



Oregon Law Institute
of Lewis & Clark Law School

Two Half-Day Programs

Probate Primer

8:30 a.m.–12:15 p.m.

3.25 General or Practical Skills
and **.5** Ethics MCLE Credits

Beyond the Basics of Probate Practice

1:15–4:15 p.m.

3 General MCLE Credits

These two programs are designed to help you guide your client and your case through the probate process in as comprehensible and professional a manner as possible. Our faculty of experienced practitioners and judges will take you through both the formal and informal probate processes.

If you need to learn the basics, or just update yourself on the process, the morning session will help you keep a simple probate from turning into a problem. The afternoon session will be devoted to basic tax issues for estates, as well as the always popular session with our panel of probate judges who will share their suggestions for how best to present your case to the court.

Friday, March 12, 2010

**Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon**

Probate Primer

3.25 General or Practical Skills and .5 Ethics MCLE Credits

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTION
- 8:30–9:00 **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*
- 9:00–9:30 **Initiating Probate**
- Establishing the attorney-client relationship
 - Assets, venue, jurisdiction, tax considerations
 - Will or no will
 - Bonding and asset restriction
 - Initial petition, notices, and limited judgment
- *Timothy Marble*
- 9:30–10:00 **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*
- 10:00–10:15 BREAK
- 10:15–10:45 **Title Problems**
- Small estates and trusts
 - PR deeds
 - Affidavits of heirships
- *Alan K. Brickley*
- 10:45–11:15 **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?
- *Murray S. Pettitt*
- 11:15–11:45 **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*
- 11:45–12:15 **Utilizing Paralegals Ethically**
- Avoiding unlawful practice of law by staff
 - Maintaining confidentiality
 - Billing, compensation, and solicitation practices
- *Steven B. Taylor*
- 12:15 ADJOURN

Beyond the Basics of Probate Practice

3 General MCLE Credits

12:45 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

1:15–3:00

Basic Tax Issues for Estates: Income Taxes; Marital Deduction Plans; Tips, Traps, and Fixes

- Income tax issues for the nontaxable estate
 - Fiduciary obligations and elections
 - “Special” assets: IRAs, notes, tax credits
 - Tips and traps
- Update on federal estate/gift tax legislation
- Administering marital deduction plans: happily ever hereafter
 - Qualifying transfers
 - Funding possibilities and problems
 - Planning and fixes after death
 - *Gwendolyn Griffith*
 - *F. Jackson Lewis II*

3:00–3:15

BREAK

3:15–4:15

View from the Probate Bench

The judges will share their current concerns and tips and discuss the following issues, among others:

- Presenting your case to the court
- Issues in will contests
- Requests for instructions
- Objections to accountings

Moderator: *Hon. Rita Batz Cobb*

– *Hon. Claudia M. Burton*

– *Hon. Lauren S. Holland*

– *Hon. Katherine E. Tennyson*

4:15 p.m.

ADJOURN

Forms on CD

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



Program Faculty

Alan K. Brickley

Counsel, First American Title Insurance Company

Hon. Claudia M. Burton

Marion County Circuit Court

Hon. Rita Batz Cobb

Washington County Presiding Probate Judge

Gwendolyn Griffith

Tonkon Torp LLP

Hon. Lauren S. Holland

Lane County Circuit Court

Brent S. Kinkade

Karnopp Petersen LLP

Jonathan A. Levy

Cavanaugh Levy Bilyeu LLP

F. Jackson Lewis II

Tonkon Torp LLP

Timothy Marble

Marble Law Office, PC

Richard A. Pagnano

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

Murray S. Pettitt

Thorp, Purdy, Jewett, Urness & Wilkinson PC

Steven B. Taylor

*Attorney & Portland Community College
Paralegal Program Instructor*

Hon. Katherine E. Tennyson

Multnomah County Presiding Probate Judge

Mark M. Williams

*Program Planner
Gaydos, Churnside & Balthrop, PC*

LIVE PRESENTATION

Portland – 3/12/10

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

Probate Primer will receive 3.25 General or Practical Skills and .5 Ethics MCLE credits. *Beyond the Basics of Probate Practice* will receive 3 General 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 the materials 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 www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 3/26/10

Probate Primer – 8:30 a.m.

Beyond the Basics – 1:00 p.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 3/19/10

Probate Primer – 8:30 a.m.

Beyond the Basics – 1:00 p.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Medford – 3/19/10

Probate Primer – 8:30 a.m.

Beyond the Basics – 1:00 p.m.

Kellington Krack Richmond
Blackhurst & Glatte LLP
23 Newtown Street

Portland – 3/31/10

Probate Primer – 8:30 a.m.

Beyond the Basics – 1:00 p.m.

Oregon Law Institute
Gus J. Solomon Courthouse,
620 SW Main Street, Ste. 706

Probate Primer • Beyond the Basics of Probate Practice**Friday, March 12, 2010**

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____

City/State/Zip _____

Phone _____

E-mail _____

Please "✓" appropriate box below:

 Live presentation Video replay. Location: _____ Date: _____**TUITION** Prices apply to live and video replays. The forms included in the Probate Primer course book are available on a CD in Word and WordPerfect for an additional \$20.**BOTH PROGRAMS**

- \$179** Early registration tuition (received by March 8, 2010)
- \$149** Early registration tuition for new attorneys (admitted 2008–2009), paralegals, or secretaries (received by March 8, 2010)
- \$90** Legal aid attorneys (received by March 8, 2010)
- \$25** OLI Annual Passholder (OLI Pass No. _____)
- \$20** Probate Primer forms on CD (\$10 for OLI Passholders)
- \$20** Add to above tuition if registration received after March 8, 2010

ONE PROGRAM (Please indicate which program. Forms on CD available only with Probate Primer.) **PROBATE PRIMER** **\$20** Probate Primer forms on CD (\$10 for OLI Passholders) **BEYOND THE BASICS OF PROBATE PRACTICE**

- \$139** Early registration tuition (received by March 8, 2010)
- \$119** Early registration tuition for new attorneys (admitted 2008–2009), paralegals, or secretaries (received by March 8, 2010)
- \$70** Legal aid attorneys (received by March 8, 2010)
- \$15** OLI Annual Passholder (OLI Pass No. _____)
- \$20** Add to above tuition if registration received after March 8, 2010

PRODUCT ORDER I am unable to attend. Please send me:**BOTH PROGRAMS** \$209 Audio CDs and books \$309 DVDs and books**ONE PROGRAM:** Probate Primer Beyond the Basics \$149 Audio CDs and book \$199 DVDs and book \$55 Probate Primer book only \$55 Beyond the Basics of Probate Practice book only **\$20** Probate Primer forms on CD (available only with Probate Primer book) Deduct 50% from product order if you are an OLI Annual Passholder (Pass No. _____) **\$7.00** Note: Add \$7.00 shipping & handling fee to above product orders.**ENCLOSED IS \$** _____ **BY:** Check payable to Oregon Law Institute (OLI) Credit Card: Acct. # _____ VISA MasterCard

Exp. Date: _____ Signature: _____

Return this form with payment to:

OLI Registrar

620 SW Main St., Ste. 706

Portland, OR 97205-3037

...or fax this registration

form including credit

card information to:

(503) 768-6585.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213 or e-mail us at oli@lclark.edu.**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 8, 2010.**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.