

Guardianships and Conservatorships

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Friday, October 2, 2020

8:30 a.m.–4 p.m.

All sessions are **Pacific Daylight Time (PDT)**

Live webcast

CLE credits: 5.25 General, 1 Ethics

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Guardianship and conservatorship are key components of an elder law practice. This program covers guardianships for adults as well as minors and covers the basics of conservatorships, including legislative updates and procedure and pleadings. Gain an understanding of when to use limited conservatorships and protective orders and learn how to master the considerations for advising lay and professional fiduciaries. Explore the ethics issues involved with client relations and clients who need protective proceedings.

Elder Law Section members save \$20 off registration rates.



LIVE WEBCAST REGISTRATION

| | |
|-------|--|
| \$110 | ONLD member |
| \$140 | Elder Law Section member (enter coupon code ELD20SM at checkout to receive discount.) |
| \$160 | OSB member |
| \$175 | Non-OSB member |

*Includes online access for 60 days after the live event.
Electronic materials are included with registration.*

Scholarships

The Elder Law Section has up to three (3) need-based registration scholarships for Elder Law Section members who are new attorneys or new to Elder Law to attend this event. To apply, send your name, bar number, phone number and a brief statement about your experience as an attorney and the need for a scholarship to: Anastasia Meisner, ameisner@samuelslaw.com by Sept. 4. Requests are considered in the order received. Please do not include any financial documentation or sensitive personal information with your scholarship request.



Questions or need help with registration?

Call the or email the OSB CLE Service Center:
(503) 431-6413 or (800) 452-8260, ext. 413,
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8:25 Welcome

8:30 Guardianship for Adults and the Alternatives

- Assessing the need for guardianship
- Procedure and pleadings
- Emergency pleadings
- A guardian's powers and duties

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

9:30 Transition

9:35 Conservatorship Basics

- Intake tips and tricks
- Pleadings and procedure
- Managing the estate and accountings
- Legislative updates

Corey Driscoll, *Driscoll Law LLC, Bend*

10:35 Break

10:45 Considerations for Advising Lay and Professional Fiduciaries

- May it please the court: duties to the court
- Prior court approval required: when to ask permission
- Playing well with others: coordination with family and other fiduciaries
- So you're a professional: special issues with professional fiduciaries

Stephanie Carter, *Hilary Carter Law*

11:30 Transition

11:35 When to Use Limited Conservatorships and Protective Orders

- Applying for Medicaid
- Creating special needs trusts and income cap trusts
- Neutralizing no-contest clauses
- Personal injury and financial abuse cases
- As a settlement option

Aaron Smith, *S. Jane Patterson Law Office, Gresham*

Robert Tozer, *Robert Cole Tozer PC, Eugene*

12:35 Lunch

1:15 Protected Person's Rights

- Statutory rights
- Placement rights
- Fiduciary decision-making standards
- Maximizing independence
- Exploring less restrictive alternatives

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

2:00 Transition

2:05 Guardianships and Conservatorships for Minors

- Using guardianships and conservatorships for minors
- How they differ from adult protective proceedings
- Transitioning to adulthood for disabled and non-disabled minors

Rachele Selvig, *Cauble Selvig & Whittington LLP, Grants Pass*

2:50 Break

3:00 Legal Ethics Issues for Elder Law Attorneys

- Client relations
- Unrepresented clients – ORPC 4.3
- Co-fiduciaries as clients – ORPC 1.7
- Clients who need protective proceedings – ORPC 1.14

Jacquelyn Bunick, *Jarvis Dreyer Glatte & Larsen, LLP, Medford*

Glenn Null, *Mammen & Null Lawyers LLC, La Grande*

4:00 Adjourn

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Kay Hyde-Patton, *Co-Chair, Leahy Cox LLP, Springfield*

Rebecca Kueny, *Co-Chair, Kueny Law LLC, Salem*

Kathryn Gapinski, *Gapinski Law LLC, Portland*

Alana Hawkins, *Kueny Law LLC, Salem*

S. Jane Patterson, *Attorney at Law, Gresham*

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

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Products

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General Information

Cancellations: Cancellation requests must be received by the OSB CLE Service Center at least 24 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 no later than one week before the seminar.

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CLE
Seminars

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All Day PowerPlay (ADPP20)
Featuring Stuart Teicher

- The Code of Kryptonite: Ethical Limitations on a Lawyer's Superpowers
- Everything I Need to Know About Legal Ethics I Learned from the Kardashians

September 15-18

Oregon Tax Institute (OTI20)

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The Latest in Local Government Law

October 15

Technology for Your Law Office with Barron Henley



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