

# Basic Estate Planning 2018

*Cosponsored by the Estate Planning and Administration Section*

Register now at [www.osbar.org/seminars](http://www.osbar.org/seminars) (search for BEP18)



This year's program provides an introduction to the wide range of issues that constitute a modern estate planning practice, including the role of the PLF, tips for new practitioners, and recent developments for guardianships and conservatorships. Whether you are new to estate planning or need to review the latest legislative updates, this basic level seminar covers topics essential to your practice. Learn about Oregon's escheat statutes and the Department of State Lands' role in investigating intestate estates without heirs. Explore capacity and undue influence. Conclude the day reviewing mandatory abuse reporting requirements for Oregon attorneys.

**Register by 11/12/18 and save \$20.**

**Estate Planning and Administration Section members save \$20 off registration rates.**

**Friday, November 16, 2018**

8:30 a.m.—4:45 p.m.

**Multnomah Athletic Club**

1849 SW Salmon Street, Portland

CLE credits: 5.75 General and 1 Abuse Reporting

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## LIVE EVENT



### Early registration discount

*Register by 11/12/18 and save \$20*

- \$125 ONLD member
- \$180 Estate Planning and Administration Section member (*enter coupon code **BEP18SM** to receive discount*)
- \$200 OSB member
- \$210 Non-OSB member
- \$25 Plated lunch
- \$15 Print course materials  
(Electronic materials are included with your registration.)

## LIVE WEBCAST



- \$200 Webcast registration  
(*Includes online access to recorded seminar for 60 days after the live event.*)



### Questions or need help with registration?

Call the OSB CLE Service Center:  
**(503) 431-6413 or (800) 452-8260, ext. 413**

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff — please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the live seminar.

**7:30 Registration****8:30 Mistake Discovered!—The Role of the PLF**

- Mistake discovered (yours or another's)
- PLF involvement
- PLF claims in the estate planning area

**John Berge**, *Professional Liability Fund, Tigard*

**9:00 Cutting the Learning Curve—Tips for New Practitioners**

- Client interactions: selection, critical issues to discuss, traps to avoid, and more
- What I wish I'd known when I was in practice—a trust officer's perspective on administering trusts and estates
- Avoiding mistakes that cause malpractice problems

**Philip Jones**, *Duffy Kekel LLP, Portland*

**Marcia Jory**, *US Trust, Portland*

**Katherine Zelko**, *Attorney at Law, Portland*

**10:00 Break****10:15 Guardianships and Conservatorships: Important Issues and Recent Developments**

- Guardianships: alternatives, when guardianship is appropriate, procedure for appointing a guardian
- Conservatorships: recent changes in the law, accounting, consideration of a protected person's estate plan
- Using conservatorships to bring elder financial abuse litigation
- Closing of conservatorships and disposition of a de minimis estate

**Tim McNeil**, *Davis Pagnano McNeil & Vigna LLP, Portland*

**Richard Pagnano**, *Davis Pagnano McNeil & Vigna LLP, Portland*

**11:15 Escheats: Intestate Estates Without Heirs and Estates With Missing Heirs or Devisees**

- Oregon's escheat statutes
- The Department of State Lands' (DSL) role in investigating and administering intestate estates without heirs
- Attorney obligations when encountering full or partial escheat situations
- Reporting intestate estates, missing heirs and unclaimed property to the DSL

**Michael Grant**, *Department of Justice Civil Enforcement Civil Recovery, Salem*

**Sally Peacock-Wells**, *Oregon Department of State Lands, Salem*

**Noon Estate Planning and Administration Section Annual Business Meeting****12:05 Lunch****1:00 Issue Spotting for New Estate Planning Attorneys**

- Creditor and beneficiary issues
- Unequal/unusual plans-gifts
- Choice of fiduciary

**Amy Bilyeu**, *Wyse Kadish LLP, Portland*

**Julie Meyer Rowett**, *Yazzolino & Rowett LLP, Portland*

**Katharine West**, *Wyse Kadish LLP, Portland*

**1:45 Fundamentals of Planning with Life Insurance**

- Elements and types of life insurance
- Taxation of life insurance
- When, why, and how to plan with irrevocable life insurance trusts

**Melissa May**, *Duffy Kekel LLP, Portland*

**2:30 Of Minds and Means: Capacity and Undue Influence**

- "Capacity" under the law
- Assessing capacity
- When are influences "undue"?

**Stephen Owen**, *Attorney at Law, Portland*

**3:00 Break****3:15 The New Oregon Advance Directive—Changes for 2019 and Beyond**

- HB 4135, the 2018 advance directive bill
- The temporary form, effective January 1, 2019
- The Advance Directive Adoption Committee

**Christopher Hamilton**, *McGinty Belcher & Hamilton Attorneys PC, Salem*

**3:45 Mandatory Abuse Reporting for Oregon Attorneys**

- Recognizing elder and child abuse
- Mandatory reporting requirements and the exceptions
- Protecting privilege and confidentiality

**Daniel Atkinson**, *Oregon State Bar, Tigard*

**4:45 Adjourn**

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## Section Planning Committee:

**Philip Jones**, *Duffy Kekel LLP, Portland*

**Robin Smith**, *Butcher & Smith Law LLC, Portland*

**Margaret Vining**, *Davis Wright Tremaine LLP, Portland*

**Katharine West**, *Wyse Kadish LLP, Portland*

**Eric Wieland**, *Samuels Yoelin Kantor LLP, Portland*

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## Products

BEP18.CD

Audio CDs with electronic materials ..... \$200

BEP18.DVD

DVDs with electronic materials ..... \$230

This seminar will be available on-demand after the live program. Please visit [www.osbar.org/seminars](http://www.osbar.org/seminars) and search for BEP18. On-demand access is available for 60 days after the date of purchase.

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## General Information

**Cancellations:** Cancellation requests must be received by the OSB CLE Service Center at least 72 hours prior to the date of the seminar to qualify for a refund. Refunds are subject to a \$25 cancellation fee.

**Tuition Assistance:** Email a request stating your financial situation to [cle@osbar.org](mailto:cle@osbar.org) no later than one week before the seminar.

**Dietary Restrictions or Accessibility Accommodations:** Please call (503) 431-6375 or (800) 452-8260, ext. 375, at least 72 hours before the date of the seminar.



CLE  
Seminars

## Upcoming Seminars

### October 10

Lunch and Learn: Winning Persuasion—Persuasive Communication (WP118)

### October 11

Effective Motion Practice (MP18)

### October 12

Emerging Technologies—Charting the Future Course of Law (TECH18)

### October 18

Up in Smoke? Hot Spots for Cannabis Businesses (CAN18)

### October 19

The Cybersleuth's Guide to Fast, Free, and Effective Investigative Internet Research (INT18)

### October 24

**Lunch and Learn:**  
Winning Persuasion—Proficient Problem Solving (WP218)

### October 25-26

20th Annual Oregon Trial Advocacy College (OTAC18)

### October 31

*Lunch and Learn:*  
Winning Persuasion—Practical Negotiation Strategies (WP318)

Register now at [www.osbar.org/seminars](http://www.osbar.org/seminars) and search by program code.



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