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SEPTEMBER 13–14, 2018 | PLYMOUTH

4TH ANNUAL

Elder Law *institute*

Serve the Expanding Needs of Your Clients Confidently

Expert Panel

Get Your Candid
Questions Answered

Special Add-On Seminar

Hands-On Medicaid Part II:
Planning Strategies and Divestment

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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

This year's institute is packed with critical updates and detailed insights, delivered by heavy-hitters. National speaker David Lillesand, who talks special needs trusts, is just one. Save time and money with a convenient location/schedule.

For Experienced Elder Law Practitioners

You Will Be Able to:

- Advise Vietnam veterans on new benefit options in relation to Agent Orange
- Implement advanced strategies for tackling Social Security issues
- Confidently handle Medicaid matters, including use of protective orders
- Properly use and invoke Kevin's Law
- Approach special needs administration with new hands-on information

Increase Your Expertise with These Can't-Miss Sessions:

Mental Health Treatment Issues

Social Security & Special Needs

Vietnam Veterans & Benefits

New This Year:

Hear from Hon. Milton L. Mack, Jr., head of the SCAO

For Probate Lawyers and Others New to Elder Practice

You Will Be Able to:

- Handle guardianships/conservatorships more effectively
- Tackle government benefits, including Medicaid
- Apply techniques to resolve blended family disputes
- Help clients keep their homes and avoid real estate pitfalls
- Attract clients, address attorney fees, and increase profitability

Build a Foundation with These Can't-Miss Sessions:

ABCs of Government Benefits

Avoiding Real Estate Pitfalls

Office Best Practices (Interactive Session)

New This Year:

Two days of Core Concepts programming

Featured Contributors

David Lillesand

Lillesand & Associates PA, *Clearwater, FL*

David is a disability claims groundbreaker. He has represented more than 3,500 clients since the federal program began 40+ years ago. Aside from private practice, he is a nationally respected lecturer, author, and blogger. He shares his extensive experience throughout the institute, including an advanced session on what to do when you're right and the SSA is wrong.

Hon. Milton L. Mack, Jr.

Michigan Supreme Court, *Lansing*

Judge Mack was instrumental in getting critical fixes to Kevin's Law signed into law in 2016. He provides an insider's perspective on this important mental health law and Michigan's Mental Health Code. After 25+ years on the Wayne County Probate bench, including nearly two decades as chief judge, he is now the state court administrator for the Michigan Supreme Court.

Sara A. Schimke

Chalgian & Tripp Law Offices, *Southfield*

Sara is chair of the State Bar of Michigan's Elder Law and Disability Rights Section. Having started as a successful probate lawyer, she is now an elder law lawyer who is highly regarded for her expertise in long-term care and special needs planning. She joins an all-star panel for Friday's interactive session on special needs administration.

HOT SESSION: The Power of Protective Orders

3:45pm/Thursday

Speaker

Nathan R. Piwowarski

McCurdy Wotila & Porteous PC, *Cadillac*

"Fantastic performance." "Materials were like gold."

Nathan's back. His presentation at last year's institute drew rave reviews. Attend this year to hear him speak on an equally engaging topic that appeals to both newer lawyers and veteran practitioners.

See page 6.

Details

September 13–14, 2018

Plymouth, Michigan
The Inn at St. John's

CLE: 9
Level: Basic/Intermediate/Advanced

Special Add-On Seminar
Hands-On Medicaid Part II: Planning Strategies and Divestment
Friday, September 14
See page 7.

Discounted rooms available at The Inn at St. John's
See page 5.

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Agenda

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

THURSDAY, SEPTEMBER 13, 2018

8:00am Elder Law Certificate Program—Demonstration by ICLE Staff
9:00am Welcome and Introduction to the Case Study
9:20am Social Security/SSI Disability Benefits and Special Needs
10:45am Networking Break

	Core Concepts Track	Intermediate/Advanced Track
11:00am	ABCs of Government Benefits, Part One: Means-Tested	Vietnam Veterans & Benefits: Agent Orange, VA & Nursing Homes
12:00pm	Networking Lunch Under the Tent	
1:15pm	ABCs of Government Benefits, Part Two: Non-Means-Tested	What to Do When You Are Right and SSA is Completely Wrong
2:15pm	Guardianships & Conservatorships Update	Counseling & Mediating with Blended Families
3:00pm	Exhibit Hall Showcase and Mid-Day Reception	
3:45pm	The Power of Protective Orders	Mental Health Treatment Issues

4:40pm Closing Keynote: Elder Law Town Hall

FRIDAY, SEPTEMBER 14, 2018

8:00am Breakfast Roundtable: Networking and Marketing (Pre-Registration Required—Limit 50)
9:00am Elder Law Caselaw and Statute Update

	Core Concepts Track*	Intermediate/Advanced Track*
10:00am	ABLE Accounts	Maintaining the Home
10:35am	Networking Break	
10:50am	Advance Directives	Avoiding Real Estate Pitfalls
11:35am	Office Best Practices (Interactive Session)	Special Needs Administration (Interactive Session)

1:00pm Elder Law Certificate Program Networking Lunch (Pre-Registration Required—Limit 50)
Available to *Elder Law Certificate Program* participants and graduates only.

*MP3 download available to all registrants after the seminar.

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Plenary Sessions

8:00am/Thursday

Elder Law Certificate Program—Demonstration by ICLE Staff

Take a walk through this innovative and practical online program.

9:00am/Thursday

Welcome and Introduction to the Case Study

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

9:20am/Thursday

Social Security/SSI Disability Benefits and Special Needs

New 2018 POMS on ABLE accounts and special needs trusts are crucial information for lawyers assisting special needs clients. Get up to speed on the eight basic rules for creation of valid SNTs and the six major rules for proper trust management, particularly noting any significant changes and opportunities now presented by the new SNT and ABLE account rules. Because lawyers occasionally do everything right and SSA staff still reject a perfectly drafted first or third-party trust, the key elements of protecting a client's rights while effectively appealing at Reconsideration and Administrative Law Judge hearings will also be addressed.

Kenneth A. Brown, Attorney at Law, *Baltimore, MD;* David Lillesand, Lillesand & Associates PA, *Clearwater, FL*

12:00pm/Thursday

Networking Lunch—Outside Under the Tent

Enjoy lunch with colleagues, faculty, sponsors, and exhibitors.

3:00pm/Thursday

Exhibit Hall Showcase and Mid-Day Reception

Relax and join colleagues, faculty, sponsors, and exhibitors for refreshments.

4:40pm/Thursday

Closing Keynote: Elder Law Town Hall

David Lillesand, Ken Brown, and select faculty lead an interactive discussion of new developments, national and local trends, and up-to-the-minute planning strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Kenneth A. Brown, Attorney at Law, *Baltimore, MD;* Gregory R. Kish, John A. Scott PC, *Traverse City*; David Lillesand, Lillesand & Associates PA, *Clearwater, FL*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices, *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 colleagues. Get new ideas on how to promote yourself and your practice.

(Pre-Registration Required—Limit 50)

9:00am/Friday

Elder Law Caselaw and Statute Update

Stay ahead of the curve with this practical overview of recent caselaw 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 pitfalls.

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

1:00pm/Friday

Elder Law Certificate Program Networking Lunch

If you are a current participant or graduate of ICLE's *Elder Law Certificate Program*, join us for a free opportunity to meet faculty members, make contacts, share experiences, and get your questions answered.

(Pre-Registration Required—Limit 50)

MODERATORS

Friday Core Concepts Track

Rosemary Howley Buhl

Buhl Little Lynwood & Harris PLC, *East Lansing*

Thursday Intermediate/ Advanced Track

Sanford J. Mall

Mall Malisow & Cooney PC, *Farmington Hills*

Thursday Plenary

Melisa M. W. Mysliwiec

Fraser Trebilcock, *Grand Rapids*

Friday Intermediate/ Advanced Track

Charles S. Ofstein

DeMent and Marquardt PLC, *Kalamazoo*

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 for September 12–13, 2018. The room rate is $154/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by 08/29/18. Registrants are responsible for their own hotel expenses.

Tracks

Core Concepts Track

11:00am/Thursday

ABCs of Government Benefits, Part One: Means-Tested

Make your initial client meetings a one-stop shop for seniors in need. Explore the most common means-tested government benefits including Medicaid, Supplemental Security Income, VA pension, property tax breaks, and food assistance. Gain tips for how to match clients with the right programs, learn the basics of eligibility for the various programs, and find out how to connect your clients with these valuable benefits.

Gregory R. Kish, John A. Scott PC, *Traverse City*

1:15pm/Thursday

ABCs of Government Benefits, Part Two: Non-Means-Tested

Increase your value to clients: be informed about non-means-tested (NMT) benefits. NMT benefits are fundamentally different from means-tested benefits, but they do have their own eligibility rules. Demystify common NMT benefits including Medicare, VA, Social Security, and Social Security Disability (SSDI). Help clients understand available programs, learn the basics of eligibility, and discover advocacy opportunities.

Norman E. (Gene) Richards, Cummings McClorey Davis & Acho PLC, *Livonia*

2:15pm/Thursday

Guardianships & Conservatorships Update

Properly represent your clients in guardianship and conservatorship proceedings in the probate court. Start with an overview of key issues, plus catch up on all the latest developments with guardianships and conservatorships in Michigan, including public administrator issues and new legislation.

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

3:45pm/Thursday

The Power of Protective Orders

Sometimes guardianships and conservatorships are not your best option. Learn how to use protective orders to qualify clients for Medicaid benefits, fix broken estate plans, achieve post-incapacity estate and tax planning, deal with conflict-of-interest problems, and prevent financial exploitation.

Nathan R. Piwowarski, McCurdy Wotila & Porteous PC, *Cadillac*

10:00am/Friday

ABLE Accounts

ABLE accounts were signed into law on December 19, 2014. Today, a majority of states have established ABLE accounts, including Michigan. However, many planners still struggle with how to incorporate this tool into their planning toolbox. Optimize your results by mastering the basic ABLE eligibility rules, when to use an ABLE account, and how to make distributions.

Arthur L. Malisow, Mall Malisow & Cooney PC, *Farmington Hills*

10:50am/Friday

Advance Directives

Provide more than just a form with expert counsel and value for your clients. Learn what documents constitute "advance directives" in Michigan and the latest on electronic storage and retrieval of advance directives. What is MIPOST? Understand who needs a funeral representative designation and how to clearly designate the rights and powers of the representative.

Caroline M. Dellenbusch, Dellenbusch and Associates PLC, *Grand Rapids*

11:35am/Friday

Office Best Practices (Interactive Session)

Increase your efficiency and profitability. Experts share how to streamline your processes, conduct thorough intake meetings, maximize your office staff's talents, use technology to improve speed and accuracy, and provide an exceptional client experience. Grapple with real-world scenarios and gain new insights into running a high-functioning office.

Katie Lynwood, Buhl Little Lynwood & Harris PLC, *East Lansing;* Robert D. Mannor, Mannor Law Group PLLC, *Grand Blanc*; Terrence G. Quinn, The TGQ Law Firm, *Ann Arbor*

Intermediate/ Advanced Track

11:00am/Thursday

Vietnam Veterans & Benefits: Agent Orange, VA & Nursing Homes

2.7 million individuals served in Vietnam and all were presumptively exposed to dangerous herbicides (Agent Orange and others). Yet many veterans are not aware of the benefits they might obtain for the growing list of Agent Orange-related diseases. New conditions continue to be found related to AO and the VA secretary is expected to release more shortly. Learn about these benefits and the unique challenges encountered.

Michael R. Viterna, Viterna Law, *Belleville*

1:15pm/Thursday

What to Do When You Are Right and SSA is Completely Wrong

SNT-drafting lawyers occasionally do everything right, but SSA staff still reject the perfect first-or-third party trust. Recognize the key elements of protecting client's rights while seeking reversal of an errant SSA initial decision. Prepare for and conduct face-to-face mandatory SSA Reconsideration Conferences. Plan for, file briefs, and represent SSI clients at SSA Administrative Law hearings. Know what to expect at the SSA Appeals Council and in federal court.

Kenneth A. Brown, Attorney at Law, *Baltimore, MD;* David Lillesand, Lillesand & Associates PA, *Clearwater, FL*

Tracks

2:15pm/Thursday

Counseling & Mediating with Blended Families

Remarriage presents a set of unique legal, financial, and tax challenges. When one or both spouses have been married before, especially where there are children from prior relationships, complication and conflict should be expected. Explore family dynamics and mediation, the use of pre-or post-martial agreements, asset protection against the cost of long-term care, and the role of life insurance.

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

3:45pm/Thursday

Mental Health Treatment Issues

Explore important aspects of Kevin's Law: what it is, how it can be used and how to invoke it, along with an update on Michigan's Mental Health Code.

Hon. Milton L. Mack, Jr., State Court Administrator, Michigan Supreme Court, *Lansing*

10:00am/Friday

Maintaining the Home

Medicaid lets you keep the home. The program even lets you spend-down by improving it. But how can a client maintain an expensive asset on just $60 a month? Explore creative uses of trusts, ladybird deeds, lines of credit, lease agreements, and mortgages that can be used to maintain the exempt homestead in light of a significant long-term care need.

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

10:50am/Friday

Avoiding Real Estate Pitfalls

Real estate can present some of the biggest challenges when helping older clients. From deeds to the principal residence exemption, from title insurance to powers of attorney, avoid common issues using proven techniques to solve any property problem.

Harley D. Manela, Mall Malisow & Cooney PC, *Farmington Hills*

11:35am/Friday

Special Needs Administration (Interactive Session)

Administration of a special needs trust can present a variety of thorny issues. Tackle the trust, tax, and distribution challenges plus dig into your role as lawyer and trustee. Using familiar fact patterns, work in teams to craft solutions for the toughest situations. Walk away with answers to burning questions such as how SSA and MA approve the trust, does the trust need an EIN, what tax return to file, when is the trust a Qualified Disability Trust, and how a trust buys an automobile. Also, gain many helpful tips regarding annual accountings and trustee distributions.

Kathleen Hogan Aguilar, Miller Johnson, *Grand Rapids*; Erin E. Boerschel, Wells Fargo Wealth Management, *Minneapolis, MN;* Sara A. Schimke, Chalgian & Tripp Law Offices, *Southfield;* Amy Rombyer Tripp, Chalgian & Tripp Law Offices, *Jackson*

Special Add-On Seminar

Hands-On Medicaid Part II: Planning Strategies and Divestment

September 14, 2018 | 2:00pm–5:00pm | The Inn at St. John's, Plymouth

Get the Step-by-Step Guidance You Need

Using a true-to-life case study, explore what happens after a client becomes Medicaid eligible and how to plan for a surviving spouse, all in an interactive group setting. Experts provide feedback on the case study and send you home with the answers and experience you need. Bring your support staff.

Benefits of Attending:

- Determine your strategy and start off on the right foot
- Begin with options for transferring assets and work in small teams
- Identify the top planning options, including spend down, half a loaf, gifting, promissory notes, and more
- Walk away with sample documents approved by experts

Moderator

Terrence G. Quinn

The TGQ Law Firm, *Ann Arbor*

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The Inn at St. John's, Plymouth

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B. Institute Registration | Pick One

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- ☐ **$395** General
- ☐ **$345** ICLE Partner
- ☐ **$195** New Lawyer (0–3 Years in Practice P79400+)
- ☐ **$195** Paralegal
- ☐ **$295** per Registrant (4+ Registrants from the Same Firm)[1]
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C. Materials Format | Institute Registrants Pick One

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

D. Institute Networking Events | Optional

- ☐ **FREE** Breakfast Roundtable: Networking and Marketing (Pre-Registration Required—Limit 50)
- ☐ **FREE** Elder Law Certificate Program Networking Lunch
  Available to *Elder Law Certificate Program* participants and graduates only. (Pre-Registration Required—Limit 50)

E. Special Add-On Seminar Registration | Optional

Hands-On Medicaid Part II: Planning Strategies and Divestment, 09/14/18 | 2:00pm–5:00pm

- ☐ **$145** Elder Law Institute Registrant
- ☐ **$165** General (Not Attending the Elder Law Institute)
- ☐ **$145** ICLE Partner
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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

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Prices guaranteed until 09/14/18. Cannot combine discounts. [1]Please attach additional sheet listing registrants attending. [2]Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. [3]Electronic 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. **Complete Seminar Policy:** www.icle.org/info/seminarpolicies. **Institute Cancellation Policy:** For a full refund, notify ICLE by 08/30/18. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/06/18. **Special Add-On Seminar Cancellation Policy:** For a full refund, notify ICLE by 08/31/18. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/06/18.