

# Guardianships and Conservatorships

## *Updated Forms and Procedures*

**T**his program offers timely and relevant information regarding a broad range of guardianship and conservatorship issues, including:

- ✓ An overview of guardianships and conservatorships
- ✓ What lawyers need to know about professional fiduciaries and care management professionals
- ✓ Report from the Supreme Court Task Force on Protective Proceedings
- ✓ Updated forms based on the experience of leading practitioners

Attorneys, professional guardians or conservators, social workers, legal assistants, or any other professionals who practice in the area will benefit from this program.

**FRIDAY, NOVEMBER 9, 2007**

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

**6.25 General or Practical Skills MCLE Credits**

### **FORMS ON CD**

The forms included in the course materials have been updated as of 2007 and are available on a CD in Word and WordPerfect format for an additional \$20.



# SCHEDULE

- 8:15 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:40 - 8:45 WELCOME AND INTRODUCTION
- 8:45 - 9:30 **Guardianships**
- Overview of guardianships and alternatives
  - The intake process and case evaluation
  - Court filings, service, and notices
  - Contested case hearings
  - The powers and duties of a guardian
  - Issues related to minors
  - Case updates, new legislation  
– *Don B. Dickman*
- 9:30 - 10:15 **Conservatorships**
- Initiating the protective proceeding
  - Contesting proceedings
  - Managing the estate
  - Actions requiring court approval
  - Claims
  - Accountings
  - Terminating and closing  
– *Lisa N. Bertalan*
- 10:15 - 10:30 BREAK
- 10:30 - 11:00 **Problem Areas in the Administration of Protective Proceedings**
- The VA revoked your conservator’s custodianship, what happens next?
  - Administering the estates of persons who are married
  - Strategies for getting paid
  - Using stipulated orders to resolve disputes in protective proceedings
  - Update on professional fiduciaries serving as trustees—DCBS rules  
– *Douglas A. Harrison*
- 11:00 - 12:00 **Learning from Fiduciaries: What Lawyers Need to Know, Part I—Professional Fiduciaries**
- The right fiduciary for the job
  - Fiduciary strategies
  - Handling common conflicts
  - Advice for family member fiduciaries  
Moderator: *Stephen R. Owen*  
– *Laura Aust*  
– *Kevin Burke*  
– *Bonnie Burman*
- 12:00 - 1:15 LUNCH (optional lunch at live program)

# SCHEDULE (cont.)

1:15 - 2:15

## **Learning from Fiduciaries: What Lawyers Need to Know, Part II— Care Management Professionals**

- Finding the appropriate living and health care environment
- Assessing care needs and appropriate delivery of care
- Professional management of evolving care needs

Moderator: *Tim McNeil*

– *Michele Fiasca*

– *Liz Mason*

– *Mary Ellen Pierce*

2:15 - 2:30

BREAK

2:30 - 4:15

## **Supreme Court Task Force on Protective Proceedings**

- Licensing of professional fiduciaries
- Compensation of professional and non-professional fiduciaries
- Use of visitors in conservatorships and in general
- Compensation of lawyers

Moderator: *Hon. Elizabeth Welch*

*The panel will be comprised of members of  
the Task Force appointed by the Chief Justice*

4:15

ADJOURN

# Planning Committee

## Dady K. Blake

*Attorney at Law*

## Douglas A. Harrison

*Law Offices of Nay & Friedenber*

## Tim McNeil

*Davis, Pagnano & McNeil, LLP*

## Stephen R. Owen

*Fitzwater & Meyer LLP*

## S. Jane Patterson

*Attorney at Law*

## Hon. Elizabeth Welch

*Senior Judge*

## Mark M. Williams

*Hutchinson Cox Coons  
DuPriest Orr & Sherlock PC*

# Program Faculty

## Laura Aust, Ph.D

*LJA Fiduciary Services, Inc.*

## Lisa N. Bertalan

*Hendrix Brinich & Bertalan LLP*

## Kevin Burke

*Beagle, Burke & Associates*

## Bonnie Burman

*Burman Estate Services*

## Don B. Dickman

*Don B. Dickman PC*

## Michele Fiasca

*Director,  
Adult Placement Network*

## Douglas A. Harrison

*Law Offices of Nay & Friedenber*

## Liz Mason, LCSW

*Private Fiduciary*

## Tim McNeil

*Davis, Pagnano & McNeil, LLP*

## Stephen R. Owen

*Fitzwater & Meyer LLP*

## Mary Ellen Pierce, RN, BSN

*Owner, Care Management  
Associates, Inc.*

## Hon. Elizabeth Welch

*Senior Judge*

## LIVE PRESENTATION

**Portland – 11/9/07**

Oregon Convention Center  
777 NE MLK Jr. Blvd.

## MCLE CREDIT

*Guardianships and Conservatorships:  
Updated Forms and Procedures* will  
receive **6.25** General or Practical Skills  
MCLE credits.

## PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on audiotapes, videotapes, 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](mailto:oli@lclark.edu); or visit our Web site at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli).

## VIDEO REPLAYS

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

**Bend – 11/30/07**

**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 11/16/07**

**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick, P.C.  
360 East 10th Avenue, Ste. 300

**Medford – 11/16/07**

**Replay 8:30 a.m.**  
Kellington, Krack, Richmond,  
Blackhurst & Glatte, LLP  
23 Newtown Street

**Portland – 12/5/07**

**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse,  
620 S.W. Main St., Suite 706

# Guardianships and Conservatorships

Friday, November 9, 2007

Name \_\_\_\_\_ OSB No. or Profession \_\_\_\_\_

Firm/Organization \_\_\_\_\_

Street Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

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Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: \_\_\_\_\_ Date: \_\_\_\_\_  
Please register at least one week prior to the replay date.

**TUITION** (Prices apply to live and video replays. **FORMS ON CD:** The forms discussed by the faculty are included in the course book and are available on a CD in WordPerfect and Word format for \$20.)

- \$169 "Early Bird" tuition (received by November 5, 2007).
- \$129 "Early Bird" tuition for new attorneys (admitted 2006–2007), paralegals, or secretaries (received by November 5, 2007).
- \$85 Legal aid attorneys (received by November 5, 2007).
- \$15 OLI Annual Pass holder (Annual Pass No. \_\_\_\_\_).
- \$20 Add to above tuition if registration received *after* November 5, 2007.
- \$20 Forms on CD

## OPTIONAL LUNCH AT LIVE SEMINAR

- \$25 Add to above tuition
- Vegetarian  Dietary restrictions: \_\_\_\_\_

## PRODUCT ORDER

I am unable to attend. Please send me:

- \$189 Audiotapes and course book *or*  \$189 Audio CDs and course book
- \$299 Videotapes and course book *or*  \$299 DVDs and course book
- \$55 Course book only
- \$20 Forms on CD (Available only with audio/video or course book order)
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form including credit  
card information to:  
(503) 768-6585.

**QUESTIONS? Call (503) 768-6580 or (800) 222-8213.  
Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)  
or email us at [oli@lclark.edu](mailto:oli@lclark.edu).**

**CONFIRMATION:** Confirmation will be sent via e-mail or fax one week before the program.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, November 5, 2007.**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.