



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.

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 a discussion on billing practices, attorney fees, the impact on estate planning and probate of Measure 49 amendments to Measure 37, and invaluable tips from our panel of judges.

**Friday,
March 14, 2008**

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

Probate Primer

3.75 General or Practical Skills MCLE Credits

8:00 a.m.	LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
8:25	WELCOME AND INTRODUCTION
8:30 - 9:00	Alternatives to Probate <ul style="list-style-type: none">• 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<ul style="list-style-type: none">– <i>Brent S. Kinkade</i>
9:00 - 9:30	Initiating Probate <ul style="list-style-type: none">• Establishing the attorney-client relationship• Assets, venue, jurisdiction, tax considerations• Will or no will• Bonding and asset restriction• Initial petition, notices, and limited judgment<ul style="list-style-type: none">– <i>Timothy Marble</i>
9:30 -10:00	Inventory, Collection, and Management of Assets <ul style="list-style-type: none">• How to determine when possession and control is or is not necessary• When an appraisal is desirable• When to delegate• Investment responsibilities<ul style="list-style-type: none">– <i>Jonathan A. Levy</i>
10:00 - 10:15	BREAK
10:15 - 10:45	Title Problems <ul style="list-style-type: none">• Small estates and trusts• PR deeds• Affidavits of heirships<ul style="list-style-type: none">– <i>Alan K. Brickley</i>
10:45 - 11:15	Creditors’ Claims <ul style="list-style-type: none">• 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?<ul style="list-style-type: none">– <i>Murray S. Pettit</i>
11:15 - 11:45	Closing and Distribution of Assets <ul style="list-style-type: none">• 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• Legislative update<ul style="list-style-type: none">– <i>Richard A. Pagnano</i>
11:45 - 12:15	How a Paralegal Can Help You Navigate the Probate Process <ul style="list-style-type: none">• A paralegal can add value to your practice• What to expect from your paralegal• Potential conflicts within the probate proceeding and how a paralegal can help• What not to delegate• Tips on efficient ways to handle probate cases<ul style="list-style-type: none">– <i>Carole King</i>– <i>Henry Schamel</i>
12:15	ADJOURN

The Latest in Probate Practice

3 General MCLE Credits

- 12:45 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 1:15 - 1:45 **Effective Billing Practices for Probate Practitioners**
- Pricing your legal services
 - Fee agreements
 - Managing the billing process
 - *Gary L. Vigna*
- 1:45 - 2:15 **Measure 49 Amendments to Measure 37: Impact on Estate Planning and Probate**
- Recap of issues for PRs under Measure 37
 - Measure 49 changes
 - Continuing issues: vested rights and a new twist on the phrase “untimely death”
 - *Jeffrey G. Condit*
- 2:15 - 2:30 BREAK
- 2:30 - 3:15 **What Rules Control the Process of Setting Attorneys Fees in Probate Matters and Are They Good Rules?**
- Does ORCP Rule 68 apply to probate matters? Should it?
 - Should the statute on attorneys fees in probate be modified?
 - Are there ways to make the bar more accountable to heirs regarding their fees without generating tremendous expense to all?
 - Should the court have discretion regarding the payment of both attorneys fees and PR fees to an attorney?
 - *James R. Cartwright*
 - *Heather O. Gilmore*
- 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:
- Dealing with a problem client: what to do when the lawyer wants to stay and what to do when the lawyer wants to get out
 - Interim attorneys fees prior to the annual accounting
 - The limits of ex parte in the probate context
- Moderator: *Hon. Elizabeth Welch*
- *Hon. Rita Batz Cobb*
 - *Hon. Lauren S. Holland*
 - *Hon. Paula J. Kurshner*
- 4:15 ADJOURN

Program Faculty

Alan K. Brickley

*Counsel, First American
Title Insurance Company*

James R. Cartwright

Cartwright & Associates

Hon. Rita Batz Cobb

*Washington County
Presiding Probate Judge*

Jeffrey G. Condit

Miller Nash LLP

Heather O. Gilmore

Heather O. Gilmore PC

Hon. Lauren S. Holland

Lane County Circuit Court Judge

Carole King

Cartwright & Associates

Brent S. Kinkade

Karnopp Petersen LLP

Hon. Paula J. Kurshner

*Multnomah County
Circuit Court Judge*

Jonathan A. Levy

Cavanaugh Levy LLP

Timothy Marble

Marble Law Office PC

Richard A. Pagnano

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

Murray S. Petitt

*Thorp Purdy Jewett Urness &
Wilkinson PC*

Henry Schamel

Cartwright & Associates

Gary L. Vigna

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

Hon. Elizabeth Welch

*Program Co-Planner
Senior Judge*

Mark M. Williams

*Program Co-Planner
Gaydos, Churnside & Balthrop PC*

LIVE PRESENTATION

Portland – 3/14/08
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 3 General 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 – 3/28/08
Probate Primer – 8:30 a.m.
Probate Practice – 1:00 p.m.
Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 3/21/08
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 – 3/21/08
Probate Primer – 8:30 a.m.
Probate Practice – 1:00 p.m.
Kellington Krack Richmond
Blackhurst & Glatte, LLP
23 Newtown Street

Portland – 4/2/08
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

Probate Primer • The Latest in Probate Practice**Friday, March 14, 2008**

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 course book are available on a CD in Word and WordPerfect for an additional \$20.**BOTH PROGRAMS**

- \$179 "Early Bird" tuition (Received by March 10, 2008).
- \$149 "Early Bird" tuition for new attorneys (admitted 2006–2007), paralegals, or secretaries (Received by March 10, 2008).
- \$90 Legal aid attorneys (Received by March 10, 2008).
- \$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 10, 2008.

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**
- \$139 "Early Bird" tuition (Received by March 10, 2008).
- \$119 "Early Bird" tuition for new attorneys (admitted 2006–2007), paralegals, or secretaries (Received by March 10, 2008).
- \$70 Legal aid attorneys (Received by March 10, 2008).
- \$15 OLI Annual Pass holder (Annual Pass no. _____).
- \$20 Add to above tuition if registration received after March 10, 2008.

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

- \$209 Audiotapes and book or
- \$209 Audio CDs and book
- \$309 Videotapes and book or
- \$309 DVDs and book

ONE PROGRAM: Probate Primer Latest in Probate

- \$149 Audiotapes and book or
- \$149 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 Monday, March 10, 2008.**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.