

# WADE/PARKS: Colorado Law of Wills, Trusts, and Fiduciary Administration

LIVE PROGRAM & LIVE WEBCAST:

**JULY 14, 2015**

Live program will be at the **CBA-CLE Classroom**  
1900 Grant Street, Suite 300, Denver, CO

Commonly referred to as *Wade/Parks*, this longtime favorite and indispensable resource for Colorado probate practitioners covers every aspect of trust and estate administration.

Through this course and his comprehensive treatise, Mr. Wade provides a thorough commentary on the law of wills, trusts, and fiduciary administration, focusing on leading Colorado cases, the probate code, and related fiduciary statutes.

Every attendee receives a copy of the newly released updated edition of "***Wade/Parks: Colorado Law of Wills, Trusts, and Fiduciary Administration***" by **James R. Wade!**

*Wade/Parks*  
COLORADO LAW OF WILLS,  
TRUSTS, AND FIDUCIARY  
ADMINISTRATION

SEVENTH EDITION

James R. Wade

CONTINUING LEGAL EDUCATION IN COLORADO, INC.  
COLORADO BAR ASSOCIATION • DENVER BAR ASSOCIATION

VIDEO REPLAYS: **AUGUST 7, 2015** • Denver, Colorado Springs, and Grand Junction

CLE CREDITS: Submitted for 4 General CLE Credits, Including 1 Ethics Credit

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## LIVE PROGRAM & LIVE WEBCAST: JULY 14, 2015

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The faculty will cover developments in the following areas:

- Standing to sue cases (including charitable trusts and the issue of settlor standing).
- Federal court probate jurisdiction - *Marshall v. Marshall* updated
- Developments in federal pre-emption of state probate law
- Future interest law - the bankruptcy and dissolution of marriage cases: vested v. contingent interests
- Directed trustee statute - what does it gain?
- Dealing with the unwanted trustee: trustee removal v. trust modification
- Protective proceedings - dealing with marital status
- Impact of the civil union statute
- Elective share developments
- The new reformation statute applied
- The new dead man's statute clarified
- Trust revocation - the legislative response to the *McCreath* decision
- Elements of a "Sham Trust"
- Colorado's new Uniform Acts
- The proposed Uniform Trust Code - Colorado's response so far
- Comments on the updated Colorado Probate System
- Ethics Issues:
  - Professional liability - status of the privity requirement
  - Breach of fiduciary duty - extension into commercial areas
  - Attorney fee litigation developments; and attorney discipline cases

### PROGRAM AGENDA

8:00 - 8:30 am Registration/Check-in

8:30 - 9:30 am Programming

9:30 - 9:45 am Networking Break

9:45 - 10:45 am Programming

10:45 - 11:00 am Networking Break

11:00 - 12:00 pm Programming

12:00 pm Adjourn

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## ABOUT THE BOOK

### Wade/Parks: Colorado Law of Wills, Trusts, and Fiduciary Administration

by James R. Wade\*

- |                   |                                                             |                   |                                                                         |
|-------------------|-------------------------------------------------------------|-------------------|-------------------------------------------------------------------------|
| <b>Chapter 1</b>  | Probate Jurisdiction                                        | <b>Chapter 23</b> | Fees of Fiduciaries and Attorneys                                       |
| <b>Chapter 2</b>  | Organization and Functioning of Courts of Probate - Venue   | <b>Chapter 24</b> | Federal Estate Tax                                                      |
| <b>Chapter 3</b>  | Probate of Wills and Steps to Securing Letters Testamentary | <b>Chapter 25</b> | Colorado Estate Tax                                                     |
| <b>Chapter 4</b>  | Will Contests - Revocation                                  | <b>Chapter 26</b> | Income Taxation of Trusts and Trust Beneficiaries                       |
| <b>Chapter 5</b>  | Delayed Probate of Will                                     | <b>Chapter 27</b> | Sale and Mortgage of Property                                           |
| <b>Chapter 6</b>  | Missing, Lost, or Destroyed Wills                           | <b>Chapter 28</b> | Intermediate Report                                                     |
| <b>Chapter 7</b>  | Contracts to Make or not to Make Wills                      | <b>Chapter 29</b> | Types of Devices                                                        |
| <b>Chapter 8</b>  | Effect of Determination of Testacy or Intestacy             | <b>Chapter 30</b> | Lapsed, Void, Adeemed, and Abated Devices                               |
| <b>Chapter 9</b>  | Foreign Wills and Foreign Representatives                   | <b>Chapter 31</b> | Partial Distributions                                                   |
| <b>Chapter 10</b> | Securing Letters in Intestate Proceedings                   | <b>Chapter 32</b> | Will and Trust Construction                                             |
| <b>Chapter 11</b> | Grounds for Refusal to Appoint or for Removal               | <b>Chapter 33</b> | Notice During Administration                                            |
| <b>Chapter 12</b> | Descent and Distribution - Determination of Heirship        | <b>Chapter 34</b> | Preparation for Final Settlement of Decedent's Estate Accounting Issues |
| <b>Chapter 13</b> | Elections (Including Spouse's Augmented Estate Election)    | <b>Chapter 35</b> | Final Settlement and Subsequent Procedure                               |
| <b>Chapter 14</b> | Pretermitted Child - Omitted Spouse                         | <b>Chapter 36</b> | Finality of Final Settlement                                            |
| <b>Chapter 15</b> | Actions by and Against Representatives                      | <b>Chapter 37</b> | Reopening Estate                                                        |
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| <b>Chapter 17</b> | Exempt Property, Family Allowances, and Homestead Exemption | <b>Chapter 39</b> | Successor Representatives - Procedure and Liabilities                   |
| <b>Chapter 18</b> | Inventory, Discovery, and Appraisal of Assets               | <b>Chapter 40</b> | Fiduciary and Attorney Misconduct                                       |
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\*Herb Tucker, Esq., Legal Editor

Wade/Parks: Colorado Law of Wills, Trusts, and Fiduciary Administration, 7th Edition  
CBA Member: \$139 | Non-Member: \$165  
CLE Item Number: ZWPCW15B

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## MEET YOUR PRESENTERS



### **James R. Wade, Esq.**

Wade Ash Woods Hill & Farley, P.C., Denver, CO

James R. Wade is a shareholder and officer of Wade Ash Woods Hill & Farley, P.C. in Denver. A former Denver Probate Court Judge, Mr. Wade is a Harvard Law School and Princeton University graduate, and a frequent lecturer and visiting professor on probate topics around the country. He serves as Joint Editorial Board for Uniform Trust and Estate Act liaison to State Courts and was liaison from the American Bar Association Real Property, Probate, and Trust Section to the National College of Probate Judges and American Bar Association Commission on Law and Aging. Mr. Wade's numerous memberships include the American College of Trust and Estate Counsel and the American Law Institute. He is the Advisor to the Reporter, Restatement of Trusts, Third. He is a recipient of the Treat Award for Excellence in Probate, National College of Probate Judges; the Denver Foundation Philanthropic Advisor Award; and also a recipient of the Richard Doyle Award of Excellence, Colorado Bar Association/Continuing Legal Education.

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### **Laurie A. Hunter, Esq.**

Wade Ash Woods Hill & Farley, P.C., Denver, CO

Laurie A. Hunter is a shareholder with Wade Ash Woods Hill & Farley, P.C., in Denver, Colorado. She received her J.D. from the University of Denver College of Law in 1981 and has been in private law practice in Denver since then. Ms. Hunter was elected as a Fellow of the American College of Trust and Estate Counsel in 1998. Ms. Hunter is active in the Trust and Estate Section of the Colorado Bar Association and is a frequent speaker on trust and estate issues. She was chair of that Section for the 1997-1998 fiscal year and was secretary/treasurer in 1988-1989 and 1994-1995. She is currently a member of the Council of the Trust and Estate Section. She was also the chair of the Colorado Estate Planning (Orange Book) Forms Committee in 2001-2002, and she currently is chair of the Rules and Forms Committee, and serves on the Orange Book Forms Committee and Statutory Revisions Committee. Ms. Hunter also served on the Uniform Trust Code Committee and the Uniform Probate Code II Steering Committee, as well as the Uniform Probate Code III Committee. She is the author of *Gifts to Minors, Second Ed.* (CLE in Colo., Inc. Supp. 2011), and was editor of *The Green Book: Selected Colorado Materials on Wills, Estates, Trusts, and Taxes* from 1986 to 1996.

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### **Herb E. Tucker, Esq.**

Wade Ash Woods Hill & Farley, P.C., Denver, CO

Herb E. Tucker is a shareholder with the Denver law firm of Wade Ash Woods Hill & Farley, P.C., where he specializes in the area of estate and trust administration, with an emphasis in probate and trust litigation. Mr. Tucker is a member of the Colorado, Douglas County, and American bar associations. He is actively involved in the Trust and Estate Section of the Colorado Bar Association and has been actively involved as a chair or member of many subcommittees. He has lectured both locally and nationally for continuing legal education programs. He has written numerous articles on probate and trust litigation that appear in *The Colorado Lawyer*, *Council Notes*, and other legal publications. He has been named in *Best Lawyers in America and Colorado Super Lawyers since 2005*.

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