



Section Chair
JulieAnn Calareso, Esq.
Burke & Casserly, P.C.
Albany

Program Co-Chairs
Tammy R. Lawlor, Esq.
Miller & Milone, P.C.
Garden City

Ronald A. Fatoullah, Esq.
Ronald Fatoullah & Associates
Great Neck

NYSBA

Elder Law and Special Needs Section Summer Meeting

The Hyatt Regency
Goat Island, Newport, Rhode Island

July 16-18, 2015

The New York State Bar Association's Meetings Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. The summer meeting has been approved for up to **13.5 MCLE credit hours; 12.5 credits in Areas of Professional Practice and 1.0 in Ethics.** The "basic" sessions* of the program are transitional and suitable for MCLE credit for newly-admitted attorneys. A total of 4.0 MCLE credit hours are transitional: 3.0 credits in Professional Practice and 1.0 credit in Ethics.



SCHEDULE OF EVENTS

See the best of the city by the sea and experience everything Newport has to offer at Hyatt Regency Newport Hotel & Spa. Situated in downtown Newport and surrounded by Narragansett Bay, the hotel offers the seclusion of a private island, just minutes away from it all.

Thursday, July 16

- 9:00 a.m. – 6:00 p.m. **Registration and Exhibitors**
Favors sponsored by RDM Financial Group, Inc.
- 9:00 – 10:30 a.m. **Executive Officers' Meeting**
- 10:30 – 1:00 p.m. **Executive Committee Meeting**
- 1:00 – 6:00 p.m. **GENERAL SESSION**
- 1:00 – 1:15 p.m. **Welcoming Remarks**
JulieAnn Calareso, Esq., Elder Law and Special Needs Section Chair
- Program Introduction**
Tammy R. Lawlor, Esq., Program Co-Chair
- 1:15 – 2:30 p.m. ***Elder Law Update**
Speaker: **David Goldfarb, Esq.,** Goldfarb Abrandt Salzman & Kutzin LLP, New York City
- 2:30 – 3:20 p.m. ***Estate Tax Update**
Speaker: **David J. DePinto, Esq.,** DePinto Nornes and Associates, Melville
- 3:20 – 3:40 p.m. **Refreshment Break with Exhibitors**
- 3:40 – 4:30 p.m. **Contested Estates: How Did I Get Here? What Do I Do?**
Speaker: **James H. Cahill, Jr., Esq.,** Cahill & Cahill, PC, Brooklyn
- 4:30 – 6:10 p.m. **Succession Planning**
Speakers: **Michael J. Garibaldi,** Israeloff, Trattner & Co. P.C., Garden City
Ronald Fatoullah, Esq., Ronald Fatoullah & Associates, Great Neck
Ellen Makofsky, Esq., Makofsky & Associates, P.C., Garden City
- 6:30 – 10:00 p.m. **Clambake at the Waterfront Pavilion**
Join us at the Waterfront Pavilion for award winning New England Clam Chowder, steamed lobster, mussels and much more!
Enjoy music by the Calypso Hurricane Quartet sponsored by NYSARC Trust Services, Inc

Interested in learning more about the Elder Law and Special Needs Section Committees? Come and meet the Leaders at 6:30 p.m. for an informal reception at the Waterfront Pavilion. This is a great opportunity to ask questions and learn about the various committees and how you can get involved.



SCHEDULE OF EVENTS

Friday, July 17

7:00 a.m. – 12:30 p.m. **Registration and Exhibitors**

7:30 – 8:30 a.m. **Committee and District Delegate Breakfast Meetings**

7:30 – 8:30 a.m. **Friends of Bill W. Meeting**

8:00 – 9:30 a.m. **Continental Breakfast with Exhibitors**

Everyone, including spouses and guests, is invited to a continental breakfast with our exhibitors.

8:30 – 12:30 p.m. **GENERAL SESSION**

8:30 – 8:45 a.m. **Welcoming Remarks**

JulieAnn Calareso, Esq.

Section Chair

NYSBA Welcome

Claire P. Gutekunst, Esq.

President-Elect, NYSBA

Program Introduction

Ronald A. Fatoullah, Esq.

Program Co-Chair

8:45 – 9:45 a.m.

Medicare Updates Under the Affordable Care Act

Speaker:

Joseph R. Baker III, Esq., Medicare Rights Center, New York City

9:45 – 10:35 a.m.

Guardianship Breakout Sessions – *These programs will be held concurrently.*

1) * Basic: Guardianship

Speaker:

Lissett C. Ferreira, Esq., New York City

2) Advanced: Guardianship

Speaker:

Anthony J. Lamberti, Esq., Armstrong & Lamberti, PLLC, Brooklyn

10:35 – 10:50 a.m.

Refreshment Break with Exhibitors

Sponsored by NYSARC Trust Services, Inc

10:50 – 12:30 p.m.

Medicaid: New Solutions and Old Problems

Moderator:

Rene Reixach, Esq., Woods Oviatt Gilman LLP, Rochester

Panelists:

Aytan Bellin, Esq., Bellin & Associates LLC, White Plains

Valerie J. Bogart, Esq., New York Legal Assistance Group, New York City

Jeffrey Rheinhardt, Esq., Radley & Rheinhardt PC, Ilion

T. David Stapleton, Esq., Karpinski Stapleton & Tehan, PC, Auburn

1:00 – 5:00 p.m.

Hall of Fame Tennis Championships - \$55.00 per person

Transportation will depart at 1pm from the hotel lobby.

Enjoy North America's only professional grass court tournament! Enjoy the day walking the grounds, visit the brand new museum or cheer on your favorite players.

Prior registration required - Limited tickets available.

2:00 – 4:30 p.m.

Sailing Cruise of Narragansett Bay - \$60.00 per person

Charter will depart from the Goat Island Marina, a short walk from the hotel.

Sailing on a boat tour through Newport Harbor is an experience that you and your family will treasure. Aboard the 72 foot schooner, The Madeleine. Boarding starts promptly at

2:10 pm. **Prior registration required - Limited space available.**

7:00 – 8:30 p.m.

Cocktail Reception - Marble House

Marble House was built between 1888 and 1892 for Mr. and Mrs. William K. Vanderbilt. It was a summer house, or "cottage", as Newporters called them in remembrance of the modest houses of the early 19th century. But Marble House was much more; it was a social and architectural landmark that set the pace for Newport's subsequent transformation from a quiet summer colony of wooden houses to the legendary resort of opulent stone palaces.

Dinner on your own this evening. See page 7 for restaurant suggestions.

SCHEDULE OF EVENTS

Saturday, July 18

8:00 a.m. – 12:20 p.m. **Registration and Exhibitors**

7:30 – 8:30 a.m. **Friends of Bill W. Meeting**

8:00 – 9:30 a.m. **Continental Breakfast with Exhibitors**
Everyone, including spouses and guests, is invited to a continental breakfast with our exhibitors.

8:30 – 12:20 p.m. **GENERAL SESSION**

8:30 – 8:45 a.m. **Welcoming Remarks**
JulieAnn Calareso, Esq., Elder Law and Special Needs Section Chair

Program Introduction
Tammy R. Lawlor, Esq., Program Co-Chair

8:45 – 9:35 a.m. *** Who's In Charge: The Ethics of Listening, and Not Listening, To Your Client**
Daniel L. Abrams, Esq., Law Office Of Daniel L. Abrams, PLLC, New York City

9:35 – 10:25 a.m. **ROUND TABLE 1 DISCUSSIONS** – *These programs will be held concurrently.*

Guardianships
Speaker: **Anthony J. Lamberti, Esq.**

Health Care Issues
Speaker: **Tammy R. Lawlor, Esq.**

Home Care Medicaid
Speaker: **Valerie J. Bogart, Esq.**

10:25 – 10:40 a.m. **Refreshment Break with Exhibitors**

10:40 – 11:30 a.m. **ROUND TABLE 2 DISCUSSIONS** – *These programs will be held concurrently.*

Estate Planning
Speaker: **James H. Cahill, Jr., Esq.**

Guardianships
Speaker: **Lissett C. Ferreira, Esq.**

Medicaid Planning
Speaker: **Jeffrey Rheinhardt, Esq.**

11:30 – 12:20 p.m. **ROUND TABLE 3 DISCUSSIONS** – *These programs will be held concurrently.*

Estate Taxes
Speaker: **Salvatore M. DiCostanzo, Esq.**

Chronic Care Medicaid
Speaker: **Rene Reixach, Esq.**

Special Needs Planning
Speaker: **Joseph A. Greenman, Esq.**



WITH APPRECIATION TO OUR SPONSORS

Sponsor and Exhibitor Co-Chair

Jeanette Grabie
Grabie & Grabie, LLP, Smithtown

Sponsor and Exhibitor Co-Chair

Elizabeth Briand
Bleakley Platt & Schmidt, LLP

***Thursday's Entertainment and Friday's mid morning refreshment break
sponsored by NYSARC Trust Services, Inc***



Favors sponsored by RDM Financial Group, Inc.



THANK YOU TO OUR EXHIBITORS

Arthur B. Levine Company

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ABOUT NEWPORT - THINGS TO DO

Newport is an ideal place to relax and get away from it all. The town offers access to spectacular beaches and outdoor activities — while at the same time offering an impressive selection of museums, art galleries, shops, and restaurants as well as a wide array of exhibits and festivals to enjoy year round. Listed below are some additional items of interest you may want to take advantage of during your stay in Newport.

SHUTTLE SERVICE – The Hyatt Regency offers complimentary transportation to downtown Newport by hotel van or seasonal water shuttle. Orange Cab Airport Shuttle service is available from the T. F. Green Providence Airport to the Hyatt for approximately \$25.00 per person, one way. Approximate travel time is 35 minutes. Reservations may be made in advance by calling 401-841-0030 or visiting the Airport's Ground Transportation counter for more information.

AMTRAK – The closest train stations are located in West Kingston, RI (approximately 30 minutes away) and Providence, RI (approximately 40 minutes away). For train schedules and information, call 1-800-USA-RAIL. Van/car service is available to Newport, RI. Call 401-295-1100 for information and reservations (required). Pickups on first come, first serve basis. The RIPTA #64 Bus services the Kingston Train Station and downtown Newport, dropping off at the Gateway Visitors center. It does not run on Sunday. Visit: www.ripta.com/64 for schedule information.

GOLF – Newport National Golf Club, approximately 6 miles from the Hyatt Regency Hotel. The number one choice for a round of golf in Rhode Island. On their grounds you will find gorgeous wide open terrain, a strong sense of tradition and an award-winning Arthur Hills course design. They have everything you need to create the ideal day of golf. www.newportnational.com

CLIFF WALK – The famous 3.5 mile trail offers breathtaking views and great exercise. www.cliffwalk.com

NEWPORT HISTORY TOURS – Step back into Newport's golden age with the Newport Historical Society. Stroll through exquisitely preserved living neighborhoods. Hear stories of revolution and ruin, struggles for religious liberty, and remarkable entrepreneurship. Tours depart from Brick Market Museum & Shop at The Museum of Newport History, 127 Thames Street. Reservations required: 401-841-8770 www.newporthistorytours.org

TOURO SYNAGOGUE – Designed by Newport resident, Peter Harrison, for Congregation Yeshuat Israel. Construction began in 1759 and was completed in 1763. At the onset of the American Revolution when the British occupied Newport, it served as a hospital for the British military and a public assembly hall. In August 1790, three months after Rhode Island joined the United States by ratifying the Constitution, George Washington visited Newport appearing at a rally to gain support for the new Bill of Rights. As part of the welcoming ceremonies for the President, Moses Mendes Seixas, then president of Congregation Yeshuat Israel, was one of the community leaders given the honor of addressing Washington. In his letter of welcome, Seixas chose to raise the issues of religious liberties and the separation of church and state. Washington's response, quoting Seixas' thoughts, has come down to us as a key policy statement of the new government in support of First Amendment rights. 401-847-4794 www.tourosynagogue.org

MANSIONS, MANSIONS, MANSIONS! Belcourt Castle, The Breakers, Chateau-Sur-Mer, The Elms, Hammersmith Farm, Isaac Bell House, Kingscote, Marble House, Ochre Court, and Rosecliff! 401-847-1000 www.newportmansions.org

FORT ADAMS STATE PARK – An architectural masterpiece built 1824 - 1857. Enjoy a guided tour of quarters, casemates, parade field and listening tunnels. Spectacular view of Newport from observation area. Call 401-841-0707 www.fortadams.org for additional information.

THE NAVAL WAR COLLEGE MUSEUM – The Naval War College Museum invites you to visit and learn about Newport's fascinating naval heritage and the history of naval warfare. Located in a National Historical Landmark (1820) on Coasters Harbor Island. Open June to September. Open 10 A.M. to 4:30 P.M., Mondays - Fridays, and noon to 4:30 P.M. weekends. Reservations required, 401-841-4052 www.usnwc.edu/About/NWC-Museum.aspx

INTERNATIONAL TENNIS HALL OF FAME – Occupying the famous Newport Casino, designed by McKim, Mead & White, is the largest tennis museum in the world, home to rare grass courts and even rarer "court tennis" courts. Site of the first U.S. Open. Grass courts open to public for play. To check to see if grass courts are available to reserve in advance for play, call 401-846-0642. General Information: 800-457-1144 www.tennisfame.com

GREENVALE VINEYARDS – Visit the historic farm in Portsmouth, Rhode Island. Pack a picnic and bring some friends to taste the delicious wines and enjoy the breeze from the Sakonnet River. Summer hours: Daily 10am - 5pm. 401-847-3777 www.greenvale.com

NEWPORT VINEYARDS & WINERY – Enjoy award-winning wines in the relaxed, comfortable atmosphere of the winery tasting room. Located just minutes from downtown Newport. 401-845-5161 www.newportvineyards.com

DINING

Hyatt Regency Restaurants

The Windward Coastal Grille

401-851-3325

Overlooking Newport Harbor and the historic point neighborhood of Newport, the Windward Coastal Grille is the ultimate in seaside dining. Expansive windows serve as the perfect backdrop for unobstructed water views. Their culinary team uses the freshest local ingredients available. During the spring and summer months enjoy al fresco dining on their deck located directly on the water.

Pineapples on the Bay

401-851-3325

Pineapples offers unobstructed views of Narragansett Bay and unparalleled sunsets outlined by the iconic Newport Bridge. Al fresco dining at its best, enjoy the freshest seafood, locally-grown produce, salads, sandwiches, soups and regional specialties at this quintessential seaside retreat. Listen to live entertainment or wander over to our outdoor fire pit where the kids can make S'mores.

Five33 Lounge

401-851-3325

Step out on the wrap-around deck of their new, upscale lobby bar and take in panoramic views of the Newport Bridge. If you prefer to enjoy the view from indoors, you can settle into a comfortable chair in the Newport RI bar while sipping a glass of wine or an expertly mixed cocktail. Order hot and cold appetizers featuring local seafood specialties. The dramatic lobby setting is always a gracious spot to relax before enjoying Newport RI nightlife or to savor your evening out with a nightcap before retiring for the night.

The Galley - A Coffee Bar

401-851-1234

Enjoy your favorite Starbucks brew and a great selection of morning quickbreads, seasonal fruits and breakfast specialties. They offer lunch on the go with their chef's sandwich specials, snacks and sweets. You will also find a selection of post cards, matted prints of local attractions and sundries.

**FOR MORE INFORMATION ON
NEWPORT AND A
CALENDAR OF EVENTS, GO TO:**

**www.GoNewport.com
www.visitri.com**

Downtown Newport Restaurants

Bowen's Wharf and Bannisters Wharf

22 Bowen's

401-841-8884

22 Bowen's Wharf | www.22bowens.com

Diego's

401-619-2640

11 Bowen's Wharf | www.diegosnewport.com

Clarke Cooke House

401-849-2900

Bannisters Wharf | www.bannistersnewport.com

The Black Pearl

401-846-5264

Bannisters Wharf | www.blackpearlnewport.com

Fluke Wine, Bar and Kitchen

401-849-7778

41 Bowens Wharf | www.flukewinebar.com

The Wharf Pub and Raw Bar

401-619-5672

37 Bowen's Wharf | www.thewharfpubnewport.com

Sayers Wharf

The Mooring

401-847-5090

1 Sayers Wharf | www.mooringrestaurant.com

Thames Street

Brick Alley Pub

401-849-6334

140 Thames Street | www.brickalley.com

Gas Lamp Grille

401-845-9300

206 Thames Street | www.gaslampgrille.com

Red Parrot

401-847-3800

348 Thames Street | www.redparrotrestaurant.com

The Midtown Oyster Bar

401-619-4100

345 Thames Street | www.midtownoyster.com

Tallulah on Thames

401-849-2433

464 Thames Street | www.tallulahonthames.com

The White Horse Tavern

401-849-3600

26 Marlborough Street | www.whitehorsenewport.com

Broadway

The Fifth Element

401-619-2552

111 Brodway | www.thefifthri.com

Salvation Cafe

401-8472620

140 Brodway | www.salvationcafe.com

CLE Information

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Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under that policy, any member of our Association who has a genuine basis for his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to Adriana Favreau at: New York State Bar Association, One Elk Street, Albany, New York, 12207 or e-mail at afavreau@nysba.org.

Special Discounts: The Elder Law and Special Needs Section has approved a policy which allows for a 50% discount on the registration fees for all Elder Law and Special Needs Section members who practice in the public sector or as Court personnel. **This discount is not automatic and must be requested in writing as stated above under Discounts and Scholarships. Where applicable, members of the Judiciary may also register as a guest and pay the reduced guest registration fee.**

Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Kathy Heider at 518.487.5500 or kheider@nysba.org.



NEW YORK STATE BAR ASSOCIATION
MEETINGS DEPARTMENT

One Elk Street
Albany, NY 12207