



Oregon Law Institute
of Lewis & Clark Law School

ABCs of Decedents' Estate Administration

This program is designed to help you guide your client and your case through the estate administration process from non-probate alternatives to formal probate estate administration. Our faculty of experienced practitioners and judges will take you through the options and provide assistance in determining the right choice for an array of situations. From the basics to useful practice tips from experts, this program will help de-mystify the processes of estate administration and assist you in providing efficient and effective counsel.

Friday, March 15, 2013

The Ambridge Event Center

**1333 NE Martin Luther King Jr. Blvd.
Portland, Oregon**

6.75 General or Practical Skills MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:30–9:00 **Utilizing Paralegals Ethically**
- Avoiding unlawful practice of law by staff
 - Maintaining confidentiality
 - Billing, compensation, and solicitation practices
– *Steven B. Taylor*
- 9:00–9:30 **Alternatives to Probate**
- The “how to,” “when to,” and “why” or “why not” of avoiding probate
 - Various ways of avoiding probate and the appropriateness of using those alternatives
– *Brent S. Kinkade*
- 9:30–10:00 **Initiating Probate**
- Establishing the attorney-client relationship
 - Assets, venue, jurisdiction, and tax considerations
 - Will or no will
 - Bonding and asset restriction
 - Initial petition, notices, and limited judgment
– *Timothy Marble*
- 10:00–10:15 BREAK
- 10:15–10:45 **Inventory, Collection, and Management of Assets**
- How to determine when possession and control is or is not necessary
 - When an appraisal is desirable
 - When to delegate
 - Investment responsibilities
– *Jonathan A. Levy*
- 10:45–11:15 **Title Problems**
- Small estates and trusts
 - PR deeds
 - Affidavits of heirships
– *Alan K. Brickley*
- 11:15–11:45 **Creditors’ Claims**
- Forms and information you need to deal with creditors’ claims against the estate
 - What do your clients need to give you to alert you to claims?
 - What is the best way to formally and informally handle claims?
– *Christine R. Costantino*
– *Eric J. Wieland*
- 11:45–12:15 **Closing and Distribution of Assets**
- How to complete the final account to the satisfaction of your client, the court, and all estate beneficiaries
 - How to properly request attorney and fiduciary fees
 - How to accomplish closing and distribution of the estate and discharge of the personal representative
 - Tips on accounting for and closing an insolvent estate
– *Richard A. Pagnano*
- 12:15–1:30 LUNCH (on your own)

SCHEDULE (cont.)

- 1:30–2:30 **View from the Probate Bench**
Written questions in advance of the CLE are encouraged.
The judges will share their current concerns and tips and discuss the following issues, among others:
- Attorney fees
 - Attorney’s duty to the court in any probate proceeding
 - Sealing information in a probate proceeding
 - Restriction of assets—what, when, who, and how
 - Partial distributions from an estate
 - ADR in probate cases
 - Impact of budget cuts on processing probate cases
 - *Hon. Rita Batz Cobb*
 - *Hon. Robert D. Herndon*
 - *Hon. Lauren S. Holland*
 - *Hon. Katherine E. Tennyson*
- 2:30–2:45 BREAK
- 2:45–3:30 **Administration of Estates with Revocable Trusts**
- Coordination with probate
 - Selected taxation issues
 - Accounting and closing
 - *Brian M. Thompson*
- 3:30–4:30 **Taxing Thoughts About Non-Taxable Estates**
- Really non-taxable?
 - Income, property, and other taxes
 - Incorporating tax issues into probate process
 - Commonly encountered trust tax issues
 - *Gwendolyn Griffith*
- 4:30 p.m. ADJOURN

Program Faculty

Alan K. Brickley

*Counsel, First American Title
Insurance Company of Oregon*

Hon. Rita Batz Cobb

*Washington County
Presiding Probate Judge*

Christine R. Costantino

Buckley Law PC

Gwendolyn Griffith

Tonkon Torp LLP

Hon. Robert D. Herndon

Clackamas County Circuit Court

Hon. Lauren S. Holland

Lane County Circuit Court

Brent S. Kinkade

Karnopp Petersen LLP

Jonathan A. Levy

Cavanaugh Levy Bilyeu LLP

Timothy Marble

Marble Law Office PC

Richard A. Pagnano

*Davis Pagnano McNeil & Vigna LLP,
The Elder Law Firm*

Steven B. Taylor

*Attorney & Portland Community
College Paralegal Program Instructor*

Hon. Katherine E. Tennyson

*Multnomah County
Presiding Probate Judge*

Brian M. Thompson

Law Office of Brian M. Thompson

Eric J. Wieland

Samuels Yoelin Kantor LLP

Mark M. Williams

*Program Planner
Gaydos, Churnside & Balthrop PC*

LIVE PRESENTATION

Portland – 3/15/13

Ambridge Event Center
1333 NE MLK Jr. Blvd.

MCLE CREDIT

*ABCs of Decedents' Estate
Administration* will receive
6.75 General or Practical
Skills MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu, or visit our website at <http://go.lclark.edu/oli>.

Forms on CD

The forms included in the course book are available on a CD in Word and WordPerfect for an additional \$20. Available only with program attendance or book/CD/DVD purchase.



REGISTRATION / ORDER FORM

ABCs of Decedents' Estate Administration

Friday, March 15, 2013

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____ City/State/Zip _____

Phone _____ E-Mail _____

Please "✓" appropriate box:

TUITION

- \$189 Early registration (*received by March 11, 2013*)
- \$139 New attorneys (admitted 2011–2013) and legal staff (*received by March 11, 2013*)
- \$95 Legal aid attorneys (*received by March 11, 2013*)
- \$15 OLI Passholder (OLI Pass No. _____) and Oregon judges and their lawyer staff (*received by March 11, 2013*)
- \$20 Forms on CD (*\$10 for OLI Passholders*)
- \$20 **Add to above tuition if registration received after March 11, 2013**

COURSE MATERIALS *Included with registration. Please select one:*

- Electronic course book (*a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date*)
- Print version

LIVE WEBCAST REGISTRATION

This program will be broadcast LIVE over the internet on Friday, March 15, 2013, starting 8:30 a.m. Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials — all on your computer! To register for the live webcast, please click [here](#) or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

PRODUCT ORDER *I am unable to attend. Please send me:*

- \$209 Audio CDs and print course book
- \$309 DVDs and print course book
- \$59 Print course book only
- \$20 Forms on CD (*available only with course book purchase*)
- Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. _____)
- \$7.00 Note: Add \$7.00 shipping & handling fee to above product orders.**

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...or fax (503-768-6585) or e-mail
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OLI, including credit card information.

CONFIRMATION: Confirmation will be sent via e-mail.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, March 11, 2013.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213. Check out our website at <http://go.lclark.edu/oli> or e-mail us at oli@lclark.edu.