



SEPTEMBER 15, 2022 | PLYMOUTH

7TH ANNUAL

Elder Law Institute

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Agenda

CLE: 5.5 LEVEL: Basic/Intermediate/Advanced

PROBATE & ESTATE PLANNING
CERTIFICATE PROGRAM ELECTIVE

THURSDAY, SEPTEMBER 15, 2022

- 8:00am Registration, Continental Breakfast, and Vendor Showcase
- 8:00am Breakfast Roundtable: Networking and Marketing (Preregistration Required—Limit 50)
- 9:00am Welcome and Introduction
- 9:10am Practicing Elder Law in the 21st Century
- 10:30am Networking Break
- 10:45am Elder Law Caselaw and Statute Update
- 11:45am Networking Lunch

Core Concepts Track

- 1:00pm Balanced Approach to Preplanning*
- 1:55pm DD Guardianship and Alternatives*

Litigation Track

- Litigation Overview*
- Appeal an Unfavorable MDHHS Hearing Decision to Circuit Court*

- 2:45pm Exhibit Hall Showcase and Midday Reception

Core Concepts Track

- 3:15pm Government Benefits Survey*

Litigation Track

- Handle Contested Guardianships and Conservatorships*

- 4:10pm Medicaid Update
- 4:40pm Elder Law Town Hall

*MP3 download available to all registrants after the seminar.

Can't-Miss Sessions

Elder Law Caselaw and Statute Update

Past attendees rave about this session: “Excellent format.” “Great summaries.” Prepare to be entertained by Chris Smith and Susan Chalgian with this practical overview of changes in Michigan and around the country.

Practicing Elder Law in the 21st Century

Eliminate the uncertainty. What does a modern-day elder law practice look like? What will it look like going forward? National speaker Robert Fleming gives you advice on everything from remote signings to new types of client assets.

Featured Speakers



Christopher W. Smith
Chalgian & Tripp Law Offices
Southfield



Robert B. Fleming
Fleming & Curti PLC
Tucson, AZ

Serve the Expanding Needs of Your Clients Confidently

Michigan's most practical elder law event is now a one-day, in-person event.

Don't miss the ever-popular caselaw and statute update from Chris Smith and Susan Chalgian. Get timely guidance from national speaker Robert Fleming on how to modernize your practice and stay current regarding remote client meetings, digital signings, and more. And take away the latest insights on guardianships and conservatorships.

Nowhere else will you get so many sessions perfectly tailored to your experience.

Ideal for Estate Planners and Newer Elder Law Lawyers

- Get grounded in government benefits and various types of guardianships
- Use best practices for litigation in probate court in the age of Zoom
- Advise clients on the latest in Medicaid regulations and laws
- Successfully apply alternative approaches to preplanning

Ideal for Experienced Elder Law Lawyers

- Get the latest on Medicaid, from MI Choice Waiver to PACE
- Stay current on essential litigation, plus legislative regulatory developments
- Properly represent clients in contested guardianships and conservatorships
- Successfully appeal adverse MDHHS hearing decisions to circuit court

Don't Miss These Featured Speakers



Susan L. Chalgian

Chalgian & Tripp Law Offices, East Lansing

Susan is vice president of the Women Lawyers Association of Michigan and a council member of the Elder Law and Disability Rights Section. She joins Chris Smith for the always popular "Caselaw and Statute Update," which gives you a practical overview and keeps you on top of the latest developments.



Brian R. Jenney

Kemp Klein Law Firm, Troy

Brian has 22 years of experience and has been named among the top 5 percent of elder law practitioners by Michigan Super Lawyers. He joins Judge Sara Schimke to help you discern alternatives to developmentally disabled guardianships.

Schedule

Plenary Sessions

8:00am

Registration, Continental Breakfast, and Vendor Showcase

8:00am

Breakfast Roundtable: Networking and Marketing

Sit down with leaders in elder law practice to learn how they rose to the top of their field. Share your experiences, get your questions answered, and network with colleagues. Get new ideas on how to promote yourself and your practice. (Preregistration Required—Limit 50)

9:00am

Welcome and Introduction

Amy Rombyer Tripp, Chalgian & Tripp Law Offices, *Jackson*

9:10am

Practicing Elder Law in the 21st Century

It's not your parents' elder law practice anymore. Remote client meetings, remote and digital signing alternatives, new types of client assets (NFTs, anyone?), and taxation schemes in constant flux all make for turmoil and uncertainty in the elder law practice. Get a handle on various planning considerations, address ethical challenges, and develop some practice choices. They just might hold up for a significant part of the 21st century.

Robert B. Fleming, Fleming & Curti PLC, *Tucson, AZ*

10:30am

Networking Break



Hon. Shauna L. Dunning

Ingham County Probate Court, *Lansing*

Judge Dunning was elected to the court in 2018, having previously spent 15 years in a variety of roles within the 30th and 56th Circuit Courts. She was also in private practice for 13 years. She joins lawyer Laura Morris to share tips on how to successfully prepare for remote litigation in the age of Zoom.

10:45am

Elder Law Caselaw and Statute Update

Stay ahead of the curve with this practical overview of recent caselaw and statutory changes in Michigan and around the country. By focusing on examples that will have the biggest impact on elder and special needs practitioners, you will be able to apply recent changes in the law to advance your clients' interests and avoid possible pitfalls.

Susan L. Chalgian, Chalgian & Tripp Law Offices, *East Lansing*; Christopher W. Smith, Chalgian & Tripp Law Offices, *Southfield*

11:45am

Networking Lunch

2:45pm

Exhibit Hall Showcase and Midday Reception

4:10pm

Medicaid Update

Review the 2022 Medicaid/Medicare numbers and recent changes and practices in the area of long-term care Medicaid planning, including MI Choice Waiver and PACE.

Robert D. Mannor, Chair, Elder Law & Disability Rights Section of the State Bar of Michigan, Mannor Law Group PLLC, *Grand Blanc*; Kelly J. McNerney Quardokus, Q Elderlaw PLC, *Portage*

4:40pm

Elder Law Town Hall

Select faculty members lead an interactive discussion of new developments, national and local trends, and up-to-the-minute planning strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Kathleen Hogan Aguilar, Rhoades McKee PC, *Grand Rapids*; Robert B. Fleming, Fleming & Curti PLC, *Tucson, AZ*; Gregory R. Kish, Kish Dykstra & Scott PC, *Traverse City*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices, *Jackson*



David L. Shaltz

Chalgian & Tripp Law Offices, *East Lansing*

David has 44 years of experience and is of counsel to the firm. He is a sought-after trainer on elder law topics for community groups, nonprofit organizations, and others. He gives you practical tips for appealing adverse MDHHS hearing decisions to circuit court.

Moderators**Litigation Track**

Melisa M. W. Mysliwiec
Fraser Trebilcock
Grand Rapids

**Core Concepts Track**

Terrence G. Quinn
The TGQ Law Firm
Ann Arbor

**Plenary Sessions**

Amy Rombyer Tripp
Chalgian & Tripp Law Offices
Jackson

Core Concepts Track

1:00pm

Balanced Approach to Preplanning

Explore a range of legal and nonlegal advocacy options to consider, using vignettes of common quality of care issues that come up with clients. Examine traditional legal routes, as well as alternative approaches that can be just as successful.

Rosemary Howley Buhl, Buhl Little Lynwood & Harris PLC, *East Lansing*;
Charles S. Ofstein, DeMent & Marquardt PLC, *Kalamazoo*

1:55pm

DD Guardianship and Alternatives

Find out about the differences between developmentally disabled guardianships and legally incapacitated individual guardianships. Discern alternatives to developmentally disabled guardianships and the procedural requirements unique to the Mental Health Code. Explore the interplay of guardianship and supportive decision-making.

Brian R. Jenney, Kemp Klein Law Firm, *Troy*; Hon. Sara A. Schimke, Macomb County Probate Court, *Mount Clemens*

3:15pm

Government Benefits Survey

Get oriented to the most commonly encountered government benefits available to your disabled or older clients, including Medicaid, Social Security Retirement Survivor and Disability Insurance, Supplemental Security Income, Medicare, and Veterans Pension benefits. This session will help you identify and understand the basics of these programs and how they fit into a client's overall situation.

Gregory R. Kish, Kish Dykstra & Scott PC, *Traverse City*

Litigation Track

1:00pm

Litigation Overview

Get tips on successfully preparing for and litigating in probate court in the age of Zoom. Navigate some of the most challenging and frustrating aspects of remote litigation. Gain best practices for success from an experienced probate judge and a probate litigator who have seen it all since the pandemic began.

Hon. Shauna L. Dunning, Ingham County Probate Court, *Lansing*;
Laura E. Morris, Warner Norcross + Judd, *Grand Rapids*

1:55pm

Appeal an Unfavorable MDHHS Hearing Decision to Circuit Court

Learn the factors that affect whether an appeal to circuit court is a reasonable option for your client. Use a checklist as your road map for satisfying all the court rule requirements for appeals of adverse MDHHS hearing decisions. Anticipate opposing counsel's arguments and respond confidently. Get practical tips on how to plan and prepare your briefs and oral argument in these appeals and secure the relief your client needs.

David L. Shaltz, Chalgian & Tripp Law Offices, *East Lansing*

3:15pm

Handle Contested Guardianships and Conservatorships

How can an adult lose control of their lives, their personal welfare, their assets? What happens when the Petition for Appointment is challenged? What are the rights of the person who is the subject of the petition? What evidence is critical to help the court decide? What is losing the battle but winning the war and vice versa? What happens when the presumption shifts?

Sanford J. Mall, Mall Malisow & Cooney PC, *Farmington Hills*

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“ I think the information is really practical. I think it's useful in day-to-day service of clients. ”

- Gregory R. Kish, Kish Dykstra & Scott PC, *Traverse City*

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The Inn at St. John's, Plymouth



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B. Institute Registration | Pick One

- ☐ \$345 General
- ☐ \$295 ICLE Partner
- ☐ \$195 New Lawyer (0–3 Years in Practice P83300+)
- ☐ \$195 Paralegal
- ☐ \$265 per Registrant (4+ Registrants from the Same Firm)¹

Special Registration

- ☐ FREE Judges (Limit 40)²

22CI-2632

C. Networking Event | Optional

- ☐ FREE Breakfast Roundtable: Networking and Marketing
8:00am (Preregistration Required—Limit 50)

D. Materials Format for Institute Registrants | Pick One

- ☐ FREE Electronic Materials
- ☐ \$35 Print Handbook³ and Electronic Materials

E. Can't Attend the Institute?

Non-Registrants—Purchase the Electronic Materials

- ☐ \$195 Non-ICLE Partners
- ☐ \$136.50 ICLE Partners

F. Payment Info

Institute Registration (Box B) \$ _____

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Prices guaranteed until 09/15/22. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. ²Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. ³Limit one print handbook purchase per registrant. Print handbooks are nonrefundable after the event cancellation date. **Complete Seminar Policies:** www.icle.org/info/seminarpolicies. **Cancellation Policy:** For a full refund, notify ICLE by 09/01/22. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 09/08/22. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar.

Accommodations: A block of rooms has been reserved at The Inn at St. John's, Plymouth, under ICLE's Elder Law Institute for 09/14/22. Please call 734-414-0600 to reserve a room. Reservations must be made by 08/31/22. Registrants are responsible for their own hotel expenses.