

Paralegal  
Track on  
Friday

# 2017 MoNAELA *Annual Elder Law Symposium*



**November 30-December 1, 2017**  
**Embassy Suites by Hilton**  
**St. Louis Downtown**  
**610 North 7th Street, St. Louis, MO**



Presented by  
Missouri Chapter of the National  
Academy Of Elder Law Attorneys & Sponsored by  
First Bankers Trust Services, Inc.



# Conference Schedule

Thursday, November 30, 2017

9:30—10:00 AM	Registration and Check-in
10:00—10:15 AM	<b>Welcome and Opening Remarks - Moderator: Jessica Kruse, President MoNAELA Sponsor: First Bankers Trust Services</b>
10:15—11:05 AM	<b><u>The Use of Divorce in Medicaid Planning</u></b> – With the increasingly restrictive MO HealthNet rules for nursing home care, the use of divorce as a Medicaid planning technique is becoming the best option for some married couples. The speakers will explain the process of obtaining a divorce for elder law attorneys' clients. Both speakers, who are experienced family law practitioners, explain how the rights of the ill spouse are protected and how the family court judges approach these cases. Also included in the session will be a discussion of unusual issues that have arisen as these cases proceed through the court process. <b>Speakers: Arthur Nissenbaum, JD, St. Louis, MO and J. Ronald Lacey, JD, Chesterfield, MO</b>
11:05—11:55 AM	<b><u>Trust Tax Basics</u></b> — You won't be an expert, but you'll certainly be more comfortable with trust tax concepts at the end of this hour. Trust Chimp's Bob Mason will introduce you to the tax basics of non-grantor trusts and then lead you on a tour of the grantor trust rules. <b>Speaker: Bob Mason, CELA, CAP, Asheboro, NC</b>
11:55 AM—1:00 PM	Lunch—Sponsored by Elder Counsel 
1:00—1:50 PM	<b><u>Getting Current: The 2017 Case Law Update</u></b> —This session will provide an update of select recent cases from Missouri and nationwide that every MoNAELA member needs to know. <b>Speaker: Rebecca Morgan, CAP, Professor of Elder Law, Stetson University, School of Law, Gulfport, FL</b>
1:50—2:40 PM	<b><u>Planning for the Disabled Adult Child</u></b> — An adult-aged child whose disability arose prior to age 22 can be entitled to Social Security benefits on their parent's earnings record. Many families are unaware of these potential benefits. This session will examine eligibility requirements and detail the documentation and claim process necessary for successful application for these benefits. The session will also identify traps that clients may unknowingly fall into that cause loss of these benefits. <b>Speaker: Chris Syrup, JD, St. Peters, MO</b>
2:40—3:00 PM	Break ~ Visit Exhibitors
3:00—3:50 PM	<b><u>Nursing Home Negligence Panel</u></b> — As elder law attorneys, we are often asked by clients to assist in care issues in the nursing home. This session will review the options available when care at the nursing home becomes an issue. Through our three panel experts, attendees will learn what approaches are successful and when to use them. <b>Speakers: David Terry, JD, St. Louis, MO, Carla Jennings, RN, DHSS, Jefferson City, MO, Val Cooper, NHA, Laclede Groves, St. Louis, MO, and Moderator Lori Rook, JD, Springfield, MO</b>
3:50—4:40 PM	<b><u>ETHICS ~ Cyber Security Briefing</u></b> —Topics include: Level Set: Cyber Threats and Updates; Top 20 Cyber Controls; What you need to know for your business, and; What you need to tell your clients. <b>Speaker: Audrey L. Katcher, CPA, CISA, RubinBrown, St. Louis, MO</b>
4:40—5:00 PM	Visit Exhibitors
5:00 PM	Networking Reception

**Hotel Information:** Guest rooms are available at Embassy Suites by Hilton St. Louis Downtown at a special rate of \$125.

**The cutoff date is November 8, 2017.** Call 1-800-EMBASSY (362-2779) using Group Code MON or make your reservations online at: <http://embassysuites.hilton.com/en/es/groups/personalized/S/STLWAES-MON-20171129/index.jhtml>

**Special Needs:** If you are disabled and require assistance or have special food needs, please submit your requirements to MoNAELA three weeks in advance of this event.

**Continuing Education:** 11 hours including 2 Ethics CLE requested from MO Bar and KS Bar

# Conference Schedule—Attorney Track

Friday, December 1, 2017

8:00—9:00 AM	Breakfast and Check-in
9:00—9:50 AM	<b>ETHICS ~ NAELA Aspirational Standards</b> —NAELA has adopted Aspirational Standards which supplement the Rules of Professional Conduct guiding the legal profession. Recognizing that elder law and special needs planning practice is unique, the Standards support NAELA members in negotiating and protecting these clients, providing a guide for attorneys in this unique and complex area of the law. No other professional organization in this area has a guide such as this, and it allows NAELA members to distinguish themselves from other practitioners who may believe that the only requirement for an elder law practice is the purchase of a sign saying “Elder Law Here”. On April 24, 2017, NAELA’s Board adopted a second edition of the Aspirational Standards and commentaries. <b>Speaker: Amos Goodall, CELA , State College, PA</b>
9:50—10:40 AM	<b>Fun With Trusts</b> — Back with Bob Mason. Learn when to use and when to avoid grantor trusts. Grantor trusts are easy to administer, but can present problems in a number of public benefit areas. It may be that you really don’t need a grantor trust to accomplish client goals. A nongrantor trust can be a superior asset protection vehicle and hand the beneficiaries assets with stepped-up basis on the settlor's death. <b>Speaker: Bob Mason, CELA, CAP, Asheboro, NC</b>
10:40—11:00 AM	Morning Break ~ Visit Exhibitors
11:00—11:50 AM	<b>Life Estates, A MO HealthNet Planning Technique</b> — This session will review life estates as a planning technique to achieve MO HealthNet eligibility. Most attorneys are aware that 42 U.S.C. § 1396p(C)(1)(J) permits the purchase of a life estate in another’s residence if the purchaser resides in the home for a minimum of one year. This planning technique employs an entity of property law, the life estate. By creating a life estate for a client, property law confers on the holder of the life estate certain obligations and responsibilities with respect to the real estate. This session will include a review of life estates and Missouri property law. <b>Speaker: Martha C. Brown, CELA, CAP, St. Louis, MO</b>
11:50 AM—1:00 PM	Lunch Break ~ Visit Exhibitors
1:00—1:50 PM	<b>The Veterans Court: An Overview, New Initiatives, and Recent Case Law</b> —This session has been arranged by our fellow Missourian, Stetson University School of Law Professor Rebecca Morgan. The Judges will give an overview of the US Court of Appeals for Veterans Claims along with a discussion of recent initiatives that have been implemented in the court and a review of recent case law pertaining to the Veterans Appellate Court. <b>Speakers: Judges, US Court of Appeals for Veterans Claims, (invited)</b>
1:50—2:40 PM	<b>Married Couples: How to untangle guardianship and conservatorship issues when a spouse is declared incapacitated and disabled</b> - The learning objective is to have all participants understand and be able to apply the legal requirements in a guardianship and conservatorship estate of a married person in identifying conflicts of interests, in disclosing joint assets and non-probate assets on an inventory, the setting of bond taking into account such property, the ability and procedure necessary for the conservator to expend such assets for the support and maintenance of the protectee, the procedure for selling assets jointly owned by a husband and wife, and the required accounting of such property. <b>Speaker: Hon. Daniel P. Wheeler, Liberty, MO</b>
2:40—3:00 PM	Closing and Evaluations

*Thank you for attending and we look forward to having you back next year!*

# Conference Schedule—Paralegal Track

Friday, December 1, 2017

8:00—9:00 AM	Breakfast and Check-in
9:00—9:50 AM PARALEGAL	<b><u>Tips for Dealing with Court Clerks</u></b> — Is it frustrating when the court clerk does not help you? What is the best way to get help from court clerks? Does it seem like you never know how to approach them? This session will offer some useful tips for success as you make your way through the court process. <b>Speaker: Anna Ralphs, Paralegal, Martha C. Brown &amp; Assoc., St. Louis, MO</b>
9:50—10:40 AM PARALEGAL	<b><u>Medicaid Best Practices</u></b> — Learn the do's and don'ts of preparing MO HealthNet applications from Family Support Division officials themselves. Miller County FSD members will provide insights on organizing and submitting MO HealthNet applications, including tips on how to avoid common mistakes that can delay the application process. <b>Speakers: Shellie Bledsoe and Dawn Rising, Department of Social Services, Family Services Division, Miller County Specialized Processing Unit, Eldon, MO</b>
10:40—11:00 AM	Morning Break ~ Visit Exhibitors
11:00—11:50 AM PARALEGAL	<b><u>The Other Public Benefit Programs</u></b> — This session will give an overview of public benefit programs NOT including Vendor (Nursing Home) Medicaid or Veterans Pension benefits. Programs covered will include Spenddown/Non-Spenddown Medical Assistance, Qualified Medicare Beneficiaries (QMB), Select Low-Income Medicare Beneficiaries (SLMB), Low Income Housing programs, Veterans Homes, Supplemental Security Income (SSI), and Medicare Part D assistance. It will allow attendees to understand how planning techniques may effect eligibility for any of these programs. The session will enable the attendee to design more effective plans for their clients to maximize potential benefits to which they may be entitled to receive, even if they are not currently in a long-term care facility. <b>Speaker: Mike Weeks, CELA, The Weeks Group, St. Charles, MO</b>
11:50 AM—1:00 PM	Lunch Break ~ Visit Exhibitors
1:00—1:50 PM PARALEGAL	<b><u>Special Needs Trusts Basics</u></b> : Special Needs Trusts Basics: A discussion of the differences between and uses of first party, third party, pooled, d4A, discretionary, income only and Miller trusts for disabled individuals to enhance their lives and preserve public benefits. Learn when these various types of trusts are considered with an emphasis on the procedures for establishing and the administration of special needs trusts, including the use of ABLE accounts in conjunction with special needs trusts. Presented by representatives of the pooled trusts most often used in Missouri and surrounding states and an attorney who has extensive experience in the use of special needs trusts for personal injury recoveries. <b>Speakers: William Hubbard, CELA, CAP, Kansas City, MO, Barb Helm, ARCare, Overland Park, KS, and Mary Lou Hughes, Midwest Special Needs Trust, Columbia, MO</b>
1:50—2:40 PM PARALEGAL	<b><u>Unprogram</u></b> — No question is too small for this open-minded session! We will discuss office management tools, best office practices, and other topics of interest to the attendees. <b>Moderator: Melissa Q. Leavy, JD, The Elder Care Law Practice, St. Louis, MO</b>
2:40—3:00 PM	Closing and Evaluations

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## Schedule At A Glance

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Friday, December 1, 2017

<b>8:00—9:00 AM</b>	<b>Breakfast and Check-in</b>
<b>9:00—9:50 AM</b>	ETHICS ~ NAELA—Aspirational Standards
<b>Paralegal</b>	Tips for Dealing with Court Clerks
<b>9:50—10:40 AM</b>	Fun With Trusts
<b>Paralegal</b>	Medicaid Best Practices
<b>10:40—11:00 AM</b>	<b>Morning Break ~ Visit Exhibitors</b>
<b>11:00—11:50 AM</b>	Life Estates, A MO HealthNet Planning Technique
<b>Paralegal</b>	The Other Public Benefit Programs
<b>11:50 AM—1:00 PM</b>	<b>Lunch Break ~ Visit Exhibitors</b>
<b>1:00—1:50 PM</b>	The Veterans Court: An Overview, New Initiatives, and Recent Case Law
<b>Paralegal</b>	Special Needs Trusts Basics—Panel Discussion
<b>1:50—2:40 PM</b>	Married Couples: How to untangle guardianship and conservatorship issues when a spouse is declared incapacitated and disabled
<b>Paralegal</b>	Unprogram—Office Management, Best Practices, etc.
<b>2:40—3:00 PM</b>	<b>Closing and Evaluations</b>



Missouri Chapter of the  
National Academy of  
Elder Law Attorneys  
2420 Hyde Park Rd., Ste. A  
Jefferson City, MO 65109

**Save the Date!!**  
**January 26, 2018**  
**Winter Membership**  
**Meeting**  
**Columbia, MO**

**MoNAELA 2017 Annual Symposium ~ Registration Form**

Company \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

<b>Participant</b>	<b>On or Before 11/22/17</b>	<b>After 11/22/17</b>
*NAELA Member	\$325	\$375
*Non-Member	\$400	\$450
*Paralegal	\$225	\$275

\*\$80 discount offered on rates for second or additional attorney from the same firm (\$245, \$295 for members and \$320, \$370 for nonmembers) **\$80 discount offered on rates for second or additional paralegal from the same firm.**

<b>Participant Information</b>				
<b>Name</b>	<b>Email</b>	<b>Attorney</b>	<b>Paralegal</b>	<b>Fee</b>

**Special Needs:** \_\_\_\_\_ **Total Fees Enclosed \$** \_\_\_\_\_

**Return Registration Form & Payment to: MoNAELA, 2420 Hyde Park Rd., Suite A, Jefferson City, MO 65109**  
Financial Hardship Policy—For assistance with the registration fee, contact [diana@monaela.org](mailto:diana@monaela.org) for an application.  
**CANCELLATION POLICY:** Cancellations 48 hours prior to the start of an event, a registration will receive a refund less a \$25 processing fee. Substitutions for paid registrations are accepted. No refunds will be issued after the 48-hour deadline. Material may be sent upon request. No-shows will not receive a refund. No shows requesting refunds due to an emergency or hardship must be received in writing within 30 days after the event date.