



2010 Special Needs Trusts The National Conference

October 20, 2010

Pre-Conference:

The Intake Process: Efficacy and Ethics in the Law Office

October 21, 2010

Basics of Special Needs Trusts

October 22, 2010

2010 Special Needs Trusts

Don CeSar Beach Resort
St. Pete Beach, Florida

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Center for Excellence in Elder Law

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WEDNESDAY, OCTOBER 20, 2010

7:30 a.m. – 6 p.m., *King Charles (Fifth Level)*

Registration Desk Open

PRE-CONFERENCE:

THE INTAKE PROCESS – EFFICACY AND ETHICS IN THE LAW OFFICE

7:30 – 8:30 a.m., *King Charles (Fifth Level)*

Registration

8:30 – 8:45 a.m., *North Terrace (Fifth Level)*

Welcome and Introduction

Speaker: Professor Rebecca C. Morgan

8:45 – 10 a.m., *North Terrace (Fifth Level)*

Legal Ethics: Pitfalls and Challenges in the Intake Process

Speaker: Roberta K. Flowers

From the first conversation with a prospective client, there are ethical pitfalls. This interactive session will explore a variety of ethical issues faced by intake professionals and the lawyers who supervise them. Participants will discuss issues such as the accidental client, unauthorized practice of law, and the responsibilities of the supervising attorney.

10 – 10:15 a.m., *King Charles (Fifth Level)*

Refreshment Break

10:15 – 11:15 a.m., *North Terrace (Fifth Level)*

By the End of the Call

Speakers: Robert B. Fleming and Janet L. Lowder

The attorney is looking for pre-qualified clients (that is, those who have legal issues the attorney can deal with, and the resources to devote to the problem) with whom the attorney can easily work. The initial telephone interview is important both to determine the appropriateness of the potential client AND to set the style and expectations of clients and referral sources. This session will address ways to obtain the information needed to accomplish these goals.

11:15 a.m. – 12:15 p.m., *North Terrace (Fifth Level)*

Interviewing Techniques and Frequently Encountered Issues

Speaker: Kelly Feeley

Deciding whether to accept someone as a client depends heavily on whether you can obtain the necessary information from the person, whether the new client will create a potential strain on the office that outweighs the benefits of taking the case, and whether the client can operate under time constraints and deadlines. This session will address different techniques to employ in situations where the prospective client is unwilling or unable to give clear or enough information; the client demands an immediate answer or a guarantee; and the clients require additional time, attention, or assistance to obtain all of the relevant information.

12:15 – 1 p.m., *North Terrace (Fifth Level)*

The Art and Practice of Intake Interviewing

Speaker: Kelly Feeley

This session will bring to life some of the previous sessions through role playing, audience critique and a roundtable discussion of methods others have used with success, as well as techniques to avoid.

1 p.m.

Adjourn

Lunch on Your Own (*Visit the Don CeSar's restaurants*)

THURSDAY, OCTOBER 21, 2010

7:30 a.m. – 5 p.m., *King Charles (Fifth Level)*

Registration Desk Open

7:30 a.m. – 10 a.m., *Ballroom Arcade (First Level)*

Satellite Registration Desk Open

BASICS OF SPECIAL NEEDS TRUSTS

7:30 – 8:50 a.m., *King Charles (Fifth Level)*

Registration, Continental Breakfast and Networking with Sponsors and Exhibitors

8:50 – 9 a.m., *Grand Ballroom (First Level)*

Welcome and Introduction

Speaker: Rebecca C. Morgan

9 – 9:50 a.m., *Grand Ballroom (First Level)*

The Elements of a Trust

Speaker: Mary Radford

Everyone has heard about trusts, but what about the elements of the trust? This session will cover basic trust law, what is needed to create a trust, and the issues that must be considered and resolved in drafting a trust.

9:50 – 10:40 a.m., *Grand Ballroom (First Level)*

Making a Trust an SNT – the Whens, Whys & Hows

Speaker: Craig C. Reaves

In this session, Craig Reaves will discuss how to make a trust an SNT, when an SNT would be used, and why. This session will cover the language used in drafting, and SSI and Medicaid considerations in drafting an SNT.

10:40 – 11:10 a.m., *King Charles (Fifth Level)*

Break and Visit with Sponsors and Exhibitors

Sponsored by NYSARC, Inc. Trust Services

 **NYSARC TRUST SERVICES**

11:10 a.m. – 12 p.m., *Grand Ballroom (First Level)*

Putting a Human Face on an SNT:

The Beneficiaries of SNTs

Speaker: Michael J. Amoruso

This session will examine the various types of disability (physical or cognitive), the type of beneficiary (minor vs. adult),

the impact these have on distributions, and how beneficiaries are impacted.

12 – 1 p.m., *Pavilion West (Poolside)*

Networking Lunch

Come prepared to network with your colleagues and our sponsors and exhibitors. *Alternate weather location is the Grand Ballroom.*

1 – 1:50 p.m.

Breakout Sessions

Trustee Powers, Standards and Duties, North Terrace (Fifth Level)

Speaker: Stuart D. Zimring

The trustee of an SNT must understand how to discharge the duties as trustee. This session will review the powers given the trustee under an SNT, how to discharge the duties as trustee and the standards applied in determining whether the trustee has appropriately performed as trustee.

Tweaking Your Forms – Drafting and the 2009 POMS Revisions, South Terrace (Fifth Level)

Speaker: Mary Alice Jackson

This session will review the amended provisions of the POMS as revised in January, 2009, and provide tips to practitioners as they draft to meet the new regulations.

Medicare Claims, Medicaid Liens and Medicare Set-Aside Issues: What Every SNT Attorney and Trustee Needs to Know, Del Prado Hall (Fifth Level)

Speaker: Bradley J. Frigon

This session will cover the laws, cases and practicalities of dealing with Medicare Claims, Medicaid liens, and what Medicare requires regarding set-asides for future medical expenses, as well as the implications for failing to do so.

1:55 – 2:45 p.m.

Breakout Sessions

The “Other” Public Benefits, North Terrace (Fifth Level)

Speaker: Barbara Isenhour

The most commonly considered public benefits with SNTs are SSI and Medicaid. This session will cover the “other” public benefits that are or may be important with an SNT, including HUD housing, food stamps, etc.

The “Unwanted” or “Unneeded” SNT, South Terrace (Fifth Level)

Speaker: Donna R. Bashaw

This session will cover situations where the beneficiary either does not want or no longer needs an SNT, including alternatives to SNTs, how to get out of an SNT that is no longer needed or wanted and how to use a standby SNT. Sample clauses and drafting considerations to provide for these contingencies, will be discussed.

Managing an SNT Practice, Del Prado Hall (Fifth Level)

Moderator: Robert B. Fleming

Speakers: Stephen W. Dale, Robert B. Fleming and David J. Lillesand

This session will cover managing an SNT practice, including hiring employees, calendaring systems, software systems, office hardware, marketing, and other considerations.

2:45 – 3 p.m., *King Charles (Fifth Level)*

Break and Visit with Sponsors and Exhibitors

Sponsored by Trust Employee Administration & Management



3 – 3:50 p.m.

Breakout Sessions

FAQs of SNT, North Terrace (Fifth Level)

Speaker: Robert B. Fleming

This session will cover the most commonly asked questions about drafting or administering SNTs ... and provide the answers!

Improving Quality of Life Through Collaborative Practice, South Terrace (Fifth Level)

Moderator: G. Mark Shalloway

Speakers: Diedre Braverman and Ann Koerner

Legal and financial decisions made today will have a profound effect on a beneficiary's quality of life, years beyond the current view of most families and planners. This session will discuss the creation of a long-term quality-of-life vision, which includes estimating dollar amounts for third-party and government resources, quality-of-life care costs, and the costs of addressing administrative complexities. This session also will cover how using a collaborative professional may dramatically increase the chances that the plan will meet the comprehensive but uncertain future needs of the special needs client, using a variety of legal and financial tools, and addressing “real-life” situations.

The ABC of Taxes in a Special Needs Practice, Del Prado Hall (Fifth Level)

Speaker: Vincent J. Russo

This session will cover what every practitioner should know about income, gift and estate taxes in a special needs practice. This session will provide practical guidelines on how taxes impact special needs planning strategies, including the use of special needs trusts.

4 – 5 p.m., *Grand Ballroom (Fifth Level)*

The Essentials of SNTs

Moderator: Mary Alice Jackson

Speakers: Mary Alice Jackson, David J. Lillesand and Vincent J. Russo

In this session, a panel of speakers from three break-out sessions will cover the top three things an attorney or trustee needs to know about the POMS, Public Benefits and Tax.

5 p.m., *King Charles (Fifth Level)*

Reception Sponsored By The Centers

This event, which is included in your tuition, will be held in the King Charles. Please wear your conference name badge for admission.



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5 p.m., *Boardroom 4 (First Level)*

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FRIDAY, OCTOBER 22, 2010

7:30 a.m. – 5 p.m., *King Charles (Fifth Level)*

Registration Desk Open

7:30 – 10 a.m., *Ballroom Arcade (First Level)*

Satellite Registration Desk Open

2010 SPECIAL NEEDS TRUSTS

7:30 – 8:50 a.m., *King Charles (Fifth Level)*

Registration, Continental Breakfast and Networking with Sponsors and Exhibitors

8:50 – 9 a.m., *Grand Ballroom (First Level)*

Welcome and Introduction

Speaker: Rebecca C. Morgan

9 – 9:50 a.m., *Grand Ballroom (First Level)*

The Law of Trust Reformation

Speaker: Mary Radford

On the occasion where an SNT needs to be modified to correct a mistake or to comply with the settler's intent, it is important to understand the law of trust reformation, the impact of the Uniform Trust Code on trust reformation, and what is done in those states without the UTC.

9:50 – 10:10 a.m., *King Charles (Fifth Level)*

Break and Visit with Sponsors and Exhibitors

10:10 – 11 a.m.

Breakout Sessions

Drafting to Avoid the Problems You Read About in the Cases, *North Terrace (Fifth Level)*

Speaker: Mary Alice Jackson

This session will review recently reported cases from around the country and discuss how an SNT practitioner might draft the SNT and how a trustee might make choices in administration, which would take the case law issues into consideration.

Slicing the Pie – Income Tax Application to Litigation Awards and Settlements, *South Terrace (Fifth Level)*

Speaker: Shirley B. Whitenack

This session will examine the various income tax issues that apply to personal-injury damage awards and settlements, workers compensation payments, punitive damages, structured settlement issues, and attorney fees.

The Family Business and the Special Needs Beneficiary (Part One), *Del Prado Hall (Fifth Level)*

Moderator: A. Frank Johns

Speakers: Greg McCann and Jefferey M. Yussman

This two-part session will examine a number of aspects affecting families and family businesses when a family member has special needs. Part One will focus on family dynamics and how the attorney must work within the context of those dynamics in developing and drafting an estate plan with a third-party trust and in counseling the client.

11:05 – 11:55 a.m.

Breakout Sessions

Drafting and Administrative Considerations When Working with Beneficiaries with Specific Disabilities, *North Terrace (Fifth Level)*

Speaker: G. Mark Shalloway

This session will survey common disabilities of SNT beneficiaries for non-medical professionals. Mark Shalloway will present a review of SNT drafting opportunities, SNT administration issues and best practices tied to each disability type when appropriate.

The Family Business and the Special Needs Beneficiary (Part Two), *Del Prado Hall (Fifth Level)*

Moderator: A. Frank Johns

Speakers: Greg McCann and Jefferey M. Yussman

This session will examine a number of aspects affecting families and family businesses when a family member has special needs. Building on Part One, this session will focus on the administration of the trust and the role of the beneficiary, if any, in the family business.

Health Care Reform – Implementation and the Impact on SNT Beneficiaries and the Administration of the SNT, *South Terrace (Fifth Level)*

Speaker: Cynthia L. Barrett

Health Care Reform's new coverage options affect special needs planners, guardians/conservators, and trustees. This session will suggest changes to special needs planning intake, trust drafting, and trust/guardian administration. This session will provide practice tips to address situations such as where long-term care/supportive services are not needed, or when the trust beneficiary loses SSI/Medicaid eligibility.

11:55 a.m. – 1:10 p.m., *Pavilion West (Poolside)*

Networking Lunch

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1:10 – 2 p.m.

Breakout Sessions

The Practical Realities of Living with the SNT, *North Terrace (Fifth Level)*

Speaker: Bridget O'Brien Swartz

Language is everything (or almost everything). This session will begin with an examination of drafting SNTs from the perspective of how the SNT will actually be administered and ensuring that the Settlor's intent is captured. Specific language, such as "supplemental vs. special needs" and "supplement but not replace or supplant" and particular provisions, such as those calling for a Trust Protector will be examined, along with the interplay of the SNT with "non-legal" documents, such as Letters of Intent and Life-Care Plans. The practical reality of administering an SNT will also be explored; specifically, the logistics of making particular distributions in a manner that is consistent with the intent and language of the SNT. This session will also cover the coordination of various resources available to an SNT beneficiary, including public benefits, private resources, and situations where there are multiple SNTs, self-settled and third party SNTs.

Finally, this session will examine the process of evaluating when the language of the SNT is ambiguous or unintentionally at odds with what are the real and actual needs of a beneficiary, thereby possibly requiring reformation of the SNT.

The Top 10 Things that SNT Attorneys and Trustees Must Know About in the Individualized Education Plan (IEP), 504 Plan or Individualized Program Plan (IPP), *South Terrace (Fifth Level)*

Speaker: A. Frank Johns

Many SNTs have beneficiaries who are school-aged, with a majority of these beneficiaries in school or residential environments. Schools and residential facilities must provide due process and individual educational planning for the beneficiaries. The form of the planning is determined by the applicable law – either the Individuals with Disability Education Act (IDEA) with its Individualized Education Plan (IEP), the Rehabilitation Act of 1973 with its section 504 plan (504), or the individualized program plan (IPP) for residential programming. This session presents IEP, 504, and IPP samples through which participants will be guided, identifying the top 10 things that SNT attorneys and trustees should be looking for and raising questions about, including whether the SNT should be paying for additional services or confronting the school or residential facility to demand that it provide those services for the beneficiary.

How to Develop and Implement a Financial Plan for a First-Party SNT Receiving a Personal Injury Settlement, *Del Prado Hall (Fifth Level)*

Speaker: Bradley J. Frigon

The receipt of the personal injury settlement is just the beginning. How do you determine how much of the settlement to structure and how much to invest? Will the settlement last the injured person's projected lifetime? This session will discuss and review the information needed to create a financial plan. The presentation will include case studies.

2:05 – 2:55 p.m.

Breakout Sessions

The SNT Practice in 70 Years, *North Terrace (Fifth Level)*

Speaker: Stephen W. Dale

Imagine that you are planning for a disabled child who is 17 years old and likely to live another 70 years or longer. What will an SNT practice look like in 2020, or even 2080? With more government programs being cut and private industry stepping in this session will look at trends in services and the future of SNTs. A major focus will be on how the special needs trusts attorney can remain relevant as the social service industry undergoes transformation.

Using Third-Party SNTs in Estate Planning, *South Terrace (Fifth Level)*

Speaker: Stuart D. Zimring

This session will examine the use of the third-party SNT in estate planning, whether *inter vivos* or *testamentary*, as well as the using the third-party SNT as a vehicle for others to make contributions for the beneficiary either directly or through beneficiary designations in life insurance policies, IRAs or Charitable Remainder Trusts.

Representing the Whole Mischpuchah (Family) – Multiple Party Representation Issues, *Del Prado Hall (Fifth Level)*

Speaker: Ron M. Landsman

Special needs trusts cases usually involve relatives on whom the disabled person depends, or who depend on the disabled person, and all of whom may view the SNT attorney as their lawyer, both for establishing the trust and administering it. This session will review the ethical guideposts and limitations on such multiparty representation.

2:55 – 3:30 p.m., *King Charles (Fifth Level)*

Break and Visit with Sponsors and Exhibitors

3:30 – 4:30 p.m., *Grand Ballroom (First Level)*

Cutting-Edge Updates and Trends

Speaker: Robert B. Fleming

This general session will combine a review of some of the recent cases and the emerging hot topics in SNTs. Learn about the trends from the case law update and the hot topics that everyone is (or should be) talking about!

4:30 p.m., *Grand Ballroom (First Level)*

Closing Remarks

CONFERENCE FACULTY CHAIR



Rebecca C. Morgan, Boston Asset Management Faculty Chair in Elder Law, Professor of Law, Stetson University College of Law, Gulfport, Florida

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Stuart D. Zimring, Attorney at Law, CAP, Law Offices of Stuart D. Zimring, North Hollywood, California

To view conference faculty bios, please visit www.law.stetson.edu/conferences/SNT2010.

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If you need assistance, please stop by the registration desk and ask for any of our Stetson conference staff:



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NYSARC, Inc. Trust Services's mission is to create the opportunity, through the administration of a family of supplemental needs trust programs, for persons with a disability to remain in their natural home setting for as long as possible while maintaining their eligibility for community Medicaid or other government benefits. NYSARC, Inc. is committed to enhancing not only the desired quality of life for persons with disabilities and their families, but in promoting autonomy, maximizing the development of individual skills, and fostering integration into the community. In response to growing concerns commonly expressed by parents and others for safeguarding the personal and financial future of persons with intellectual and other developmental disabilities, NYSARC, Inc. established The NYSARC Unrestricted Trust Fund on July 19, 1972. The NYSARC, Inc. Community Trusts were established in 1997. In 2008, NYSARC began administering individual supplemental needs trusts as successor and initial trustee. NYSARC, Inc. Trust Services is honored be a Gold Sponsor for the 2010 Special Needs Trusts National Conference.



Trust Employee Administration & Management (TEAM)

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Contacts: Art Candland, Terry Keating, or Cheryl Doss
Phone: 877-767-8728 or 619-281-1100 Fax: 619-281-1926
Web: www.rmstrategy.com

Risk Management Strategies, Inc. (RMS) d/b/a Trust Employee Administration and Management (TEAM) was formed in January 2003 by Arthur D. Candland and Terence J. Keating to provide employer-related services and to assume employer-related liabilities to the trust industry. With over 50 years of combined experience in employee benefits, risk management, and employee staffing, The TEAM system allows you to manage your fiduciary responsibilities with the confidence that employee issues, including payroll, compliance, background checks, and national workers' compensation plan are monitored and managed by experienced professionals. TEAM also has a national group health plan for all parents and dependent children, including disabled beneficiaries.

EXHIBITORS *(in alphabetical order)*

Academy of Special Needs Planners

150 Chestnut Street Box 15, Providence, Rhode Island 02903
Contact: Jacqueline Dias
Phone: 866-296-5509 Fax: 401-351-2642
Web: www.specialneedsplanners.com

The Academy of Special Needs Planners is a national membership organization that specializes in providing special needs planning attorneys with the educational, information and practice support they need to best service their special needs clients. The Academy of Special Needs Planners (ASNP) is the premier association for attorneys providing planning services to people with special needs and their families. As the largest membership organization solely for attorneys who provide planning services to people with special needs, ASNP consists of more than 200 member attorneys. The organization was established in 2006, to help attorneys provide their clients with the best planning services by improving their practices through involvement in a community of their peers.



Adaptive Specialties, LLC

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Phone: 561-844-6998 Fax: 561-828-3104
Web: www.braininjuryconsultantsllc.com

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ElderCounsel is a membership organization that helps elder law and special needs planning attorneys across the country become more efficient and profitable through our top-notch document drafting system, education and member support.



Family Network on Disabilities National Pooled Trust

2196 Main Street, Suite K, Dunedin, Florida 34698
Contacts: Richard La Belle
Phone: 727-523-1130 Fax: 727-523-8687
Web: www.fndfl.org

The Family Network on Disabilities National Pooled Trust helps ensure that those with special needs may retain access to their assets and still qualify for state and federal assistance, such as Medicaid and SSI. We believe that, whenever possible, persons with disabilities should make their own decisions on their care, treatment, living arrangements, and all other aspects of their lives. The Family Network on Disabilities National Pooled Trust is designed so that they can do just that. The Family Network on Disabilities National Pooled Trust is available to everyone with disabilities, regardless of how much money they have. Initial set-up of a Pooled Trust account through Family Network on Disabilities costs nothing. We understand that a Special Needs Trust may remain empty for years, and may not be funded until an inheritance is paid, a gift is given, or a personal injury award is received. At the time that Trust is funded, a one-time administrative fee of \$750 will be assessed to the account. Each year the account is charged 1.65% of the annual balance for administration fees. There are no hidden costs or fees.



Feinberg Consulting

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The trustees of the Guardian Trusts are some of the premier Special Needs Trust administrators in the United States, and administer all forms of Special Needs Trusts. Established by a charitable organization, the National Non-Profit for Americans with Disabilities, Inc. (NNAD) in 2002, The Guardian Trust was created for the sole purpose of helping people with disabilities manage their finances while financially qualifying for Public Assistance Programs such as Medicaid and Supplemental Security Income (SSI). The Trusts founders identified the need for professional, responsive and “client-centered” Special Needs Trust Administration. We truly believe we are here to serve our beneficiaries. Based in Clearwater, Florida, The Guardian Trust has beneficiaries throughout the United States.



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tools, continuing education and innovation. Wealth Transfer Planning™, Elder Law & Special Needs Planning™ and Essential Estate Planning™ contain unique strategies developed by renowned estate and elder law planners (including Jonathan G. Blattmachr). Leverage these strategies every day to generate more revenue and improve client satisfaction. Spend more quality time counseling your clients and building your practice, and less time drafting. Tap into the intellectual power of leading experts via our interactive on-line Forums. Subscribers across the country, including many AmLaw200 firms, recognize InterActive LegalSuite as their key to success. Whether your clients are high-net-worth individuals in need of advanced tax planning or seniors interested in asset protection and Medicaid, elevate your practice to the highest level with InterActive LegalSuite. Connect, Collaborate and Create™.



Krause Financial Services, Inc.

1234 Enterprise Drive, DePere, Wisconsin, 54115
Contact: Kendra Bishop
Phone: 866-605-7437 Fax: 866-605-7438
Web: www.medicaidannuity.com

Krause Financial Services is the only attorney-led financial services firm in the nation that specializes in helping families qualify for Medicaid and VA benefits through the use of annuities and life insurance products. Dale M. Krause, J.D., LL.M., is known for his long-standing personal commitment to elder law attorneys and their clients. He is a national Veterans benefits and crisis Medicaid planning advocate, and has earned the distinct reputation of being the “Pioneer of Medicaid Compliant Annuities.” Mr. Krause has built a practice that supports elder law attorneys and their clients with insurance products that may reduce or possibly eliminate the monthly costs associated with an assisted living or nursing home stay. At the same time, in order to keep his VA and Medicaid products relevant to the times, Mr. Krause has established key relationships with marketing executives of major insurance companies to ensure that his insurance products are in compliance with Medicaid and VA requirements. Simply put, Krause Financial Services is the firm that is here to advise elder law attorneys on balanced, flexible solutions to meet their clients’ needs.



MEMBERS Trust Company

14025 Riveredge Drive, Suite 280, Tampa, Florida 33637
Contact: Tom Walker
Phone: 813-631-9191 Fax: 813-631-9898
Web: www.memberstrust.com

Since 1987 MEMBERS Trust Company has provided trust and investment services to credit union members and private clients throughout the United States. Owned and managed by America’s Credit Unions, MEMBERS Trust Company abides by the management philosophy of our owners – to act in the best

MEMBERS Trust Company *(continued)*

interest of our clients while fulfilling our fiduciary duty as a trust company. Formed through a cooperative alliance with credit unions across America, MEMBERS Trust Company embodies a new corporate mission for a professional trust and investment company as we operate for the benefit of members and clients, not individual stockholders. These credit unions, with over \$80 billion in assets, provide MEMBERS Trust Company with its strategic values and underpin our strength as a national trust and investment firm. As a special purpose federal thrift, MEMBERS Trust Company is supervised by the Office of Thrift Supervision, a federal banking regulator which charters oversees federal savings banks and trust companies. As you might expect from a trust company owned by credit unions, the staff of MEMBERS Trust Company strives to apply the "Golden Rule" to the people behind each trust. We are committed to understanding the "whole story" and to never losing sight of the fact that someone's loved one is relying on our professional competency and responsibility to care. The question we always ask ourselves is, "How would we want our loved one to be treated by a corporate trustee?" MEMBERS Trust Company's job is more than just managing money. Our team of professional advisors believe that their efforts can and do make a difference in the lives of our clients. Our owners would not tolerate anything less.



MetLife Center for Special Needs Planning

300 Davidson Avenue, Somerset, New Jersey 08873
Contact: Kelly Piacenti
Phone: 732-893-3284 Fax: 908-552-3540
Web: www.metlife.com/specialneeds

The MetLife Center for Special Needs PlanningSM is dedicated to helping families secure lifetime care and quality of life for their dependents with special needs. The Center's mission is to help families plan for the future of their dependents, including preserving government benefits and providing insurance and other financial solutions which can help provide lifetime quality care.



Mobility Support Systems, LLC

6591 West Highway 13, Savage, Minnesota, 55378
Contact: Cathy Breneman
Phone: 888-860-0677 Fax: 952-890-1903
Web: www.mobilitysupportsystems.com

Mobility Support Systems, LLC works nationally to provide a unique service to address the specific needs and concerns involved in accessible vehicle disbursements from Special Needs Trust. The MSS[®] program provides a variety of services in addition to vehicle lease options as well as liability protection for the trust, trust beneficiary and trustee. The MSS[®] All Inclusive Program provides: safety review of appropriate vehicle options, WC-19 wheelchair compliance and wheelchair security restraint system review, 5-year extended warranty, full maintenance program, coordination of the MSS[®] million dollar liability insurance

program, coordination and payment of all license and registration via local Department of Motor Vehicles, 24/7 emergency road-side assistance throughout the United States, liability protection for the Trust, Trust Beneficiary and Trustee. This protection is provided by MSS[®] holding title to the vehicle with the trust beneficiary and/or appropriate individual and via our unique insurance program. The program also eliminates vehicle disposal issues. In the event the trust beneficiary predeceases we will take the vehicle back with no further obligation by the Trustee of family. We also provide direct vehicle purchase options. All vehicles are personally delivered to the trust beneficiary's home anywhere in the United States (additional fees apply for Alaska and Hawaii).



ProBed Medical Technologies, Inc.

30930 Wheel Ave., Suite 602, Abbotsford, BC V2T6G7 Canada
Contact: Stephen Plummer
Phone: 604-852-3096 Fax: 604-852-3097
Web: www.pro-bed.com

The Freedom Bed is an automated lateral rotation (turning) bed used to automatically, quietly and smoothly reposition users to redistribute pressure, prevent bedsores and respiratory problems, and reduce caregiver injuries caused by manually turning patients. The beds are designed to improve the lives of institutional and home-care patients with catastrophic injuries or disabilities causing immobility. Options include specialty surfaces, positioning aids, as well as a full voice controller with many other ECU functions including a wireless phone. The Freedom Bed is a very cost effective solution to patient handling with proven medical benefits and solid return on investment. Not to mention patient comfort and a great night's sleep for all!



Special Needs Alliance

6341 E. Brian Kent, Tucson, Arizona 85710
Contact: Jihane Rohrbacker
Phone: 520-546-1005 or 1-877-572-8472 Fax: 520-546-5119
Web: www.specialneedsalliance.org

The Special Needs Alliance is a national, not-for-profit organization of attorneys dedicated to the practices of disability and public benefits law.



Office of Career Development

Stetson University College of Law

1401 61st Street South, Gulfport, Florida 33707
Contact: Stacy Elizondo or Cathy Fitch
Phone: 727-562-7815 Fax: 727-347-5692
Web: www.law.stetson.edu

Stetson University College of Law, Florida's first law school, has educated lawyers, judges and other professionals for more than a century. Stetson Law offers JD and LLM degrees, top-ranked

Office of Career Development *(continued)*

programs in advocacy and legal writing, four dual-degree programs, and international courses in nine countries. The law school is located in the Gulfport/St. Petersburg area with a satellite campus in downtown Tampa. Stetson University's historic campus, founded in 1883 in DeLand, is home to the College of Arts & Sciences, School of Business Administration and School of Music, and has a satellite center in Celebration offering advanced degrees.



SunTrust Bank

501 E. Las Olas Blvd, 3rd Floor, Ft. Lauderdale, Florida 33301
Contact: Denise A. Lettau
Phone: 954-765-7231 Fax: 954-765-7582
Web: www.suntrust.com

SunTrust's specialized team understands the complex requirements of special needs trusts. Many of our team members are attorneys who have practiced in this area of law, and are well-versed in different types of government benefits. The special needs trust team at SunTrust Bank is solely dedicated to supporting clients with special needs and their families, has the ability to make most discretionary decisions without the need to retain outside counsel, maintains a deep-rooted understanding of the strict technical requirements of maintaining eligibility for government benefits, is acutely aware of disability etiquette which fosters an environment of understanding and comfort, and works directly with individuals with disabilities to the greatest degree possible to help ensure their needs are properly addressed.



Wells Fargo

999 Third Avenue, 40th Floor, Seattle, Washington 98104
Contact: Susan Mesenbrink or Melissa Barnhardt
Phone: 954-765-3918
Web: www.wellsfargo.com

Wells Fargo's Special Needs Trust Group is a premiere provider of Special Needs Trust administration throughout the nation. The SNT Group, comprised of 18 dedicated professionals, has been a core business of Wells Fargo since 1996 and currently manages over 950 trusts. We are dedicated to providing our clients with superior service and working to enhance their quality of life.



Wolters Kluwer Law & Business

2700 Lake Cook Road, Riverwoods, Illinois 60015
Contact: Mae Schaefer
Phone: 212-771-0652
Web: www.wolterskluwerlb.com

Wolters Kluwer Law & Business is a leading provider of premier research products and tools in specialty areas for legal practitioners and business and compliance professionals, as well as case books and study aids for law students. The unit offers online,

print and integrated workflow products in key specialty areas including: tax; securities; corporate governance; trade regulation; banking; pension, payroll and benefits; human resources, labor and employment; Medicare and health care compliance; environmental law; international law and education. The unit's markets include law firms, law schools, corporate counsel and compliance professionals. The unit's major brands include Aspen Publishers, CCH, Kluwer Law International and Loislaw.

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CONFERENCE DETAILS

Don CeSar Beach Resort

3400 Gulf Blvd., St. Pete Beach, Florida 33706
Phone (727) 360-1881 Fax (727) 363-5034

Check-in/Check-out

Check-in time is 4 p.m. If you arrive earlier, the hotel will make every effort to check you in providing there are rooms available. Check-out time is 11 a.m. You must check out prior to leaving your room for the day's session unless you have made other arrangements.

Spa Oceana

The Don CeSar Beach Resort Spa Oceana is offering conference attendees a 20% discount off all retail and spa and salon services. Appointments are based on availability, so we highly recommend that you make your reservations in advance. Call today, (727) 363-5029 and mention 'Stetson Group' or dial ext. 2327 from any house phone during the conference.

Don CeSar Historical Tour

The Don CeSar Beach Resort is offering its Historical Tour with Ghost Stories to guests of attendees on Friday, Oct. 22 at 2:00 p.m. The tour is limited to 20 people. Sign in sheet will be located at the lobby.

Transportation

The hotel is located 30 minutes from Tampa International Airport and 25 minutes from St. Petersburg/Clearwater International Airport. If you decide not to rent a car, the cost of a one-way taxi ride from the airport and the hotel averages \$65 - \$70. Bats Taxi Company is offering a discounted rate to all Special Needs Trusts attendees. Reserve your ground transportation today by calling Bats Taxi at (727) 367-3702 and use code: SNT2010 to receive a discounted rate. This offer is only available for trips from the Tampa International Airport to the hotel and back. Rates are per vehicle, not per person.

Parking

Self parking for attendees staying at the resort is included in your resort fee. Attendees not staying at the resort will receive a parking voucher in their registration packet. Please make sure you keep the voucher in a safe place, as we will provide only one voucher per attendee not staying at the resort.

Registration Desk/Check In

The registration desk will be open during the following times for sign-in and materials pick up:

Wednesday, Oct. 20

7:30 a.m. – 6 p.m. (King Charles - Fifth Level)

Thursday, Oct. 21

7:30 a.m. – 5 p.m. (King Charles - Fifth Level)

7:30 – 10 a.m. Satellite Desk (Ballroom Arcade - First Level)

Friday, Oct. 22

7:30 a.m. – 5 p.m. (King Charles - Fifth Level)

7:30 – 10 a.m. Satellite Desk (Ballroom Arcade - First Level)

Materials

Conference materials will be distributed on a flash drive to all attendees, unless you ordered a binder with your registration.

Laptop Users

A section in each room will be reserved for laptop users and will have power sources on a first-come first-served basis. There will also be a "charging station" in the King Charles. The following rooms at the hotel will have wireless access: Grand Ballroom, King Charles, North Terrace and South Terrace. Please see the registration desk for more information.

CLE Information

In order to receive CLE credit, it is mandatory for each attendee to sign-in at the registration desk upon arrival. If you requested a CLE credit on your registration form, you will receive your CLE packet with your registration packet. A sign-in sheet at the beginning of the conference is required to verify attendance. All certificates of attendance must be signed off by the Director of Conferences and Events before you leave the conference. Should you have any additional CLE requests regarding the conference, please contact Irena Milasinovic at (727) 562-7312 or e-mail at imilasin@law.stetson.edu.

Evaluations

We appreciate your feedback! Your evaluation forms are attached to this program. Please keep them with you as you attend each session and fill them out accordingly. At the end of each day, place the completed form in the basket at the registration desk. An overall conference evaluation e-mail will be sent to you shortly after the conference. Your suggestions are used to plan future conferences.

Badges

Please wear your name badge to all sessions. All badges will be at the registration desk when you register. *Please don't store your room key cards close to your badge; the badge magnet will deactivate your key card.*

Sponsor and Exhibitor Drawing Card

We have placed bingo cards in your registration packet. Please have 14 or more sponsors and exhibitors stamp your card, then return the stamped card to the registration desk to be entered in a drawing. The winner will be contacted via e-mail after the conference. Drawing prize is one-day free standard registration to 2011 Special Needs Trusts National Conference.

King Charles Exhibit Schedule

Wednesday, October 20

Pre-Registration7:30 a.m. – 6 p.m.

Thursday, October 21

Continental Breakfast and Exhibits.....7:30 – 8:50 a.m.

Break and Exhibits.....10:40 – 11:10 a.m. and 2:45 – 3 p.m.

Reception.....5 p.m.

Friday, October 22

Continental Breakfast and Exhibits.....7:30 – 8:50 a.m.

Break and Exhibits.....9:50 – 10:10 a.m. and 2:55 – 3:30 p.m.

PROGRAM EVALUATION FORM
The Basics of Special Needs Trusts
Thursday, October 21, 2010

- A. My purpose in attending was: CLE Credit Education in area of practice Expanded practice to new area
 B. Overall, I feel this program was: At the correct level for me Too basic Too advanced
 C. Please rate the service you received from the Staff: Excellent Good Fair Poor
 D. Please rate each presenter in the following categories on a **scale of 1-5** with 1 being strongly disagree and 5 being strongly agree:

	Presenter	Presentation	Materials	Practical Information	Topic
<u>The Elements of a Trust (9 - 9:50 a.m.)</u>					
Mary Radford	_____	_____	_____	_____	_____
<u>Making a Trust an SNT - the Whens, Whys and Hows (9:50 - 10:40 a.m.)</u>					
Craig C. Reaves	_____	_____	_____	_____	_____
<u>Putting a Human Face on an SNT: The Beneficiaries of SNTs (11:10 a.m. - 12 p.m.)</u>					
Michael J. Amoruso	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (1 - 1:50 p.m.)</u>					
Trustee Powers, Standards and Duties					
Stuart D. Zimring	_____	_____	_____	_____	_____
Tweaking Your Forms - Drafting and the 2009 POMS Revisions					
Mary Alice Jackson	_____	_____	_____	_____	_____
Medicare Claims, Medicaid Liens and Medicare Set Aside Issues: What Every SNT Attorney and Trustee Needs to Know					
Bradley J. Frigon	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (1:55 - 2:45 p.m.)</u>					
The "Other" Public Benefits					
Barbara Isenhour	_____	_____	_____	_____	_____
The "Unwanted" or "Unneeded" SNT					
Donna R. Bashaw	_____	_____	_____	_____	_____
Managing an SNT Practice					
Robert B. Fleming	_____	_____	_____	_____	_____
Stephen W. Dale	_____	_____	_____	_____	_____
David J. Lillesand	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (3 - 3:50 p.m.)</u>					
FAQs of SNT					
Robert B. Fleming	_____	_____	_____	_____	_____
Improving Quality of Life Through Collaborative Practice					
Ann Koerner	_____	_____	_____	_____	_____
Diedre Braverman	_____	_____	_____	_____	_____
The ABC of Taxes in a Special Needs Practice					
Vincent J. Russo	_____	_____	_____	_____	_____
<u>The Essentials of SNTs (4 - 5 p.m.)</u>					
Mary Alice Jackson	_____	_____	_____	_____	_____
Vincent J. Russo	_____	_____	_____	_____	_____
David J. Lillesand	_____	_____	_____	_____	_____

- E. What other CLE Topics are of specific interest to you at this time? _____
 F. How did you first learn about this program? Email Colleague Another Stetson Program Brochure Ad
 G. For future green conferences, do you prefer materials on: Flash Drive CD Binder Publish on the Web

TEAR OUT AND RETURN TO REGISTRATION DESK - THANK YOU!

PROGRAM EVALUATION FORM

2010 Special Needs Trusts

Friday, October 22, 2010

- A. My purpose in attending was: CLE Credit Education in area of practice Expanded practice to new area
 B. Overall, I feel this program was: At the correct level for me Too basic Too advanced
 C. Please rate the service you received from the Staff: Excellent Good Fair Poor
 D. Please rate each presenter in the following categories on a **scale of 1-5** with 1 being strongly disagree and 5 being strongly agree:

	Presenter	Presentation	Materials	Practical Information	Topic
<u>The Law of Trust Reformation (9 - 9:50 a.m.)</u>					
Mary Radford	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (10:10 - 11 a.m.)</u>					
Drafting to Avoid the Problems You Read About in the Cases					
Mary Alice Jackson	_____	_____	_____	_____	_____
Slicing the Pie - Income Tax Application to Litigation Awards and Settlements					
Shirley B. Whitenack	_____	_____	_____	_____	_____
The Family Business and the Special Needs Beneficiary (Part One)					
Jeffrey M. Yussman	_____	_____	_____	_____	_____
Greg McCann	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (11:05 - 11:55 a.m.)</u>					
Drafting and Administrative Considerations When Working with Beneficiaries with Specific Disabilities					
G. Mark Shalloway	_____	_____	_____	_____	_____
The Family Business and the Special Needs Beneficiary (Part Two)					
Jeffrey M. Yussman	_____	_____	_____	_____	_____
Greg McCann	_____	_____	_____	_____	_____
Health Care Reform - Implementation and the Impact on SNT Beneficiaries and the Administration of the SNT					
Cynthia L. Barrett	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (1:10 - 2 p.m.)</u>					
The Practical Realities of Living with the SNT					
Bridget O'Brien Swartz	_____	_____	_____	_____	_____
The Top Ten Things that SNT Attorneys and Trustees Must Know About in the Individualized Education Plan (IEP), 504 Plan or Individualized Program Plan (IPP)					
A. Frank Johns	_____	_____	_____	_____	_____
How to Develop and Implement a Financial Plan for a First-Party SNT Receiving a Personal Injury Settlement					
Bradley J. Frigon	_____	_____	_____	_____	_____
<u>BREAKOUT SESSIONS (2:05 - 2:55 p.m.)</u>					
The SNT Practice in 70 Years					
Stephen W. Dale	_____	_____	_____	_____	_____
Using Third-Party SNTs in Estate Planning					
Stuart D. Zimring	_____	_____	_____	_____	_____
Representing the Whole Mischpuchah (Family) - Multiple Party Representation Issues					
Ron M. Landsman	_____	_____	_____	_____	_____
<u>Cutting-Edge Updates and Trends (3:30 - 4:30 p.m.)</u>					
Robert B. Fleming	_____	_____	_____	_____	_____

- E. What other CLE Topics are of specific interest to you at this time? _____
 F. How did you first learn about this program? Email Colleague Another Stetson Program Brochure Ad
 G. For future green conferences, do you prefer materials on: Flash Drive CD Binder Publish on the Web

TEAR OUT AND RETURN TO REGISTRATION DESK - THANK YOU!



Save the Dates!

Upcoming Elder Law CLE Programs

April 1, 2011

**Fundamentals of Special Needs Trust
Administration Webinar**

October 19-21, 2011

2011 Special Needs Trusts The National Conference

October 19, 2011

Pre-Conference

October 20, 2011

Basics of Special Needs Trusts

October 21, 2011

2011 Special Needs Trusts



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