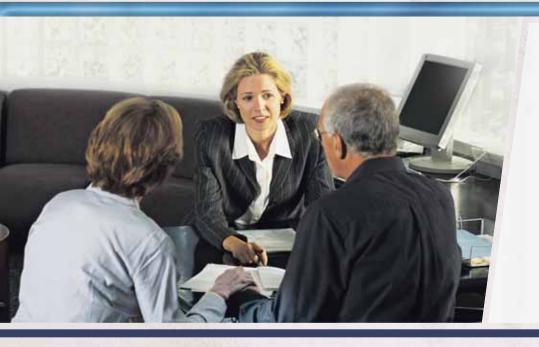
20th Annual

Estate Planning and Probate Drafting Course



LIVE Dallas October 29-30, 2009

VIDEO Houston December 3-4, 2009

- Forms From Around the State: When and How to Use Them (and When Not To)
- Drafting to Win: Winning the Will Contest on the Front End
- How to Undo What the Client Has Done
- Pleading, Discovery Requests for the Will Contest, Trust Disputes, and Fiduciary Litigation
- Electronics and Paperless Impact on the Drafting Process



Estate Planning and Probate Drafting Course

October 29-30, 2009
Hilton Park Cities

VIDEO Houston
December 3-4, 2009
Norris Houston CityCentre

PURPOSE AND SCOPE

The planning committee for this year's course has organized the program to re-emphasize the focus of the initial 1990 Drafting Course: forms, drafting issues and solutions. The estate planning and probate landscape has changed significantly since 1990. The estate tax exemption equivalent has increased from \$600,000 to \$3.5 million. The complex \$7 million family estate is now, properly drafted, within the non-taxable range. What was "advanced" testamentary planning in 1990 is now standard; however, we are more than ever conscious of the potential litigation we face over the plans we produce for our clients. The Drafting Course is designed to analyze the lifetime and testamentary forms estate planners use for basic testamentary planning and complex wealth migration and offer practical solutions and guidance on how to use these forms, when to use them and when not to use them. Topics have been selected so that speakers can engage in a dialogue with each other to enable attendees to sit in on the drafting process. The goal of the speakers is to provide attendees drafting and form solutions they can take back to the office for all their clients, not just a select few. The Drafting Course will bridge the gap between the estate planning and probate topics outlined in the State Bar's Annual Estate Planning and Probate Course and the planning ideas discussed in the Annual Advanced Estate Planning and Probate Strategies Course.

MCLE CREDIT

13 HOURS (1.75 ETHICS) | MCLE COURSE NO: 901182277

Applies to the College of the State Bar of Texas and to the Texas Board of Legal Specialization in Estate Planning and Probate Law and Tax Law.

Thursday

7 hours including .5 hour ethics

7:30 Registration and Continental Breakfast Sponsored by Encore Trust



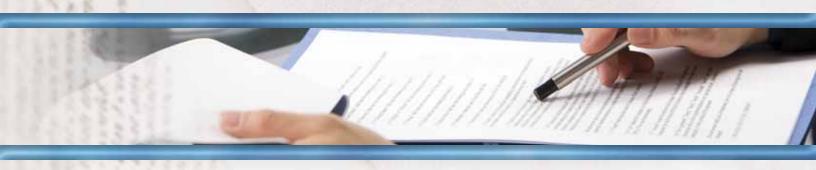
8:30 Welcoming Remarks and Program Introductions Course Director

Jeffrey N. Myers, Fort Worth Bourland, Wall & Wenzel

8:45 **Drafting to Win: Winning the**Will Contest on the Front End

.75 hr (.25 hr ethics)

- Deterrent provisions
- No contest
- Fee allocation
- Administration Philip M. Lindquist, *Dallas* K & L Gates
- 9:30 Pleadings, Discovery Requests for Will Contests, Trust Disputes, and Fiduciary Litigation .75 hr Stephanie Loomis-Price, Houston Baker Botts
- 10:15 Break
- 10:30 Marital Deduction and Other Funding Formulas .75 hr Matthew J. White, Houston Bracewell & Giuliani
- 11:15 Addressing Special Management and Succession Situations Involved with Family Businesses .75 hr
 - Key employees
 - 409A
 - Stimulating stock ownership James M. Mincey, Jr., *Dallas* Mincey Carter
- 12:00 Break (lunch provided)



Sponsored by the Real Estate, Probate and Trust Law Section of the State Bar of Texas

12:15 Luncheon Presentation: Electronics and Paperless Impact on the Drafting Process

.75 hr (.25 hr ethics) Marjorie J. Stephens, *Dallas* Smith & Stephens

Rhonda H. Brink, *Austin* Law Offices of Rhonda H. Brink

1:00 **Break**

1:15 Forms from Around the State: When and How To Use Them (and When Not To) 1 hr C. Stephen Saunders, Austin Saunders, Norval, Nichols & Atkins

Karen S. Gerstner, *Houston* Karen S. Gerstner & Associates

2:15 Non-Citizens/Non-Residents

.75 hr R. Glenn Davis, *El Paso* Scott & Hulse

3:00 Ice Cream Break Sponsored by Howard Frazier Barker Elliott Inc.



3:15 Ancillary Documents Beyond the Statutory Forms .75 hr

Brooke Hardie, *Austin* Law Offices of Brooke Hardie

Carolyn Ostrom, *Austin* Collins Ostrom Attorneys and Counselors

Robert L. Fine, MD, FACP, *Dallas* Director, Office of Clinical Ethics and Palliative Care Baylor Health Care System

4:00 **Legislative Update** .75 hr William D. Pargaman, *Austin* Brown McCarroll

4:45 **Adjourn**

Friday

6 hours including 1.25 hours ethics

7:30 Continental Breakfast

8:00 Checklist for Client Interview in Light of Substantial Estate Tax Revisions

.75 hr (.5 hr ethics)

- Systems
- Correspondence to the client
- Engagement letter
- Correspondence conveying the draft
- Documents for follow-up Michael V. Bourland, Fort Worth Bourland, Wall & Wenzel

8:45 **Selection and Drafting of Trustee Provisions**

.75 hr (.25 hr ethics)

- Appointment
- Removal
- Resignation
- Fees and compensation
- Exoneration and indemnity Sarah Patel Pacheco, *Houston* Crain Caton & James

Lisa H. Jamieson, Fort Worth Shannon Gracey Ratliff & Miller

9:30 **Documenting Your IDGT Sale**

.75 hr Michael

Michael D. Allen, *Tyler* Allen-Lottmann

Thomas C. Baird, *Temple*Baird, Crews, Schiller & Whitaker

10:15 **Break**

10:30 **Drafting Down**

.75 hr (.25 hr ethics)

- Non-tax alternatives
- Disclaimer
- Revocable trusts
- Unused exemption Bernard E. Jones, *Houston* Attorney at Law

11:15 **Trust Drafting: Dispositive**Provisions for Children and
Trustee Control Provisions .75 hr
Toby M. Eisenberg, *Dallas*Bisignano and Harrison

12:00 Lunch (on your own)

1:30 Collection of Solutions When the "Plan" Fails or There is a Failure to Plan .75 hr

- Judicial
- Family settlement
- Affidavit
- Powers of appointment
- Disclaimer

Kristi N. Elsom, *Houston* Fizer Beck Webster Bentley & Scroggins

Linda L. Kelly, *Houston*Dinkins, Kelly, Lenox, Lamb &
Walker

2:15 Dusting Off Your Boilerplate: The Allocation of Debts, Taxes and Expenses in Wills and Revocable Trusts .75 hr Tina R. Green, Texarkana Patton Roberts

Robert W. Goff, Jr., *Kerrville/Wichita Falls* Sherrill, Crosnoe & Goff

3:00 Where the Rubber Meets the Road: How Drafting Affects Discretion in Action

.75 hr (.25 hr ethics) R. Hal Moorman, *Brenham* Moorman, Tate, Moorman, Urquhart & Haley

3:45 **Adjourn**

Thank you to our sponsors. –





Ways to Save on This Course!

Beat the "Register By" Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. No confirmation will be sent. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

Real Estate, Probate and Trust Law Section Members Can Save \$75 by registering by the "Register By" deadline (thereafter, save \$25); see the registration form. Not a member? To join, contact the State Bar's Sections Coordinator, Kathy Casarez, at 800-204-2222, x1420. Please do not send Section membership payment with your registration fee.

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from your firm or agency. Contact Firm and Group Sales Representative Laura Angle of TexasBarSolutions at 512-250-5575 or langle@texasbar.com

State Bar Policy Manual §7.03.06 Allows Some Judges to Attend Free provided (1) the course is directly related to their tribunal's jurisdiction, (2) they are full-time judges or judges retired under the Texas Judicial Retirement System and (3) space is available for all paying registrants. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity. NOTE: Judges must actually attend to receive course materials.

Parking Information for Attendees Not Staying at the Hotel

is subject to change without notice and is not a guarantee of available space. DALLAS: Self-parking for \$8/daily and \$18/overnight. HOUSTON: Parking is complimentary.

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Registered But Can't Attend? Still Earn Participatory Credit

and receive course materials by (1) calling 800-204-2222, x1574 to transfer your registration to a later presentation or (2) taking the course online later, in which case you'll automatically be sent the course materials; see "FREE TO OUR REGISTRANTS!," below. However, if you wish to receive a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program.

FREE TO OUR REGISTRANTS!

Online Videos of the Presentations & PDFs of the Course Materials will be available to registrants 6-8 weeks after the course. Provide us your email address when registering and we'll alert you when these benefits are available and how to access them. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.







Reserve Your Hotel Room by October 8.

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas Course.

Dallas LIVE

Hilton Park Cities 5954 Luther Lane Dallas, TX 75225 214-368-0400 \$179/night Deadline: October 8, 2009

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The reserved block of rooms may fill up before the deadline. Act now!

Houston VIDEO

Norris CityCentre 803 Town and Country Lane Houston, TX 77024 281-940-7014

No rooms have been booked for this showing





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Jeffrey N. MyersFort Worth

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Email Laura Angle at laura.angle@texasbar.com for group discount information.

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Estate Planning and Probate Drafting Course 2009

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