

## Are you prepared to confidently advise your next trust/estate litigation client?

- Learn about proposed changes to Washington trust law
- Review broad and sweeping amendments to the Slayer Statute and what triggers disinheritance financially exploitive abusers
- Gain a better understanding of absentee probates (including the continuum from missing person to deceased) and issues associated with omitted spouses (including characterizing property rights in multi-jurisdictional marriages)
- Explore typical remedies, remedies unique to trusts and estates disputes, and remedies that are really pipe-dreams
- Gain tips that can be used by litigators when mediating disputes with opening positions that seem light-years apart

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FINAL NOTICE

Be prepared to handle critical/complicated issues that may arise prior to and during trust and estate litigation.

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Co-sponsored by the WSBA Real Property,  
Probate and Trust Section

## THE 7TH ANNUAL TRUST AND ESTATE LITIGATION SEMINAR



Keep current on strategies for and developments in trust and estate litigation.

**Friday, March 12, 2010**

**Red Lion Hotel on Fifth Avenue**

Emerald II Ballroom

1415 Fifth Avenue

Seattle, Washington

ESTATE PLANNING | Basic and Intermediate

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# THE 7TH ANNUAL TRUST AND ESTATE LITIGATION SEMINAR

## MORNING

**7:00 a.m. Check-in • Walk-in Registrations • Distribution of Course Materials • Coffee and Pastry Service**

**7:55 a.m. Welcome and Introductions by Program Co-Chairs**

Gail E. Mautner — Lane Powell PC, Seattle  
Karolyn A. Hicks — Stokes Lawrence PS, Seattle

**8:00 a.m. The Origins of TEDRA Litigation: Challenging Issues, Conflicts and Controversies**

- Absentee Probates: The continuum from missing person to deceased
- Imported Status: The effect of Canadian common law marriages, civil unions and other committed partnerships recognized outside Washington on a Washington probate
- Omitted Spouses: Characterizing property rights in multi-jurisdictional marriages
- Trust Situs: When did my trust move? Or did it?
- Procedural Rules: TEDRA vs probate procedures
- Notice Requirements: Giving notice to minors and foreign persons and other practical issues

Darcy L.R. Boddy — Lasher Holzapfel Sperry & Ebberson, PLLC Seattle  
George S. Holzapfel — Lasher Holzapfel Sperry Ebberson, PLLC Seattle

**8:45 a.m. Mediating Damages**

- Overview of typical remedies, remedies unique to trusts and estates disputes, and remedies that are really pipe-dreams
- Defense strategies for dealing with unreasonable (and reasonable) damage demands
- Tips for litigators when mediating disputes with opening positions that seem light-years apart
- A seasoned mediator's perspective on how to break through impasse and unrealistic expectations

Gail E. Mautner — Lane Powell PC, Seattle  
Karolyn A. Hicks — Stokes Lawrence PS, Seattle  
Judge Terry Lukens (ret.) — JAMS, Seattle

**9:45 a.m. Break**

**10:00 a.m. Ethical Considerations in Estate Administration**

An overview of ethical issues commonly faced in the probate/trust administration context, including:

- Conflicts of interest
- Diminished capacity
- Confidentiality

Akane R. Suzuki — Garvey Schubert Barer

**11:00 a.m. Tax Consequences of TEDRA Settlements**

- New final regulations on estate tax deductions for claims
- How post-death events can affect the deductibility of claims
- How settlements can affect the marital and charitable estate tax deductions
- How settlements can result in taxable gifts
- How trust modifications can cause loss of exempt status for grandfathered generation skipping trusts

Filmore E. Rose — Lane Powell PC, Seattle

**11:45 a.m. Lunch on Your Own**

## AFTERNOON

**1:00 p.m. Trustee Fiduciary Duties From the Perspective of an Independent Trustee**

- Role and responsibilities of trustees of personal trusts
- Understanding fiduciary duties
- Practical guidance for trust administration

Elaine P. Adams — Weyburn Trust, Mercer Island

**1:45 p.m. Proposed changes to Washington Trust Law**

- New provisions regarding trust situs
- Clarification of required notices to beneficiaries and other trustee duties
- Changes to statutes of limitation
- New planning opportunities

Karen E. Boxx — Associate Professor, University of Washington School of Law, Seattle

**2:30 p.m. Break**

**2:45 p.m. Broad and Sweeping Amendments to the Slayer Statute**

- Disinheriting financially exploitive abusers
- Protecting vulnerable adults or punishing sloppy caregivers
- Upping the ante in estate disputes

Scott A.W. Johnson — Stokes Lawrence PS, Seattle

**3:30 p.m. Annual Case Law and Legislative Updates**

- Recent cases
- Statutory changes

Deborah J. Phillips — Perkins Coie LLP, Seattle

**4:30 p.m. Complete Evaluation Forms • Adjourn**

## Mark Your Calendar

**2010 Real Property, Probate and Trust Section Midyear**

Vancouver, WA • June 4 - 6, 2010

**The 5th Annual WSBA Solo and Small Firm Conference**

Vancouver, WA • July 15 - 17, 2010

## SEMINAR REGISTRATION

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_

WSBA No. \_\_\_\_\_ Firm / Company Name \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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Phone Fax E-mail

We encourage early registration. On-site registration is on a space-available basis. Coursebook included with price of tuition.

I wish to register for the following seminar:

- 7th Annual Trust and Estate Litigation Seminar #10498SEA, 3/12/10, Seattle** • \$225 Tuition

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If special accommodations are needed, please contact Heather Balch at 206-727-8211 or toll-free at 1-800-945-WSBA, email: [heatherb@wsba.org](mailto:heatherb@wsba.org)

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