



Oregon Law Institute
of Lewis & Clark Law School

Two Half-Day Programs

Probate Primer

8:30 a.m. – 12:15 p.m.

3.75 General or PS MCLE Credits

The Latest in Probate Practice

1:15 – 4:15 p.m.

2.25 General *and* .75 Ethics 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 a discussion on dealing with Measure 37 claims, potential ethical problems and how to avoid them, and invaluable tips from our panel of judges.

**Friday,
March 16, 2007**

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

SCHEDULE

Probate Primer 3.75 General or Practical Skills MCLE Credits

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 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 **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?
– *Janice E. Hatton*
- 10:45 - 11:15 **Title Problems**
- Small estates and trusts
 - PR deeds
 - Affidavits of heirships
– *Alan K. Brickley*
- 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 **Paralegals = Productivity: Tips from Paralegals on Making Your Probate Practice More Efficient**
- A paralegal can add value to your practice
 - Establishing a good working relationship
 - What to expect from your paralegal
 - What not to delegate
 - Efficient approaches to handling probate cases
– *Carole King*
– *Henry Schamel*
- 12:15 ADJOURN

SCHEDULE (cont.)

The Latest in Probate Practice 2.25 General and .75 Ethics MCLE Credits

- 12:45 p.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 1:15 - 2:00 **Probate Ethics Update**
- How the new ORPCs are working
 - Recent OSB disciplinary cases
 - Ethics traps for the unwary
– *Mark M. Williams*
- 2:00 - 2:30 **Death and Measure 37: Lots of Issues, Little Clarity**
- Introduction to Measure 37 rights
 - Does a valid Measure 37 claim terminate on death?
 - What are the arguments that a personal representative has the right to continue a claim?
 - What does a personal representative do with a Measure 37 claim that has been granted?
– *Jeffrey G. Condit*
- 2:30 - 2:45 BREAK
- 2:45 - 4:15 **View from the Probate Bench**
- The judges will share their current concerns and tips and discuss the following issues, among others:
- What can lawyers and judges do to make the supervised administration of a decedent's estate, under our probate code, more efficient and cost effective and therefore better accepted by the public?
 - If a lawyer is the PR, what fees should be requested? How does the statutory commission under ORS 116.173 fit into the mix?
 - When an estate has gone bad (PR not available, not cooperating, etc.) what should the attorney for the PR do? What is the process in the different counties? When should the attorney resign? Ask for a Show Cause?
 - Form of accountings and what is expected when annual/ final accountings are filed
 - New Multnomah County Chief Probate Judge discusses what may change and what will stay the same
- Moderator: *Hon. Lauren S. Holland*
– *Hon. Rita Batz Cobb*
– *Hon. William M. Keller*
– *Hon. Katherine E. Tennyson*
- 4:15 ADJOURN

LIVE PRESENTATION

Portland – 3/16/07

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

Probate Primer will receive 3.75 General or Practical Skills MCLE credits. *The Latest in Probate Practice* will receive 2.25 General and .75 Ethics 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 the tapes 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 Web site at www.lclark.edu/org/oli.

VIDEO REPLAYS

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

Bend – 3/30/07

Probate Primer – 8:30 a.m.

Probate Practice – 1:00 p.m.

Bryant Lovlien & Jarvis

591 Mill View Way

Eugene – 3/23/07

Probate Primer – 8:30 a.m.

Probate Practice – 1:00 p.m.

Harrang Long Gary & Rudnick, P.C.

360 East 10th Avenue, Ste. 300

Medford – 3/23/07

Probate Primer – 8:30 a.m.

Probate Practice – 1:00 p.m.

Kellington Krack Richmond

Blackhurst & Glatte, LLP

23 Newtown Street

Portland – 4/4/07

Probate Primer – 8:30 a.m.

Probate Practice – 1:00 p.m.

Oregon Law Institute

Gus J. Solomon Courthouse,

620 S.W. Main St., Suite 706

Program Faculty

Alan K. Brickley

Counsel, First American Title Insurance Company

Hon. Rita Batz Cobb

Washington County Circuit Court Judge

Jeffrey G. Condit

Miller Nash LLP

Janice E. Hatton

Thorp Purdy Jewett Urness & Wilkinson PC

Hon. Lauren S. Holland

Lane County Circuit Court Judge

Hon. William M. Keller

Clackamas County Circuit Court Judge Pro Tem

Carole King

Cartwright & Associates

Brent S. Kinkade

Karnopp Petersen LLP

Jonathan A. Levy

Cavanaugh Levy Twist LLP

Timothy Marble

Marble Law Office, P.C.

Richard A. Pagnano

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

Henry Schamel

Cartwright & Associates

Hon. Katherine E. Tennyson

Multnomah County Circuit Court Judge

Hon. Elizabeth Welch

Program Co-Planner

Senior Judge

Mark M. Williams

Program Co-Planner

Hutchinson Cox Coons DuPriest

Orr & Sherlock PC

Forms on CD

The forms included in the course book for *Probate Primer* are available on a CD in Word and WordPerfect format for an additional \$20.



Probate Primer • The Latest in Probate Practice

Friday, March 16, 2007

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____

City/State/Zip _____

Phone _____

Fax _____

E-Mail _____

Please "✓" appropriate box below:

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

- \$169 "Early Bird" tuition. (Received by March 12, 2007)
- \$149 "Early Bird" tuition for new attorneys (admitted 2005–2006), paralegals, or secretaries. (Received by March 12, 2007)
- \$85 Legal aid attorneys (Received by March 12, 2007)
- \$25 OLI Annual Pass holder (Annual Pass no. _____).
- \$20 Probate Primer forms on CD (\$10 for Pass holders)
- \$20 Add to above tuition if registration received after March 12, 2007.

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)
- THE LATEST IN PROBATE PRACTICE
- \$129 "Early Bird" tuition. (Received by March 12, 2007)
- \$109 "Early Bird" tuition for new attorneys (admitted 2005–2006), paralegals, or secretaries. (Received by March 12, 2007)
- \$65 Legal aid attorneys (Received by March 12, 2007)
- \$15 OLI Annual Pass holder (Annual Pass no. _____).
- \$20 Add to above tuition if registration received after March 12, 2007.

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

- \$189 Audiotapes and book or
- \$189 Audio CDs and book
- \$309 Videotapes and book or
- \$309 DVDs and book

ONE PROGRAM: Probate Primer Latest in Probate

- \$139 Audiotapes and book or
- \$139 Audio CDs and book
- \$199 Videotapes and book or
- \$199 DVDs and book
- \$55 Probate Primer book only
- \$55 The Latest in 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 Pass holder (Pass no. _____)
- \$7.00 Note: Add \$7.00 shipping & handling fee to above book and tape 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, Solomon Courthouse
620 S.W. Main St., Suite 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.**CONFIRMATION:** Confirmation will be sent via e-mail or fax.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Tuesday, March 13, 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.