

TRUSTS AND
ESTATES

CALIFORNIA
LAWYERS
ASSOCIATION

CALIFORNIA LAWYERS ASSOCIATION
TRUSTS AND ESTATES SECTION

EARN 7.50 HOURS
OF MCLE CREDIT
INCLUDES LEGAL SPECIALIZATION



THIRD ANNUAL FINANCIAL ELDER ABUSE SYMPOSIUM

FRIDAY, MARCH 20, 2020

McGeorge School of Law

3200 5th Avenue

Sacramento, CA 95817

Register Online: CALAWYERS.ORG/TRUSTS

PROGRAM SCHEDULE

REGISTRATION

8:00 a.m. – 5:30 p.m.

CONTINENTAL BREAKFAST

8:00 a.m. – 8:30 a.m.

OVERVIEW OF FINANCIAL ELDER ABUSE: DETECTING UNDUE INFLUENCE AND POTENTIAL ABUSE, AND THE INVESTIGATION OF FINANCIAL ELDER ABUSE OF SENIORS

8:30 a.m. – 10:00 a.m.

This panel will define financial exploitation and abuse, and address indicators of financial abuse, the investigation of frequently reported financial abuse allegations, the roles of district attorneys, civil litigators, and victim advocates. Also included, the approach of financial institutions to detecting, handling and reporting suspected financial elder abuse of seniors.

Aaron Cadore, Adult Protective Services, Sacramento

Courtney Linn, Esq., General Counsel, Golden One Credit Union, Sacramento

Prescott Cole, Esq., Senior Staff Attorney, California Advocates for Nursing Home Reform, San Francisco

BREAK

10:00 a.m. – 10:10 a.m.

DELUSIONS' IMPACT ON TESTAMENTARY CAPACITY & SUSCEPTIBILITY TO UNDUE INFLUENCE

10:10 a.m. – 11:40 a.m.

This panel will cover the impact of delusions on testamentary capacity and susceptibility to undue influence, reviewing relevant statutes and case law from the perspective of the planner, physician, litigator and judicial officer.

Honorable Reva G. Goetz (Ret.), Los Angeles County Superior Court, Alternate Resolution Centers (ARC)

James E. Spar, M.D., Professor Emeritus, Department of Psychiatry and Bio-behavioral Sciences, UCLA David Geffen School of Medicine

Mary K. deLeo, Esq., Weintraub Tobin, Sacramento

Christopher D. Carico, Esq., Carico Macdonald Kil & Benz, El Segundo

LUNCH

11:40 a.m. – 12:30 p.m.

IN DEFENSE OF CONSERVATORSHIP LAW AND THE VALUE OF PROTECTIVE PROCEEDINGS

12:30 p.m. – 2:00 p.m.

This panel will focus on certain current public misconceptions about conservatorship law and related criticisms, answers to those concerns focused on the purpose of the law and how it can in many cases provide a critical safety net for elders in need of assistance for their welfare. The panelists intend to discuss practical advantages associated with judicial oversight focused on ensuring often vulnerable seniors are protected. Specifically, they will discuss how conservatorships can ensure those around conservatees are in fact providing agreed upon care and or in preventing elder abuse. The panelists will also discuss the revision of the Judicial Council's Capacity Declaration form. Finally, the panelists will discuss recently enacted conservatorship legislation.

Honorable David J. Cowan, Los Angeles County Superior Court

Honorable Jayne C. Lee, San Joaquin County Superior Court

BREAK

2:00 p.m. – 2:15 p.m.

LITIGATION TOOLS: THE NUTS AND BOLTS OF A CIVIL FINANCIAL ELDER ABUSE CLAIM

2:15 p.m. – 5:30 p.m. (includes a 15 minute intermission)

This panel will provide a comprehensive overview of the litigation process including: Pleadings (Standing, Statue of limitations, Where to file (civil v. probate, jury v. bench), Immediate relief (TROs), Responses (demurrers, motions to strike, evidentiary hearing on TRO) and affirmative defenses), Discovery (3rd Party subpoenas, Written discovery, Depositions (party and non-party lay witnesses), Expert Retention and Disclosure (reports and depositions)), Mediation/MSJ (Proper case and client preparation, Brief, Settlement Agreement), Trial (Pretrial motions, Motions in limine, Opening, Witnesses, Exhibits, Use of technology as evidence, Closing), Statement of Decision, Judgment, and Appeal.

Honorable David J. Cowan, Los Angeles County Superior Court

Daniel I. Spector, Esq., Law Office of Daniel I. Spector, Sacramento

Ciaran A. O'Sullivan, Esq., Law Office of Ciaran O'Sullivan, San Francisco

Nicholas Van Brunt, Esq., Sheppard Mullin Richter & Hampton LLP, Los Angeles

Erin A. Norcia, Esq., Temmerman, Cilley & Kohlmann, LLP, Danville

REGISTRATION INFORMATION

CANCELLATIONS & REFUNDS:

Cancellations and requests for refunds must be received in writing no later than Friday, March 13, 2020 and are subject to a \$50 service charge. Refunds will not be available after March 13, 2020.

ON-SITE REGISTRATION:

On-site registration will be on a space-available-basis. Call 916-516-1757 to confirm space availability. Registration fees will not vary between pre-registrations and on-site registrations.

PROGRAM MATERIALS:

Registrants will receive a USB storage device with an electronic version of all program materials the day of the conference. Before the conference, registrants will receive a link with information on how to review and download the program materials. It may be helpful to review a program's reference material before the conference. This website is not available to the public, and access is given only to conference registrants. Late-breaking supplemental materials not available before the conference will be added to the website at a later date.

SPECIAL ASSISTANCE:

For special assistance please call 916-516-1755.

QUESTIONS:

For registration information please call 916-516-1757. For information regarding the program or the Trusts and Estates Section please call 916-516-1755.

SAVE THE DATE

Trusts and Estates Spring 2020 Program

JUNE 5, 2020 | LOS ANGELES, CA



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Friday, March 20, 2020 • McGeorge School of Law

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

(Required for email confirmation)

Check here if you do not want your information released.

This event may be recorded. By attending this event, you consent to be photographed, filmed, and/or otherwise recorded, and to any use, by the CLA, of your likeness, voice, and name in any and all media including social media. If you do not want your name or photo to be used, please let us know in advance. We cannot, however, honor requests to opt out of the use of your image or voice if you choose to ask a question during one of the event sessions.

Emergency Contact Information

Name: _____

Phone Number: _____

Program package includes 7.50 hours of MCLE credit, 7.50 hours of Estate Planning, Trust, and Probate Law Legal Specialization credit, program materials on a USB drive, continental breakfast and lunch.

REGISTRATION FEES (check the appropriate circle)

- \$315 Current Trusts and Estates Section Members
 \$410 Non-Section Members (Includes enrollment in the Trusts and Estates Section)
 \$215 CYLA Members and Students (Non-Attorney)

AMOUNT ENCLOSED OR TO BE CHARGED

\$ _____

CHECKS TO BE MADE PAYABLE TO CALIFORNIA LAWYERS ASSOCIATION

REGISTRATION INFORMATION

DEADLINE: In order to pre-register, your form and check, payable to California Lawyers Association, or credit card information, must be received no later than Friday, March 13, 2020.

REGISTER ONLINE: CALAWYERS.ORG/TRUSTS

MAIL TO: Program Registrations, California Lawyers Association
400 Capitol Mall, Suite 650, Sacramento, CA 95814

EMAIL TO: ProgramRegistrations@calawyers.org

CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I authorize California Lawyers Association to charge my program registration fees to my Visa/MasterCard account below (**no other credit card will be accepted**).

Account Number: _____

(VISA or MasterCard Only)

Expiration Date: _____

Cardholder's Name: _____

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The California Lawyers Association is an approved State Bar of California MCLE provider.

Register Online CALAWYERS.ORG/TRUSTS

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Trusts and Estates Section
400 Capitol Mall, Suite 650
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