

Preplanning While Clients Are Competent

Optimize estate plans for competent clients who anticipate needing nursing home care in the near future, including a discussion of the long-term care partnership; Medicaid trusts under will; living trusts; DPOAs; patient advocate designations; gifting (or not); and real estate conveyances.

Catherine Contos Metzler, Miller Johnson, *Kalamazoo*

1:15pm/Thursday

How to Deal Effectively with Incapacity Using the Probate Court

Use the probate court to achieve positive results for a person who lacks sufficient capacity in any situation. Follow step-by-step procedural rules and present a persuasive case to the judge.

David L.J.M. Skidmore, Warner Norcross & Judd LLP, *Grand Rapids*

2:15pm/Thursday

A Dozen or More Issues That Keep Experienced Elder Law Lawyers Up at Night

Do you wonder where the easy cases have gone and long for the old days? Not only do we have a rapidly changing set of laws and policies to contend with, but the client issues are increasingly complex. Delve into some of the more common challenges that experienced elder law lawyers confront and tackle them effectively.

Sanford J. Mall, Mall Malisow & Cooney PC, *Farmington Hills*

3:45pm/Thursday

CMH Appeals

CMH is terminating services across Michigan. Uncover what options and rights your clients have when their services are terminated. Learn proper procedures and strategies for making an effective appeal to restore benefits.

Sara A. Schimke, Jaffe Raitt Heuer & Weiss PC, *Southfield*

Tracks

Moderator
Financial & Health Planning Track

Rosemary Howley Buhl
Buhl Little Lynwood & Harris PLC, *East Lansing*

Financial & Health Planning Track

11:00am/Thursday

Health Exchanges and Medicaid Expansion

Explore health insurance coverage through the federal marketplace and the Healthy Michigan Plan, including eligibility criteria; MAGI budgeting and Medicaid exceptions; advance premium tax credits; and common advocacy issues.

Lisa Ruby, Michigan Poverty Law Program, *Ann Arbor*

1:15pm/Thursday

Financial Planning and Elder Law

Get the know-how you need on the wide array of financial products and how they operate when there is a death or a cash-out pre-death. What's taxed and what's not? What qualifies for a step-up in basis? What drives the tax advisor crazy about Medicaid planning? How do you deal with the tax advisor? Explore IRAs, savings bonds, annuities, life insurance, and more, so your estate and Medicaid planning coordinates with your clients' assets.

George W. Gregory, George W. Gregory PLLC, *Troy;*
Elizabeth Zeldes, Senior Advisory Services PLLC, *Ada*

2:15pm/Thursday

Calculating When to Take Social Security

There are 567 different ways for a married couple to file for benefits, each with a completely different cumulative lifetime benefit. Get the basics of Social Security; terms you need to know; how benefits are calculated; how to determine when and how to file for benefits; and options for death, disability, and divorce situations. Walk through hypothetical scenarios to maximize benefits using advanced strategies.

Scott C. Rooney, InvestWise Financial LLC, *Bloomfield Hills*

3:45pm/Thursday

Medicare Basics

Help older clients and those with disabilities secure the best possible coverage for their health care needs. Learn to thoroughly explain Medicare's parts, eligibility rules, benefits, and premiums so clients can make informed decisions. Avoid being blindsided by what's not covered.

Rosemary Howley Buhl, Buhl Little Lynwood & Harris PLC, *East Lansing*

Hot Sessions

Elder Law Caselaw and Statute Update

See page 5.

Medicaid Essentials Series

See page 6.

How to Deal Effectively with Incapacity Using the Probate Court

See page 6.

Marketing Your Elder Law Services

See page 8.

Tracks

Running Your Practice Track

10:00am/Friday

Drafting Your Legal Representation Agreement

Almost as important as taking care of your clients is protecting yourself. This requires setting expectations at the beginning of your relationship. Start by identifying who is and who is not your client and establishing the essential terms of the representation agreement. Timely payment for your services is key, but you must also think about things like keeping "the file" and for how long, in what format, and when to end the relationship. If you might be involved after the client's passing, how can you address this potential with your client and secure consent in advance?

Mary T. Schmitt Smith, Lipson Neilson Cole Seltzer & Garin PC, *Bloomfield Hills*

10:50am/Friday

Marketing Your Elder Law Services

As competition from online services and other sources proliferates, it's more important than ever for elder law practitioners to follow trends and apply best practices to promote themselves and the services they offer. Gain new strategies to market to multiple generations, address baby boomers' hot-button issues, build your brand, and attract new clients.

Michael Gilfix, Gilfix & La Poll Associates LLP, *Palo Alto, CA*

11:35am/Friday

Everyday Elder Law Ethics

Grapple with real-world scenarios of common ethical problems through audience participation. Pinpoint who really is your client; clarify capacity issues and whether a senior is being unduly influenced; and contrast the ABA model rules with NAELA's Aspirational Standards. Dig deep into ethical challenges that elder lawyers deal with every day and come away with practical solutions.

Robert D. Mannor, Mannor Law Group PLLC, *Grand Blanc*

12:25pm/Friday

The Ins and Outs of Assisted Living

Whether consumer or operator, many concerns and questions exist. Become more aware of what assisted living is and isn't in the state of Michigan. Licensed options do exist, but do they meet the needs of the consumer? Gain insights to the challenges that assisted living operators face, plus trends in their industry (e.g. some choose licensed and others choose to be unlicensed, acting only as landlord and unbundling some part of the services).

Linda Lawther, Michigan Center for Assisted Living, *Lansing*

> "This is a must-attend conference! Anyone who practices in this area of the law and doesn't avail themselves of this resource risks making critical errors.
>
> Deborah Bennett Berecz, Berecz & Associates PLC, *Grandville*

> "Very good seminar to become familiar with many of the important issues in elder law practice.
>
> Clark A. Andrews, O'Reilly Rancilio PC, *Sterling Heights*

Special Needs Track

10:00am/Friday

Basics of ADA

Identify ADA claims that come into your office, basic compliances, and the five critical questions to ask your clients.

Sharon Alston Ellis, Michigan Department of Civil Rights, *Lansing*

10:50am/Friday

The Ages and Stages of Social Security Benefits

From childhood to adulthood, grasp all types of Social Security incomes including retirement, disability, and all of the other benefits that come with SSI and SSDI. Help transition a disabled adult child to RSDI when his/her parent dies, retires, or becomes disabled.

Jane A. Bassett, Bassett & Associates PLLC, *Ann Arbor*

11:35am/Friday

Using Special Needs Trusts Effectively

Grasp the differences between first- and third-party SNT trusts and D4A Medicaid Payback and D4C Pooled trusts. Advise clients on critical trustee responsibilities; understand the potential conflicts of interest when choosing a trustee; and coordinate with beneficiaries' benefits.

Lauretta K. Murphy, Miller Johnson, *Grand Rapids*

12:25pm/Friday

Administration of Special Needs Trusts

The best drafted SNT will provide no benefit if the trustee inappropriately administers it. Lawyers can provide significant assistance to the trustee to improve the beneficiary's quality of life. Learn administration dos and don'ts, including expenditures that impact benefits and eligibility. Review the parental duty of support when the beneficiary is a minor, plus how to effectively use a case manager in administration to develop a care plan.

John R. Fusik, Chalgian & Tripp Law Offices PLLC, *East Lansing*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices PLLC, *Jackson*

> "Great opportunity to grow as a paralegal and better understand the process of helping the elderly.
>
> Andrea Campbell, Keating Law PLC, *St. Clair Shores*

> "In no place else can you find such a wealth of information, experience, and knowledge for elder law practice.
>
> Heather Radick, Renee J. Wood PLLC, *Caro*

Accommodations

The Inn at St. John's

44045 Five Mile Road, Plymouth, MI 48170

A block of rooms has been reserved at The Inn at St. John's, Plymouth, under ICLE/ELDERLAW for September 14–15, 2016. The room rate is $149/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by August 31, 2016. Registrants are responsible for their own hotel expenses.

“Very useful. Also fun. Worth every dollar and more! Forms, examples, and ready-to-use tools combined with experienced analysis. Top-notch!”

Ann Victoria Hopcroft, Hopcroft Law PLC, *Oscoda*

“No matter your area of practice, if you have clients who are seniors or are related to or responsible for seniors, you need to attend this institute!

Sara Zivian Zwickl, Zivian & Zwickl, *Farmington Hills*

Exhibit Hall Showcase and Mid-Day Reception

Network with colleagues, sponsors, and exhibitors.

“The *Elder Law Institute* is a great place to start as a new lawyer.

John J. Trimble, *Allen Park*

Veterans' Benefits and Claims: A Practical Approach

Special Add-On Seminar

CLE: 3 **Level:** Basic/Intermediate

September 16, 2016 | 2:00pm–5:15pm | The Inn at St. John's, Plymouth

Confidently Tackle the Claims Administration Process

The Department of Veterans Affairs is tough to navigate. From the initial filing of a claim to judicial review, experts walk you through the types of claims commonly requiring a lawyer's assistance. Attend this companion to the *Elder Law Institute* to help your clients get the benefits they deserve.

Benefits of Attending:

- Advise veterans on general eligibility requirements
- Secure disability compensation, dependency and indemnity compensation, and pensions
- Appeal a denial of benefits
- Explore long-term care options for veterans in Michigan

Schedule

2:00pm Overview of VA Benefits
eligibility for VA benefits • disability compensation (38 U.S.C. Chapter 11) • dependency and indemnity compensation (38 U.S.C. Chapter 13) • health services, home health, and long-term care options for veterans in Michigan

2:50pm Claims Procedures, Right to Appeal, and Representation Before the VA
filing the claim • gathering evidence to support the claim • the appellate process and advocacy tips along the way • lawyer fee agreements and payment for services

3:55pm Special Monthly Pension
38 U.S.C. Chapter 15 aid and attendance • eligibility • divestment • trusts and their status • "getting paid" • adding VA benefits to your practice • proposed federal regulatory changes

4:55pm VA Hot Topics and Practice Pointers
experts share real-life examples and advice

Moderator

Robert D. Mannor
Mannor Law Group PLLC, *Grand Blanc*

Contributors

Margaret A. Costello
University of Detroit Mercy School of Law, Veterans Law Clinic, *Detroit*

Michael R. Viterna
Viterna Law, *Belleville*

Jaime Wenzlick
Department of Veterans Affairs, *Saginaw*

Fulfills all VA CLE requirements.
Not already an accredited VA lawyer?
*See bottom for details.**

Save $20 When You Register for the Elder Law Institute

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*Lawyers must be accredited by the Department of Veterans Affairs to assist with VA benefit claims. If you are not already accredited, you must submit Form 21a (www.va.gov/ogc/accreditation.asp) and receive notification from the VA that you are accredited prior to the seminar. This can take 60 to 120 days. Once accredited, this seminar can count toward your required three-hour VA CLEs.

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SEPTEMBER 15–16, 2016
The Inn at St. John's, Plymouth

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2 **Call** (with credit card) 877-229-4350

3 **Fax** (form with credit card) 877-229-4351

4 **Mail** (form with payment) ICLE, 1020 Greene St. Ann Arbor, MI 48109-1444

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B. Institute Registration | Pick One

Elder Law Institute

- ☐ **$395** General
- ☐ **$345** ICLE Partner
- ☐ **$195** New Lawyer (0–3 Years in Practice P76900+)
- ☐ **$195** Paralegals
- ☐ **$295** per Lawyer (4+ Lawyers from the Same Firm)[1]
- ☐ **FREE** Judges (Limit 40)[2]

16CI-2632

C. Materials Format | Institute Registrants Pick One

- ☐ **FREE** Print Handbook and Electronic Materials
- ☐ **Save $25** Electronic Materials Only[3]

D. Institute Optional Event

- ☐ **FREE** Breakfast Roundtable. Limit 50. (09/16/16)

E. Special Add-On Seminar Registration | Optional

Veterans' Benefits and Claims: A Practical Approach

- ☐ **$145** Elder Law Institute Registrant
- ☐ **$165** General (Not Attending the Elder Law Institute)
- ☐ **$145** ICLE Partner
- ☐ **$95** New Lawyer (0–3 Years in Practice P76900+)
- ☐ **$145** per Lawyer (4+ Lawyers from the Same Firm)[1]

Viewing Options

- ☐ **The Inn at St. John's, Plymouth** 09/16/16
- ☐ **On-Demand Webcast** Available 10/07/16

16CH-2637

F. Can't Attend the Institute?

Non-Registrants—Purchase the Electronic Materials and Select Recordings.

- ☐ **$195** Non-ICLE Partners
- ☐ **$136.50** ICLE Partners

G. Payment Info | Calculate Total and Select Check/CC

Institute Registration (Box B)	$______
Institute Electronic Materials Only Discount[3] (Box C)	$ (-$25)
Special Add-On Seminar Registration (Box E)	$______
Institute Materials for Non-Registrants (Box F) *(Add 6% MI Sales Tax to This Line Only)*	$______
Total Amount Due	$______

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7BE

Prices guaranteed until 09/15/16. [1]Please attach additional sheet listing lawyers attending. [2]Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. [3]Registrants will receive the print handbook and electronic materials if no format is specified. Select "electronic materials only" discount or enter SAVE25 online to save $25 off registration fee. Materials will be posted online before the seminar. **Persons with disabilities or dietary restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Institute Cancellation Policy:** For a full refund, notify ICLE by September 1, 2016. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after September 8, 2016. **Special Add-On Seminar Cancellation Policy:** For a full refund, notify ICLE by September 2, 2016. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after September 9, 2016.