2012 Special Needs Trusts
The National Conference

October 17, 2012
Pre-Conference:
Law Office Management Technology

Pre-Conference:
Hot Topics About Pooled Trusts

October 18, 2012
The Basics of Special Needs Trusts

October 19, 2012
2012 Special Needs Trusts

Loews Don CeSar Hotel
St. Pete Beach, Florida

STETSON UNIVERSITY

Center for Excellence in Elder Law

ACCESS AND JUSTICE FOR ALL®

WEDNESDAY, OCTOBER 17, 2012

7:30 a.m.–6:00 p.m., *Buena Vista (Fifth Level)*
Registration Desk Open

7:30 a.m.–6:00 p.m., *King Charles (Fifth Level)*
Exhibit Hall Open

7:30 a.m.–9:30 a.m., *King Charles (Fifth Level)*
Continental Breakfast

Pre–Conference: Law Office Management What Attorneys and Staff Need to Know About Law Office Technology

8:55 a.m.–9:00 a.m., *South Terrace (Fifth Level)*
Welcome and Announcements
Speaker: Rebecca C. Morgan

9:00 a.m.–9:50 a.m., *South Terrace (Fifth Level)*
What to Know When Dealing With or Disposing of Technology
Speaker: Jerry R. Sullenberger

When technology is used in a law office, it is important to remember that confidentiality can be compromised by unintentional dissemination of data stored on hard drives, metadata in documents, and more. This session will cover the practical and business issues when dealing with or disposing of technology.

9:50 a.m.–10:40 a.m., *South Terrace (Fifth Level)*
Ethical Issues in Using Technology and Social Media
Speaker: Roberta K. Flowers

This session will examine the ethical issues when attorneys or staff use technology to communicate or advertise. Topics will include using cell phones, web pages, Twitter and social networking sites, and emailing bills through third-party providers.

10:40 a.m.–11:00 a.m., *King Charles (Fifth Level)*
Break

11:00 a.m.–12:00 p.m., *South Terrace (Fifth Level)*
What Law Office Staff Need to Know about Using Social Media in/for the Law Office
Speaker: Dr. Susan Demers

This session will discuss what staff need to know about using social media for the law office, as advertising, to inform clients, or to recruit new clients. This session will also cover staff using social media for personal use while at the office and with company equipment, including the privacy and confidentiality issues that arise from doing so.

12:00 p.m.–1:00 p.m., *King Charles (Fifth Level)*
Lunch

1:00 p.m.–2:00 p.m., *South Terrace (Fifth Level)*
The Firm's Digital Assets: How to Protect Them, How to Value Them, What to Do with Them
Speaker: Jason L. Turner

There are many benefits to law firms shifting to a paperless office in the age of the "cloud," but there are many security concerns as well. This session will cover what a "digital asset" is, issues with respect to client confidentiality, ways that law firms can implement safeguards against cyber-attacks and security breaches, and how a firm's digital assets differ from those of a client.

2:00 p.m.–3:00 p.m., *South Terrace (Fifth Level)*
Developing Written Policies for All Sorts of Things in the Law Office
Speaker: Shirley B. Whitenack

This session will cover the variety of policies a firm needs, not only ones for vacation, personal time, mileage reimbursement, dress code, client interaction and property management, but also the need for policies that address internet and social media use in the office, use of work cell phones, accessing work files off site, using company equipment outside of the office, and more.

3:00 p.m.–3:20 p.m., *King Charles (Fifth Level)*
Casey's Cookies Break

3:20 p.m.–4:30 p.m., *South Terrace (Fifth Level)*
Use of Assistive Technology for People with Disabilities
Speaker: Nancy Mashberg

This session will provide an overview of the Florida Alliance for Assistive Services and Technology and discuss different types of assistive technology to consider in long-term planning for clients.

5:00 p.m.–6:00 p.m., *King Charles (Fifth Level)*
Reception

5:00 p.m.–6:00 p.m., *Executive Board Room 2A (First Level)*
Friends of Bill W.

Pre–Conference: Hot Topics About Pooled Trusts

9:30 a.m.–9:40 a.m., *North Terrace (Fifth Level)*
Welcome and Announcements
Speaker: Rebecca C. Morgan

9:40 a.m.–10:30 a.m., *North Terrace (Fifth Level)*
Breaking News: Recent Developments For, About or Affecting Pooled Trusts
Speaker: Neal A. Winston

This session will look at recent cases, agency actions, statutes and more that impact use of pooled trusts.

10:30 a.m.–11:15 a.m., *North Terrace (Fifth Level)*
Decision-Making for a Pooled SNT (Part One): Creating a Decision Tree for SNT Distributions
Speakers: Barbara Helm and Kerry Tedford-Coles

A trustee makes decisions day-in, day-out about distributions — what to approve and what to deny. This session will discuss creating a decision tree for making decisions about distributions.

11:15 a.m.–12:00 p.m., ***North Terrace (Fifth Level)***
Decision-Making for a Pooled SNT (Part Two): Using a Decision Tree for SNT Distributions: Dealing with Clients & Attorneys
Speakers: Stephen W. Dale and Heidi J. Flatt

This session will look at using a decision-tree for making decisions, and how to deal with challenging clients and persistent attorneys.

12:00 p.m.–1:00 p.m., ***King Charles (Fifth Level)***
Lunch

1:00 p.m.–2:00 p.m., ***North Terrace (Fifth Level)***
HUD Programs, Admission and Policies
Speaker: Chung-yiu "Andrew" Lee

This session will provide an overview of the HUD-assisted housing programs, their funding, admission criteria and HUD policies that most typically apply to beneficiaries.

2:00 p.m.–3:00 p.m., ***North Terrace (Fifth Level)***
Creating an Investment Policy: Challenges and Considerations for Trustees of Pooled Special Needs Trusts
Speakers: Heidi J. Flatt and Edward V. Wilcenski

This session will address the development of investment plans that are tailored to the objectives and characteristics of various types of pooled special needs trusts.

3:00 p.m.–3:15 p.m., ***King Charles (Fifth Level)***
Casey's Cookies Break

3:15 p.m.–4:15 p.m., ***North Terrace (Fifth Level)***
Pooled Trusts Meet Subsidized Housing: Understanding How SNTs are Treated in the World of HUD Housing
Speaker: Stuart D. Zimring

This session will review some of the current issues that trustees face when dealing with HUD housing for beneficiaries and offer suggestions for advocacy when facing adverse decisions.

4:15 p.m.–5:00 p.m., ***North Terrace (Fifth Level)***
Developing Best Practices for Pooled Trustees
Speakers: Stephen W. Dale, Heidi J. Flatt, Barbara Helm, Kerry Tedford-Coles and Stuart D. Zimring

This panel of the day's speakers will offer their suggestions for developing best practices for pooled trustees.

5:00 p.m.–5:30 p.m., ***North Terrace (Fifth Level)***
Roundtable Discussions

Join some of the day's speakers as they facilitate roundtable discussions of some of the hot topics facing Pooled Trusts.

5:00 p.m.–6:00 p.m., ***Executive Board Room 2A (First Level)***
Friends of Bill W.

5:30 p.m.–6:00 p.m., ***King Charles (Fifth Level)***
Reception

THURSDAY, OCTOBER 18, 2012

The Basics of Special Needs Trusts

7:30 a.m.–6:00 p.m., ***Buena Vista (Fifth Level)***
Registration Desk Open

7:30 a.m.–6:00 p.m., ***King Charles (Fifth Level)***
Exhibit Hall Open

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

8:30 a.m.–8:40 a.m., ***Grand Ballroom (First Level)***
Welcome and Announcements
Speaker: Rebecca C. Morgan

8:40 a.m.–9:40 a.m., ***Grand Ballroom (First Level)***
Five Things You Need to Know About Drafting a (d)(4)(A) SNT
Speaker: Craig C. Reaves

There are many items you need to be aware of and keep in mind when designing and drafting a self-settled (d)(4)(A) special needs trust. This session will highlight five of the important ones.

9:40 a.m.–10:05 a.m., ***Grand Ballroom (First Level)***
What You Need to Know About Choosing and Using a (d)(4)(C) Pooled SNT
Speaker: Mary E. O'Byrne

The federal statute explains the criteria to create a (d)(4)(C). There is often more than one pooled trust in a state, so this session will focus on tips for picking a pooled trust and when to use one.

10:05 a.m.–10:30 a.m., ***King Charles (Fifth Level)***
Break
Sponsored by Family Network on Disabilities

FAMILY NETWORK ON DISABILITIES
SPECIAL NEEDS TRUST ADMINISTRATION

10:30 a.m.–11:20 a.m., ***Grand Ballroom (First Level)***
Five Things You Need to Know about Drafting and Using a Third-Party SNT
Speaker: Jefferey M. Yussman

A third-party SNT is different in many ways to a first-party SNT. This session will highlight the differences, focusing on the five things you need to know about drafting and using a third-party SNT and incorporating maximum flexibility to accommodate the unexpected.

11:20 a.m.–12:15 p.m., ***Grand Ballroom (First Level)***
Fundamental Duties of Trustees, and Where Trustees Go Wrong
Speaker: Lee-Ford Tritt

The central feature of the Anglo-American trust form is the bifurcation of property rights, where the trustee holds legal title to the trust property while the beneficiary possesses the equitable

interests in the trust property. Therefore, by splitting the legal and equitable ownership of property, the trustee has management or administrative authority over trust assets, but the beneficiaries bear the consequences of the trustee's administrative decisions. To safeguard the beneficiaries against mismanagement or misappropriation by the trustee, the trustee is held to a fiduciary standard of conduct—or, more simply, fiduciary duties. This session will review the foundational duties of a trustee—the duty of loyalty, the duty of prudence, the duty to be impartial, and the duty to inform and account. The session will also discuss the major trustee pitfalls that may result in a breach of one or more of these duties, review some basic measures that a trustee should take in order to avoid these mistakes, and quickly review some alternatives to trusts for elder law planning purposes (such as durable power of attorneys, etc.).

12:15 p.m.–1:30 p.m., ***Pavilion West (Poolside)***
Networking Lunch

1:30 p.m.–2:30 p.m.
Breakout Sessions

How SSI Relates to SNTs, ***South Terrace (Fifth Level)***
Speaker: Mary E. O'Byrne

An improperly drafted special needs trust, whether first- or third-party, can have a devastating effect on eligibility for SSI, Medicaid or other public benefits. This session will provide an overview of the eligibility requirements for SSI, and discuss how to draft a special needs trust to comply with federal regulations, including the sole benefit rules.

Goal-Based Investing and Management of the SNT: Different Investment Models and the Prudent Investor Rule, ***North Terrace (Fifth Level)***
Speaker: Robert B. Fleming

Consider your SNT beneficiary's needs and resources in making investment decisions. Analyze the likelihood that the SNT assets will outlive the beneficiary, and take Social Security and other resources into consideration when determining risk capacity. But remember: your investment decisions will ultimately be judged by the yardstick of the Prudent Investor Rule.

The Sole Benefit Trust: The "Forgotten" Trust, ***Del Prado (Fifth Level)***
Speaker: Howard S. Krooks

This session will review the requirements that must be satisfied to create a valid "sole benefit trust," a type of third-party supplemental needs trust that protects the assets contained in the trust from being countable resources for government benefits purposes for the beneficiary who is disabled. The session will review how the sole benefit trust achieves the further objective of avoiding the imposition of a penalty period for the grantor, who also may need to apply for government benefits in the near future.

2:30 p.m.–2:50 p.m., ***King Charles (Fifth Level)***
Break
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2:50 p.m.–3:50 p.m.
Breakout Sessions

Focus on SNTs: Checklists to Keep You on Track, ***South Terrace (Fifth Level)***
Speaker: Mary Alice Jackson
From drafting to termination of a special needs trust, there are dozens of basic details to track. Checklists provide organization and oversight, which can keep the practitioner from letting the train run off the track. This session will discuss what items to include in your checklist from intake to retaining other professionals, tax issues, POMS changes and termination issues.

The SNT as the Beneficiary of Retirement Plans: Issues and Solutions, ***North Terrace (Fifth Level)***
Speaker: Dennis M. Sandoval
Special planning is needed to avoid having accelerated distributions from a retirement plan paid to a third-party special needs trust. This session will review the IRS Regulations and give examples of how to draft a special needs trust to achieve maximum stretch-out payments in this situation.

How to Pick the Trustee, ***Del Prado (Fifth Level)***
Speaker: Edward V. Wilcenski
Should the trustee be a professional or a family member? Which family member? Which professional trustee? Picking the trustee plays an important role in the success of the SNT and achieving the best interest of the beneficiary. This session will cover the critical considerations in picking the trustee.

3:55 p.m.–4:55 p.m.
Breakout Sessions

Marketing the Special Needs Practice: 5 tips in 60 minutes, ***South Terrace (Fifth Level)***
Speakers: Stephen W. Dale, Mary Alice Jackson, Howard S. Krooks, Vincent J. Russo and Jefferey M. Yussman
The speakers for this session will each discuss their favorite tip for marketing a Special Needs Practice. Learn five marketing tips from these nationally recognized SNT attorneys.

What Trustees Need to Know about Insurance and What Is Insurable, ***North Terrace (Fifth Level)***
Speaker: Thomas F. Brink
This session will discuss what is an insurable interest, what a trustee can insure, what a trustee should insure, and how a trustee can weigh risk.

The ABCs of the IRC for SNTs: Foundational Tax Issues for SNTs, ***Del Prado (Fifth Level)***
Speaker: Bradley J. Frigon
This session will cover the basic income tax rules that apply to first-party and third-party SNTs in a clear, understandable and practical way.

5:00 p.m.–6:00 p.m. ***King Charles (Fifth Level)***
Reception
Sponsored by Loews Don CeSar Hotel

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5:00 p.m., ***Executive Board Room 2A (First Level)***
Friends of Bill W.

FRIDAY, OCTOBER 19, 2012
2012 Special Needs Trusts

7:00 a.m.–7:45 a.m., *Lobby (Fifth Level)*
Tai Chi

7:30 a.m.–5:00 p.m., *Buena Vista (Fifth Level)*
Registration Desk Open

7:30 a.m.–5:00 p.m., *King Charles (Fifth Level)*
Exhibit Hall Open

7:30 a.m. – 8:15 a.m., *King Charles (Fifth Level)*
Continental Breakfast

8:15 a.m. – 8:25 a.m., *Grand Ballroom (First Level)*
Welcome and Announcements
Speaker: Rebecca C. Morgan

8:25 a.m. – 9:25 a.m., *Grand Ballroom (First Level)*
Update from Social Security
Speaker: Eric R. Skidmore (by video conference)

This session will provide an update from the SSA by Eric Skidmore, team supervisor of Deeming, Income, Resources and State Supplementation Team with the Office of SSI and Representative Payee Policy.

9:30 a.m.–10:20 a.m., *Grand Ballroom (First Level)*
The Affordable Care Act, the Supreme Court, and Where Do We Go From Here?
Speaker: Ronald S. Honberg

There are many provisions of the Affordable Care Act that may impact a SNT beneficiary, including Medicaid expansion, elimination of the pre-existing exclusion, the ability of a parent to keep a child on the parent's health insurance until a child turns 26, and the implementation of state health insurance exchanges. The Supreme Court's decision about the ACA will impact the availability of health care for beneficiaries. This session will look at the impact of the Supreme Court's decision on people living with disabilities and discuss where we go from here.

10:20 a.m.–10:45 a.m., *King Charles (Fifth Level)*
Break
Sponsored by Trust Employee Administration & Management

10:45 a.m.–11:35 a.m.
Breakout Sessions

Qualified Settlement Funds: Uncovering Some Hidden Dangers, *South Terrace (Fifth Level)*
Speakers: Pi Yi Mayo and Bryn Poland

Tips and tricks on drafting and administering a QSF. Learn the provisions every QSF should include and discover why including them will make a difference for your practice.

It's All About the Details: Jurisdiction, Venue, Governing Law: Where Do You Challenge a Trust or Trustee? *North Terrace (Fifth Level)*
Speaker: David M. English

Sometimes it is necessary to challenge either the trust or the trustee. When that occurs, it is important to recognize the fundamental issues for litigation—jurisdiction, venue and the governing laws. This session will look at the situs of a trust, what court has jurisdiction, and how to decide where to file a challenge.

Making SNTs Operate Successfully for the Benefit of the Beneficiary, *Del Prado (Fifth Level)*
Speaker: Michael Gilfix

Drafting a Special Needs Trust is a great beginning, but only a beginning. This session will discuss drafting ideas and practical "real life" approaches to enhance the effectiveness and operation of a funded SNT.

11:40 a.m.–12:30 p.m.
Breakout Sessions

Planning and Implementing Seamless Transitions for Caregivers and Trustees, *South Terrace (Fifth Level)*
Speaker: Dennis M. Sandoval

It is not unusual for a beneficiary to outlive a caregiver or a trustee. It is important to plan ahead to transition when that happens and how to make such transition seamless, minimizing the emotional and financial impact on the beneficiary.

Medicare Set Aside (MSA) Update and Medicare Secondary Payer (MSP) Case Law Update, *North Terrace (Fifth Level)*
Speaker: Bradley J. Frigon

MSAs are always a hot topic for attorneys and trustees. This session will discuss their history and latest announcements from CMS.

Defending the SNT: Issues in Litigation, *Del Prado (Fifth Level)*
Speaker: William J. Browning

New challenges to SNTs — recent cases may be an incentive for CMS and state Medicaid agencies to increase challenges on SNTs. This session will look at issues that arise when an SNT is challenged, including initial challenges after an application is filed as well as recovery efforts after the beneficiary dies.

12:30 p.m.–1:30 p.m. *Pavilion West (Poolside)*
Networking Lunch

1:30 p.m. – 2:20 p.m.
Breakout Sessions

When the SSA Counts a SNT as a Resource for SSI and What to Do, *South Terrace (Fifth Level)*
Speaker: Neal A. Winston

This session will examine the more common reasons and trends why SSI turns down a (d)(4)(A) or third party SNT and how to find the reason, fix the trust, and appeal the decision.

Transparency vs. Beneficiary Privacy in SNT Administration, *North Terrace (Fifth Level)*
Speaker: Renee C. Lovelace

What should a trustee do when a primary beneficiary asks for information about expenditures, investments, or other trust administration? What if the inquiry is from a remainder beneficiary, family member, advocate, professional provider, or vendor? How are the trustee's duties of disclosure and protecting beneficiaries viewed in fiduciary litigation when the trustee seeks to protect another beneficiary's sensitive personal information? This session will examine these questions as well as others, the applicable laws, the impact of the UTC, and special considerations for electronic data in discussing how transparent a trustee should be when administering a SNT; looking backwards, this session will address whether we can draft trust terms that help to reduce expensive conflicts between a trustee's disclosure duties and a grantor's desire to protect beneficiaries.

HUD policy and SNTs: Bringing *Finley v. City of Santa Monica* to Your State, *Del Prado (Fifth Level)*
Speaker: Stuart D. Zimring

This session will examine the recent decision in *Finley v. City of Santa Monica* and how it may apply in other states.

2:20 p.m.– 2:45 p.m., *King Charles (Fifth Level)*
Break
Sponsored by Trust Employee Administration & Management

2:45 p.m.– 3:35 p.m.
Breakout Sessions

Fees: How Courts Interpret the Standard of Reasonableness, *South Terrace (Fifth Level)*
Speaker: Shirley B. Whitenack

This session will look at how various courts have determined whether a trustee or attorney fee is reasonable, and discuss the standards used by the courts in determining reasonableness.

Traps and Tips: Advanced Tax Issues in SNT Administration, *North Terrace (Fifth Level)*
Speaker: Vincent J. Russo

This session will review the tax traps that every trustee should be aware of and the tips to maneuvering through the tax maze. The session will also cover income taxation of SNTs and the impact on gift and estate taxes. Nuances of tainting the trust for grantor trust purposes and the tax impact on parents acting as a trustee will also be discussed.

Getting Involved Early: Developing Good Working Relationships with Litigators and Family Lawyers and the Options They Produce, *Del Prado (Fifth Level)*
Speaker: Janet L. Lowder

SNT attorneys need to have an effective working relationship with both litigators and family law attorneys. SNT attorneys are uniquely positioned to help these other attorneys formulate the best options for their clients. This session will discuss the advantages for SNT attorneys to be involved earlier in the case and make suggestions on how to do so.

3:35 p.m.– 4:00 p.m., *King Charles (Fifth Level)*
Break

4:00 p.m.– 5:00 p.m., *Grand Ballroom (First Level)*
The Update: Cases and Breaking News About SNTs
Speaker: Robert B. Fleming

Finish up your review of SNTs and planning considerations with consideration of recent developments in the law. Find out what recent court cases have analyzed or advanced SNT preparation and administration, and learn about new developments and trends.

5:00 p.m.
Adjourn

Stetson Law Conference Staff

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

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Coral Gables Trust's professionals have a wealth of experience in administering Special Needs Trusts. We provide protection, security and comfort through careful review of our client's needs in coordination with government benefits. We provide the benefit of professional investment management and experienced SNT administrators. Our staff is trained in the requirements and responsibilities for Special Needs Trusts administration and understands the importance of being fully accessible to provide personal assistance in handling client's questions and concerns. Our officers are available where and when needed to guide our client through all important considerations.

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Phone: (888) 789-9908 Fax: (888) 320-6782
Web: www.eldercounsel.com

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.

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Phone: (877) 538.5425 Fax: (877) 239-0558
Web: www.feinbergconsulting.com

Feinberg Consulting, Inc. is a Catastrophic, Mental Health Case Management, and Geriatric Care Management company, offering client-centric advocacy to assist our clients to achieve the greatest outcome. We strive to be proactive to provide our team members, providers, and clients the highest standards in our industry. Our company is comprised of a compassionate team of registered and certified rehabilitation nurses, certified case managers, social workers, vocational rehabilitation consultants, and educational experts. Feinberg Consulting is a proud member of the National Association of Professional Geriatric Care Managers, the Case Management Society of America, the American Society of Aging, and many other nationally recognized organizations.

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Contacts: Travis Finchum or Steven Hitchcock
Phone: (800) 669-2499 Fax: (727) 631-0970
Web: www.guardiantrusts.org

The Trustees of the Guardian Trust are the Premier Special Needs Trust Administrators in the United States, and administer all forms of Special Needs Trusts. The Trust's founders identified the need for professional, responsive and client centered Special Needs Trusts. Established by the charity National Non-Profit for Americans with Disabilities, Inc. (NNAD), 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). Guardian Trust has been serving beneficiaries and their families for over nine years and is proud of the level of customer service and satisfaction that has been provided. There is professional supervision over all the Trusts as well as professional liability insurances covering errors and omissions and theft of funds. An independent CPA auditing firm conducts an audit of all procedures and accountings annually. We truly believe we are here to serve our beneficiaries.

HWA International, Inc.
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Contact: Kathy Shanahan
Phone: (901) 388-6120
Web: www.hwainternational.com

HWA International has been providing trust accounting software since 1977. We are an independent, privately held corporation headquartered in Memphis. Our mission is to provide reliable,

HWA International, Inc. ***(continued)***
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IKOR
415 McFarlan Rd., Suite 200, Kennett Square, PA 19348
Contact: Cynthia Gartman, President, IKOR USA, Inc. & IKOR, Inc.
Phone: (610) 444-1454, ext. 720 Fax: (866) 641-2349
Email: cgartman@ikorusa.com
Web: www.ikorusa.com

IKOR® is different from other businesses that serve the needs of seniors and the disabled. IKOR does not provide direct care, but acts as an advocate for its clients, creating and overseeing each client's medical, environmental, psycho-social and educational life plans.

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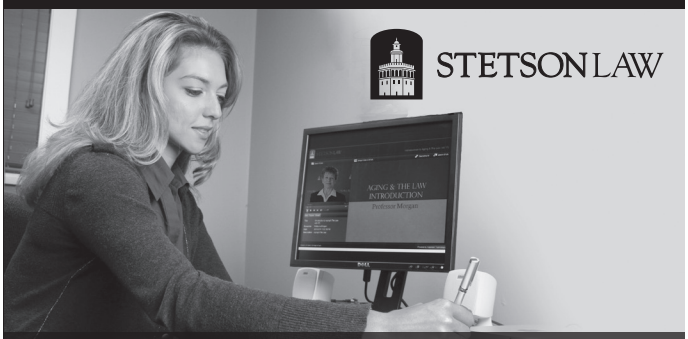

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IKOR ***(continued)***
ongoing quality assurance, and periodic reports and meetings with all parties involved.

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Medivest
2100 Alafaya Trail, Suite 201, Oviedo, FL 32765
Contact: Douglas L. Shaw
Office: (877) 725-2467 Mobile: (321) 279-2355
Email: dshaw@medivest.com
Web: www.medivest.com

Medivest is a leading provider of Medicare Secondary Payer (MSP) compliance services. Our services include conditional payment investigations, MSA allocation reports, post-settlement professionally administered custodial accounts, and Trust Advisor Services. These services have been designed to provide the settling parties with the level of confidence they need to be sure that their MSP obligations have been adequately met.

Many Special Needs Trusts are funded with personal injury litigation proceeds intended to pay for the future medical care of their beneficiary. These trusts are often established to protect the beneficiary's access to government benefits such as Medicaid. What's often overlooked is the requirement to consider Medicare's interest in the trust. Simply placing settlement funds within a trust does not satisfy MSP obligations. Non-compliance with these obligations can jeopardize the beneficiary's future Medicare benefits.

Medivest Trust Advisor Services provides trustees confidence that they are in compliance with the MSP Statute and gives beneficiaries the peace of mind their Medicare benefits will be protected. This service is designed to relieve the trustee's MSP compliance burden by advising the trust on the administration of all the medical funds, including the Medicare Set-Aside component.

MetLife Center for Special Needs Planning

300 Davidson Avenue, Somerset, New Jersey 08873
Contact: Kelly Piacenti
Phone: (877) 638-3375 Fax: (908) 655-9820
Email: specialneedsplanning@metlife.com
Web: www.metlife.com/specialneeds

The MetLife Center for Special Needs Planning℠ 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

8142 Biscayne Court, Saline, Michigan 48176
Contact: Cathy Breneman
Phone: (734) 777-0491 Fax: (734) 944-2341
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 restrain 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).

National Care Advisors, LLC

3982 Powell Road, Suite 231, Powell, Ohio 43065
Contact: Ann Koerner
Phone: (614) 309-6673 Fax: (614) 538-0197
Web: www.nationalcareadvisors.com

National Care Advisors provides care management and quality of life consulting services to attorneys, trustees and financial managers working with clients who have special needs challenges. Our National services include:

- Third party benefits analysis and advocacy
- Long term quality of life planning and cost projection
- Housing, education, vocational advocacy
- Special needs expenditure planning
- Service and product vendor selection
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- Medicare set aside administration support

National Care Advisors, LLC *(continued)*

- Medical bill review and resolution
- Trust advisor services

By collaborating with attorneys, financial planners, settlement consultants, corporate trustees and insurance companies, we've made it our core focus to make quality of life not only possible, but sustainable over a lifetime.

National PLAN Alliance

268 Broadway, Suite 309, Saratoga Springs, NY 12866
Contact: Carol Obloy, Executive Director
Phone: (518) 587-4540
Email: cobloy@nycap.rr.com; npa@nycap.rr.com
Web: www.nycap.rr.com

The National PLAN Alliance (NPA) is a non-profit umbrella organization of 22 Planned Lifetime Assistance Network programs (PLAN programs) in 18 states. PLAN programs promote long term care and independent living through planning services to families with loved ones with disabilities. The NPA provides a variety of support services to existing and new programs, such as program and board development, feasibility surveys, fundraising, marketing, conferences and strategic planning assistance. PLAN programs in 12 states operate Pooled Special Needs Trusts. These Pooled Trusts provide services in trust administration, distribution of funds, coordination of trust goals with trust resources, trust asset management, and timely reporting. The NPA and its affiliate PLAN programs have partnerships with the National Alliance on Mental Illness, The ARC, the Mental Health Association, UCP, and the John Kitchen Special Needs Center. The NPA, with funding from The Center for Special Needs Trust Administration, produced Pooled Trust Options, a Guidebook, written by Renee C. Lovelace, Esq.

Securant Bank & Trust

12960 West Bluemound Road, Elm Grove, WI 53122
Contact: Ben Malsch, Deanna Haught
Phone: Ben Malsch: (262) 797-2174 Deanna Haught: (262) 797-2175
Web: www.securantbank.com

Specialization, experience and caring are what set the Settlement Trust Group apart. Our sole focus is serving special needs beneficiaries and their families. Concentrating on one area allows us to be nimble, responsive and focused on providing best-in-class service to our beneficiaries.

We recognize the expectations of special needs beneficiaries differ from those of wealth management clients, and our administrators have in-depth experience handling their unique needs & wants. Trust officers have over 30 years of combined experience administering special needs trust.

We understand government benefit programs such as SSI, Medicaid and Medicare and help our beneficiaries derive the most value from these programs. We work with outside vendors to reduce the cost of items such as medical supplies, pharmaceuticals and handicapped-accessible vehicles.

Each trust is assigned a dedicated administrator so the special needs beneficiary speaks with a person they know, not a random call center representative. We also have administrators that are fluent in both verbal and written Spanish.

Let the Settlement Trust Group help you in serving your client's needs.

Special Needs Alliance
6341 E. Brian Kent, Tucson, Arizona 85710
Contact: Jihane Rohrbacker
Phone: (520) 546-1005 or (877) 572-8472 (toll free)
Fax: (520) 546-5119
Web: www.specialneedsalliance.org
Email: info@specialneedsalliance.org

The Special Needs Alliance is a national, not for profit organization of attorneys dedicated to the practice of disability and public benefits law. Individuals with disabilities, their families and their advisors rely on the SNA to connect them with nearby attorneys who focus their practice in the disability law arena. The SNA is an invitation-only organization. SNA membership is based on a combination of relevant legal experience in the disability and elder law fields, direct family experience with disability, active participation with national, state and local disability advocacy organizations, and professional reputation. As a result, an SNA member will have an average of 18 years of relevant legal experience, with no member having practiced law for less than 10 years. The majority have been certified as Elder Law Attorneys (CELAs) by the National Elder Law Foundation, the certifying entity for the National Academy of Elder Law Attorneys (NAELA).

Stetson University College of Law
Office of Career Development
1401 61st Street South, Gulfport, Florida 33707
Contact: Stacy Elizondo, Career Development Coordinator
Phone: (727) 562-7975 Fax: (727) 347-5692
Email: elizondo@law.stetson.edu
Web: www.law.stetson.edu

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SunTrust Bank, Recovery Management Division
501 E. Las Olas Blvd, 3rd Floor, Ft. Lauderdale, Florida 33301
1155 Peachtree Street, NE, Suite 700, Atlanta, GA 30303
Contact: Bill Frazier
Phone: (404) 827.6935
Email: bill.frazier@suntrust.com
Web: www.suntrust.com

With locations in Ft. Lauderdale and Atlanta that service the majority of the United States, SunTrust Bank's Recovery Management Division is dedicated solely to the administration of a variety of trust types for the benefit of people with disabilities, including Special Needs Trusts. All of the Trust Advisors within the division are intimately familiar with the complexities associated with the administration of Special Needs Trusts as many of the Trust Advisors are attorneys who have practiced in this area of law. The team understands that it is critically important to the success of developing a strong, positive relationship with the beneficiaries and their families

SunTrust Bank, Recovery Management Division *(continued)*
by having a patient and understanding approach to the unique challenges they are facing. Furthermore, the Recovery Management Division has developed a robust number of relationships with service providers throughout the country such as case management, care giving, assistive technology, medical equipment and supplies, accessible transportation, advocacy services and home modification specialists. These relationships allow the Trust Advisors to assist with addressing the pressing, practical needs that families have to best care for their loved ones.

The Centers
4912 Creekside Drive, Clearwater, FL 33760
Contact: Amanda Pope
Phone: (877) 766-5331 Fax: (877) 619-4023
Web: www.centersweb.com

The Centers provides a wide range of integrated professional services specifically designed to meet the needs of attorneys and their clients, which include public benefit compliance and settlement optimization.

Wells Fargo, Special Needs Trust
999 Third Avenue, 40th Floor, Seattle, Washington 98104
Contact: Susan Mesenbrink
Phone: (954)765-3918
Web: www.wellsfargo.com

We recognize that living with a disability can have a profound impact on daily life. Working with a trustee who is experienced and understands these challenges can make all the difference in providing the highest quality of life possible. The Special Needs Trust team has ongoing and extensive experience in working with and addressing the needs of persons living with physical, mental and/or developmental disabilities such as traumatic brain injury, Multiple Sclerosis, Cerebral Palsy, Down Syndrome and Schizophrenia. Wells Fargo Special Needs Trust team has a core knowledge base to address specific client needs. Some of the areas in which we can help our clients are purchasing accessible vehicles, assisting communication devices and technology, education advocacy, speech, occupational, vocational and physical therapies, companion, care giving and respite services, accessible home acquisition, renovation and constructions, case management services, accessible recreational and socialization opportunities, adult family home and other congregate care facilities, non-profit organizations that provide services to those living with a disability and public and private benefits. Our team regularly works with a large number of outside professionals as well as offering the capabilities and resources of Wells Fargo Bank in order to provide a tailored service to meet our clients' needs.

Conference Faculty Chair

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

Pre–Conference Faculty

Stephen W. Dale, Attorney at Law, The Dale Law Center, PC, Pacheco, California

Dr. Susan Demers, Dean of the College of Policy, Ethics and Legal Studies, St. Petersburg College, Clearwater, Florida

Heidi J. Flatt, Chief Operating Officer, Trust Services, NYSARC Inc., Delmar, New York

Roberta K. Flowers, Professor of Law, Stetson University College of Law, Gulfport, Florida

Barbara Helm, Executive Director, ARCare, Inc, Overland Park, Kansas

Chung-yiu "Andrew" Lee, Attorney at Law, U.S. Department of Housing & Urban Development, Office of General Counsel – Assisted Housing Division, Washington, D.C.

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To view faculty bios, visit www.law.stetson.edu/conferences/snt

2012 Special Needs Trusts Conference – The National Conference
October 17-19, 2012
Program Evaluation Form

___ I attended the Pre-Conference: Law Office Management Technology (October 17, 2012)

1. Overall, I feel this program was: ☐ Correct level for me ☐ Too basic ☐ Too advanced
2. Please rate this pre-conference overall in the following categories on a scale of 1-5 (with 5 being best)

Presenters	Presentations	Materials	Practical Information	Topics

___ I attended the Pre-Conference: Hot Topics About Pooled Trusts (Wednesday, October 17, 2012)

1. Overall, I feel this program was: ☐ Correct level for me ☐ Too Basic ☐ Too advanced
2. Please rate this pre-conference in the following categories on a scale of 1-5 (with 5 being best)

Presenters	Presentations	Materials	Practical Information	Topics

___ I attended Basics of Special Needs Trusts (Thursday, October 18, 2012)

1. Overall, I feel this program was: ☐ Correct level for me ☐ Too basic ☐ Too advanced
2. Please rate this conference in the following categories on a scale of 1-5 (with 5 being best)

Presenters	Presentations	Materials	Practical Information	Topics

___ I attended 2012 Special Needs Trusts (Friday, October 19, 2012)

1. Overall, I feel this program was: ☐ Correct level for me ☐ Too basic ☐ Too advanced
2. Please rate this conference in the following categories on a scale of 1-5 (with 5 being best)

Presenters	Presentations	Materials	Practical Information	Topics

My purpose in attending the conference was:
☐ CLE Credit ☐ Education in area of practice ☐ Expanded practice to new area

What other session topics and/or potential speakers are of specific interest to you for future conferences? _____
_____
_____

How did you learn about this program?
☐ Email ☐ Colleague ☐ Another Stetson Program ☐ Brochure ☐ Ad

Other comments or suggestions: _____
_____
_____
_____

We appreciate your time in filling out this evaluation sheet and will look forward to your attendance next year!

PLEASE TEAR OUT AND RETURN TO REGISTRATION DESK - THANK YOU!

Conference Details

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

Beach House Suites
3860 Gulf Blvd., St. Pete Beach, Florida 33706
Phone (866) 728-2206

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 if there are rooms available. Check-out time is 11 a.m. You must check out prior to leaving for the day's session unless you have made other arrangements with the hotel directly.

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

Transportation to and from airports: 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 to the hotel averages $65 –$70. Bats Taxi Company is offering a discounted rate to all Special Needs Trusts attendees. You can also reserve transportation by calling Bats Taxi at (727) 367-3702 and use code SNT2012 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 at the registration desk. 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: The registration desk will be open at Buena Vista, fifth level, during the following times for sign-in and materials pick up:

Tuesday, Oct. 16	4:00 p.m.–9:00 p.m.
Wednesday, Oct. 17	7:30 a.m.–6:00 p.m.
Thursday, Oct. 18	7:30 a.m.–6:00 p.m.
Friday, Oct. 19	7:30 a.m.–5:00 p.m.

Badges: Please wear your name badge to all sessions. All badges will be at the registration desk when you register.

Materials: Conference materials will be distributed on a flash drive to all attendees, unless you ordered a binder with your registration. Materials will also be available online, so you may access them on your laptops or tablets during the conference.

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 Buena Vista.

Internet Access: The following rooms at the hotel will have wireless internet access: Grand Ballroom, King Charles, Del Prado, Buena Vista, North Terrace and South Terrace. Please choose the wireless network labeled "Swank."

Evaluations: We appreciate your feedback! Please complete the evaluation form on page 13 and submit at the end of the conference. An overall conference evaluation e-mail will be sent to you shortly after the conference. Your suggestions are used to plan future conferences and much appreciated.

CLE Information: To receive CLE credit, it is **mandatory** for each attendee to sign-in at the registration desk each day. 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 by the Director of Conferences and Events before you leave the conference.

Advisory and Release: Stetson University College of Law reserves the right to use, publish, display, distribute, sell, and/or reproduce in any manner video/recorded voice/photographs, including the right to edit or use a portion of such video/recorded voice/photographs for educational purposes and/or Stetson University College of Law marketing.

Sponsor and Exhibitor Drawing Card: We have placed cards in your registration packet. Please have 18 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 2013 Special Needs Trusts National Conference.

Sponsor and Exhibitor Schedule, *King Charles (Fifth Level)*

Wednesday, October 17

Continental Breakfast	7:30 a.m.–9:30 a.m.
Exhibit Hall Open	7:30 a.m.–6:00 p.m.
Break	10:40 a.m.–11:00 a.m.
Lunch	12:00 p.m.–1:00 p.m.
Break	3:00 p.m.–3:20 p.m.
Reception	5:00 p.m.–6:00 p.m.

Thursday, October 18

Continental Breakfast	7:30 a.m.–8:30 a.m.
Exhibit Hall Open	7:30 a.m.–6:00 p.m.
Break	10:05 a.m.–10:30 a.m.
Networking Lunch	12:15 p.m.–1:30 p.m.
Break	2:30 p.m.– 2:50 p.m.
Reception	5:00 p.m.–6:00 p.m.

Friday, October 19

Continental Breakfast	7:30 a.m.–8:15 a.m.
Exhibit Hall Open	7:30 a.m.–5:00 p.m.
Break	10:20 a.m.–10:45 a.m.
Networking Lunch	12:30 p.m.–1:30 p.m.
Break	2:20 p.m.–2:45 p.m.
Break	3:35 p.m.–4:00 p.m.

About Stetson Law: Stetson University College of Law, Florida's first law school, has educated lawyers for more than 110 years. The law school is located in the Gulfport/St. Petersburg area with a satellite campus near downtown Tampa. Stetson University's historic campus, founded in 1883 in DeLand, is home to the College of Arts and Sciences, School of Business Administration and School of Music, and has a satellite center in Celebration offering advanced degrees.

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October 16–18, 2013
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October 16, 2013
Pre-Conferences

October 17, 2013
Basics of Special Needs Trusts

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