



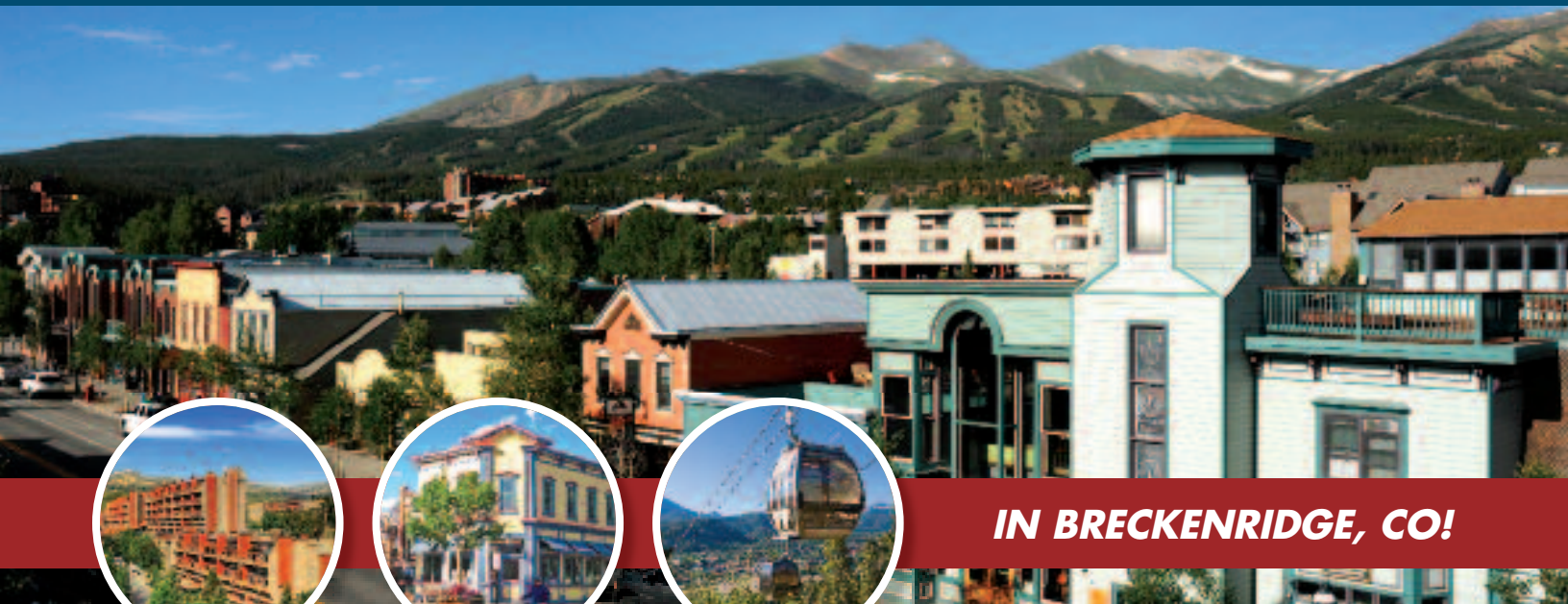
The nonprofit educational arm of the Colorado and Denver Bar Associations

Co-Sponsored by the Elder Law Section of the Colorado Bar Association, Colorado Judicial Institute, and the Colorado Chapter of National Academy of Elder Law Attorneys

9TH ANNUAL

ELDER LAW RETREAT

Powerful Speakers and Topics to Advance Your Practice



IN BRECKENRIDGE, CO!

PROGRAM HIGHLIGHTS:

- Overcoming Obstacles, Breaking Down Stereotypes and Changing Perspectives: Lessons for an Elder Law Practitioner Based on My Life Experience as a Blind Justice with Michigan Supreme Court Justice Richard H. Bernstein
- Overview of the Achieving a Better Life Experience Act of 2014 (ABLE Act)
- Current Medicaid Issues: Health Care Reform, Special Needs Trusts, and Estate Recovery
- ETHICS: Law Meets World: Application of the New Statutes on Respondent's Right to Counsel in Guardianship and Protective Proceedings
- Lightning Round
- Panel on End of Life Options: Proposition 106 and the Ethics of Counseling a Client on End of Life
- Colorado's New Strategic Action Planning Group on Aging
- ETHICS: Addressing Domestic Violence in the Elder Community
- "What is Working Well" Roundtable Discussion with Judicial Officers, Court Staff and Practitioners
- Mock Trial of a Contested Guardianship Case, Including Interactive Commentary

August 24-26, 2017

Beaver Run Resort and Conference Center

620 Village Road
Breckenridge, CO 80424

Submitted for 17 General CLE Credits, Including up to 2 Ethics Credits*

*(You must attend the ethics sessions to claim ethics credits)

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<http://cle.cobar.org/elder/>

PLEASE JOIN US FOR THIS INTERACTIVE, ADVANCED-LEVEL RETREAT!

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August 24-26, 2017

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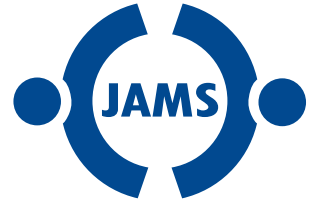
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contact *Melissa Higham* at mhigham@cobar.org

AGENDA

DAY ONE – SPECIAL NEEDS PLANNING – Thursday, August 24, 2017



12:30 PM **Registration Open**

1:00 - 1:15 PM **Welcome and Opening Remarks**

Arlene S. Barringer, Esq., Glatstein & O'Brien LLP, and Susie Germany, Esq., The Germany Law Firm P.C.

1:15 - 2:15 PM **Overcoming Obstacles, Breaking Down Stereotypes and Changing Perspectives: Lessons for an Elder Law Practitioner Based on My Life Experience as a Blind Justice**

Presented by the Honorable Justice Richard H. Bernstein, Michigan Supreme Court

Justice Bernstein is a Michigan Supreme Court Justice who is legally blind since birth. In addition to championing for the rights of the disabled, he has run over 20 marathons and an Iron Man Triathlon.

2:15 - 2:30 PM **Networking Break – Please Visit Our Sponsors!**

2:30 - 3:30 PM **Overview of the Achieving a Better Life Experience Act of 2014 (ABLE Act)**

Presented by Megan Brand, Executive Director, CFPD, Bradley J. Frigon, Esq., Law Offices of Bradley J. Frigon, LLC, and Susie Germany, Esq., The Germany Law Firm P.C., Retreat Co-Chair

3:30 - 5:00 PM **Current Medicaid Issues: Health Care Reform, Special Needs Trusts, and Estate Recovery**

Panel members will present on best practices, practice tips and suggestions to address current Medicaid issues including:

- The latest in health care policy/reform and Medicaid financing and its impact on your elder law practice
- Submitting disability and third party trusts to CDHCPF – what information should accompany the trust including proof of beneficiary's disability
- The conflict between the Social Security Administration and CDHCPF regarding provisions in disability trusts for early termination and priority for reimbursement to CDHCPF causing trust beneficiaries who are SSI recipients to choose between SSI benefits and Colorado's long-term care Medicaid benefits
- Trust administration issues, including submitting disability and third party trust accountings to CDHCPF
- Estate and trust recovery

Presented by Eric Solem, Esq., Solem, Mack & Steinhoff, P.C., Virginia Frazer-Abel, Esq., Frazer-Abel Law, LLC,

Peter J. Wall, National Oversight Manager, Disability & Elder Trust Solutions, BOK Financial, Vice President, Trust Officer, Colorado State Bank and Trust, and Mary Catherine Rabbitt, Esq.

Moderated by Claire E. Dineen, Esq., Law Office of Claire E. Dineen

5:00 PM **Adjourn**

5:15 - 6:45 PM **Welcome Reception – Special Welcome to First-Time Attendees and New Elder Law Practitioners**

DAY TWO – END OF LIFE, DOMESTIC VIOLENCE, PROBATE PROCEEDINGS – Friday, August 25, 2017

7:45 - 8:15 AM **Continental Breakfast**

8:15 - 8:30 AM **Welcome and Morning Remarks**

8:30 - 9:30 AM **ETHICS: Law Meets World: Application of the New Statutes on Respondent's Right to Counsel in Guardianship and Protective Proceedings; Ethics Rule 1.14 and the New Ethics Opinion on Diminished Capacity**

Recognizing the need to fill a specific void in the aftermath of *Milstein*, the Colorado General Assembly produced new enactments effective August 10, 2016. This presentation will explore the occasions triggering and the practical application (or non-application) of these important new guides for affording representation to respondents amid guardianship and protective proceedings.

Presented by Spencer J. Crona, Esq., Brown & Crona, LLC, Letitia Maxfield, Esq., Trust & Estate Advocates, LLP, and April M. McMurrey, Deputy Regulation Counsel, Colorado Supreme Court Office of Attorney Regulation Counsel

continued >

AGENDA

DAY TWO – END OF LIFE, DOMESTIC VIOLENCE, PROBATE PROCEEDINGS – continued

9:30 - 10:30 AM **LIGHTNING ROUND WITH SPONSORS**

■ **10 Tips to Win for Clients and Inform Judges: Practical Wisdom for Professional Fiduciaries (Part Deux)**

Presented by Pamela D. Wilson, The Care Navigator

■ **Difficulties Facing Trustees in SNTs for Minors**

Presented by Peter J. Wall, National Oversight Manager, Disability & Elder Trust Solutions, BOK Financial, Vice President, Trust Officer, Colorado State Bank and Trust, and Megan Brand, Executive Director, CFPD

■ **Homecare ... What, Why, When?**

Presented by Phil Gibson, Director of Business Development, PeopleCare Health Services

■ **Trial Advocacy Training As Seen Through the Eyes of a Judge: Watch What You File! Tips for Your Filings with the Court**

Presented by Honorable C. Scott Crabtree, JAMS

10:30 - 10:45 AM **Networking Break – Please Visit Our Sponsors!**

10:45 AM - 12:00 PM **Panel on End of Life Options: Proposition 106 and the Ethics of Counseling a Client on End of Life**

Presented by Jennifer Moore Ballentine, MA, President, The Iris Project, Michael A. Kirtland, Esq., Kirtland & Seal LLC, and Jean Abbott, MD, MH, Professor Emerita, Center for Bioethics and Humanities, University of Colorado Anschutz Medical Campus

12:00 - 12:15 PM **Pre-lunch Presentation Break**

12:15 - 1:15 PM **Luncheon Presentation: Colorado's New Strategic Action Planning Group on Aging**

Colorado Strategic Action Planning Group on Aging is charged with examining the impact of the aging demographic shift in Colorado and developing a long-term strategic plan, with recommendations for specific actions and bills by the General Assembly. An important mission of the Planning Group is to ensure adequate and sustainable funding and spending strategies for Medicaid and other state and local programs while also creating a public education campaign to improve individual and family preparedness. In November 2016, the Strategic Action Planning Group issued its first series of recommendations to the Colorado General Assembly and Governor's Office. Learn about these recommendations and the important work of the Planning Group.

Presented by James Riesberg, Chair, Colorado Strategic Action Planning Group on Aging

1:15 - 1:30 PM **Post-lunch Break**

1:30 - 2:45 PM **ETHICS: Addressing Domestic Violence in the Elder Community**

Estimates show that one million Americans age 60 and older are abused in their homes each year yet only one in 14 cases are reported to authorities. How do we reconcile our responsibility to report these crimes with our ethical duties in Rules 1.14 and 1.6? This informative session will provide case studies, resources, procedures and information for practitioners that address ethical implications such as confidentiality and representing a client with diminished capacity who has been involved in a domestic violence situation.

Presented by John Gleason, Esq., Burns, Figa & Will, and Allison Rocker, Esq., Denver Deputy District Attorney, Denver District Attorney's Office

Moderator: Michelle Adams, Esq., Law Office of Michelle Adams, LLC

2:45 - 4:45 PM **"What is Working Well" Roundtable Discussion with Judicial Officers, Court Staff and Practitioners**

Informal roundtable discussion with judicial officers, court staff, elder law/probate practitioners and fiduciaries to discuss what is working well with probate proceedings, share our experiences, and learn from each other.

Presented by:

2nd Judicial District – Denver Probate Court

- **Judge Elizabeth Leith**
- **Magistrate Ruben Hernandez**



- **Melissa Barnes**, Specialist
- **Karen McKey**, Protective Proceedings Monitor
- **Stephanie Kunkel**, Protective Proceedings Monitor

17th Judicial District – Adams County District Court

- **Joy Zabroski**, Supervisor and Probate Registrar
- **Patricia Rankin**, Probate Law Clerk

18th Judicial District

- **Magistrate H. Clay Hurst**, Arapahoe County District Court
- **Tina Surber**, Protective Proceedings Monitor

Court Programs, State Court Administrator's Office

- **Connie Lind**, Statewide Probate Programs Coordinator

Moderated by: **Arlene S. Barringer, Esq.**, Glatstein & O'Brien LLP, and **Susie Germany, Esq.**, The Germany Law Firm P.C.

4:45 PM **Adjourn**

5:00 - 6:30 PM **Wine Tasting Reception**

DAY THREE – MOCK CONTESTED GUARDIANSHIP PROCEEDINGS CASE – Saturday, August 26, 2017

7:45 - 8:20 AM **Continental Breakfast**

8:20 AM **Morning Remarks**

8:30 - 8:45 AM **Remarks – CBA President *Richard Gast, Esq.*, and/or CBA Executive Director *Patrick Flaherty, Esq.***

8:45 AM - 12:00 PM **Mock Trial of a Contested Guardianship Case, Including Interactive Commentary**
(With a 15-minute Networking Break from 10:15 - 10:30 AM)
Presented by Catherine Seal, Esq., Kirtland & Seal LLC, David L. McGuffey, Esq., Elder Law Practice of David L. McGuffey, LLC, and Honorable Ruben Hernandez, Magistrate, Denver Probate Court

12:00 PM **Adjourn – THANK YOU FOR ATTENDING THE 9TH ANNUAL ELDER LAW RETREAT!**

**2017 ELDER LAW RETREAT
HEADQUARTERS**

RESERVATIONS OR
CANCELLATIONS MUST BE MADE
BY JULY 31, 2017

BEAVER RUN RESORT

620 Village Road • Breckenridge, CO 80424 • (970) 453-6000

TO RESERVE YOUR ROOM ONLINE, PLEASE GO TO:

<http://bookings.ihotelier.com/bookings.jsp?groupID=1750458&hotelID=97052>

The group code is: 50R5EF

ROOM RATES:

- **Hotel Room** - \$139 + taxes/night (2 queen beds, sitting area, mini fridge, microwave)
- **Studio** - \$149 + taxes/night (Queen bed, sleeper sofa, efficiency kitchen, living/dining area)
- **Breckenridge Studio** - \$159 + taxes/night (Queen bed, sleeper sofa, upgraded efficiency kitchen, living/dining area, remodeled bath)
- **Summit Suite** - \$169 + taxes/night (Queen bed, sleeper sofa, upgraded efficiency kitchen, living/dining area, remodeled bath, fireplace, private balcony):
- **One Bedroom Suite** - \$179 + taxes/night (Queen bed, sleeper sofa, full kitchen, living/dining area, fireplace, private balcony)

Please identify yourself as a member of the "Elder Law Retreat" in order to receive the group discount. A one-night deposit per reservation is required within two days of booking the reservation. The balance is due upon arrival. Parking is complimentary.

RETREAT CO-CHAIRS

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Jennifer Moore Ballentine, MA
President
The Iris Project
Denver, CO, and San Diego, CA

Melissa Barnes
Specialist
2nd Judicial District
Denver Probate Court
Denver, CO

Honorable Justice Richard H. Bernstein
Michigan Supreme Court
Lansing, MI

Megan Brand
Executive Director
CFPD
Denver, CO

Honorable C. Scott Crabtree (retired)
JAMS
Denver, CO

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Lakewood, CO

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Burns, Figa & Will
Greenwood Village, CO

Honorable Ruben Hernandez
Magistrate
Denver Probate Court
Denver, CO

Magistrate H. Clay Hurst
Arapahoe County District Court
18th Judicial District
Centennial, CO

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Stephanie Kunkel
Protective Proceedings Monitor
2nd Judicial District
Denver Probate Court
Denver, CO

Honorable Elizabeth Leith
Judge
Denver Probate Court
Denver, CO

Connie Lind
Statewide Probate Programs Coordinator
Court Programs
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Englewood, CO

Tina Surber
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Peter Wall
National Oversight Manager
Disability & Elder Trust Solutions
BOK Financial
Vice President, Trust Officer
Colorado State Bank and Trust
Denver, CO

Pamela D. Wilson
The Care Navigator
Golden, CO

Joy Zabroski
Supervisor and Probate Registrar
17th Judicial District
Adams County District Court
Brighton, CO

LIVE PROGRAM ORDER FORM

Retreat tuition includes course materials* (printed book** or digital download), admission to the entire Retreat, admission to the Welcome Reception on Thursday, August 24th, and the Wine Tasting on Friday, August 25th.

***ALL ATTENDEES will receive the course materials (PDF) digitally via email approximately 3 business days before the Retreat. If you wish to receive your materials via email ONLY (no printed book picked up at the Retreat), please select this option on the registration form. Your tuition for this option is \$25 LOWER than the option to receive the printed book.**

****The printed book will be available for pick up at the Retreat.**

STEP ONE – REGISTRATION CATEGORIES: (EL082417L)

- Non-member\$439
- CBA Member\$399
- CBA Elder Law/ Trust & Estate Law Section Member\$369
- NAELA Member\$369
- Colorado Guardianship Association Member\$369
- Government Employee/Law Enforcement Rate:\$239
- New Lawyer Edge Partner:\$199.50
- CLE Elite Pass Holder:.....\$199

STEP TWO – MATERIALS FORMAT

- Email the Materials to me at: _____ (Deduct \$25 from my tuition)
- Printed Book

STEP THREE – GUEST BREAKFAST

Please skip this step if you do not wish to purchase breakfast for your guest. Guests may participate in breakfast on Friday and/or Saturday for \$30/adult per day, or \$15/child per day. Deadline to purchase breakfast for guests is August 17, 2017.

ADULT GUEST BREAKFAST

- Friday: # of Guests x \$30: _____ Saturday: # of Guests x \$30: _____

CHILD GUEST BREAKFAST (under 13 years of age)

- Friday: # of Guests x \$15: _____ Saturday: # of Guests x \$15: _____

STEP FOUR – RECEPTION GUESTS

Please skip this step if you are not bringing any guests. Receptions on Thursday and Friday are complimentary for guests.

- Thursday: # of Adult Guests: _____ Friday: # of Adult Guests: _____

STEP FIVE – FRIDAY LUNCH SESSION

Included with your tuition.

Colorado's New Strategic Action Planning Group on Aging

- YES, I will attend the lunch session
 - Gluten Free Lunch Vegetarian Lunch Regular Lunch
- NO, I will not attend the luncheon

LIVE PROGRAM ORDER FORM TOTAL \$ _____

CANCELLATIONS: If you are unable to attend, please notify CBA-CLE by AUGUST 17, 2017 and we will gladly refund your tuition in full. Cancellations after August 17th will be refunded less a \$100 cancellation fee OR you may send someone in your place.

All registrations must include a check or charge card information. Mail to CBA-CLE, 1900 Grant St., Suite 300, Denver, Colorado 80203-4303. You may register by phone or fax when using Visa, MasterCard or AmEx. Phone 303-860-0608 • Fax 303-860-0624

FOR CLE USE ONLY:

Check # : _____ Approval # : _____

HOMESTUDY ORDER FORM

To receive CLE Credit you must purchase both the course materials AND the recorded seminar. Retreat submitted for 17 General CLE Credits, Including 2 Ethics Credits

STEP ONE – SELECT DESIRED PRODUCT FORMAT:

- Video-On-Demand (EL082417N)
- MP3 Audio Download (EL082417J)
- Paper course materials & recorded homestudy on Audio CD (EL082417D)

STEP TWO – SELECT PAYMENT CATEGORY:

- Non-member\$439
- CBA Member\$399
- New Lawyer Edge Partner (MP3 and VOD products ONLY)\$199.50
- CLE Elite or Basic Pass Holder (MP3 and VOD products ONLY)FREE

NOTE: Shipping & handling only applies to orders you receive via mail. Materials will be mailed to you approximately 2 weeks after live program.

Price \$ _____

Shipping & Handling \$ 10.95

Subtotal \$ _____

Applicable Sales Tax (7.62% Denver, 4% RTD and 2.9% rest of Colo.) \$ _____

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Attorney Reg. No. _____

Firm/Organization _____

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