

NEW YORK STATE BAR ASSOCIATION



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Law Office of Magdalen Gaynor
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Wilcenski & Pleat PLLC
Clifton Park

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Marion Hancock Fish, Esq.

Hancock Estabrook, LLP
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NYSBA

Trusts and Estates Law Section Fall Meeting

October 6-7, 2016

**Gideon Putnam Hotel
Saratoga Springs, NY**

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. Under New York's MCLE rule, this two-day program will provide up to 5 credits in Professional Practice and 1 credit in Ethics. Breakdown of credit hours per individual is dependent on choice of sessions that are attended. This program is not transitional and is not suitable for MCLE credit for newly-admitted attorneys. (attorneys admitted 2 years or less).



SCHEDULE OF EVENTS

Welcome to the Gideon Putnam Resort

Set in Saratoga Spa State Park, this spa resort hotel is a 7-minute walk from Saratoga Performing Arts Center and 7 miles from the boutique shops and restaurants of downtown Saratoga. There's a spa offering mineral baths and treatments (with free access to a relaxation room and steam room for hotel guests), plus a salon and a fitness center. Other amenities include a restaurant with a patio.

Thursday, October 6

10:30 a.m. – 5:00 p.m. **Registration and Exhibitors – Gallery**

11:00 a.m. – 2:00 p.m. **Executive Committee Luncheon Meeting – Arches**

2:00 – 5:00 p.m. **ROUND TABLE DISCUSSIONS – Conference Ballroom**

The format of the round table discussions is different from most Bar Association programs in that there is no set presentation for each round table topic. Here, participants can attend, in succession, three of the ten round tables offered. Each round table's content is predominantly dictated by the participant's issues, fact patterns, questions and comments and chaired by a host who is experienced in the specific topic area. Additionally, program participants will receive materials consisting of relevant sample documents, articles and other resources on each of the ten round table topics.

2:00 – 2:10 p.m.

Welcome

Magdalen Gaynor, Esq.
Section Chair

Marion Hancock Fish, Esq.
Roundtable Chair

ROUND TABLE TOPICS AND PRESENTERS

2:10 – 3:00 p.m.

SESSION I

3:05 – 3:55 p.m.

SESSION II

4:00 – 4:50 p.m.

SESSION III

Refreshment Break Sponsored by Orange Bank & Trust Company

Article 17A Update (1.0 Credits in Areas of Professional Practice)

Speakers:

Cora A. Alsante, Esq., Hancock Estabrook, LLP, Syracuse
Ellyn S. Kravtiz, Esq., Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara & Wolf, LLP, New York City

Speaker:

The Purpose, Perils and Pitfalls of Revocable Trusts. (1.0 Credits in Areas of Professional Practice)

Karin Sloan DeLaney, Esq., Sloan DeLaney P.C., Baldwinsville

Speaker:

Selection of Executors, Trustees, Guardians and Trust Protectors

(1.0 Credits in Areas of Professional Practice)

Christine Woodcock Dettor, Esq., Bousquet Holstein PLLC, Syracuse

Speakers:

Wrongful Death Actions (1.0 Credits in Areas of Professional Practice)

Mary C. King, Esq., Hancock Estabrook, LLP, Syracuse

Luke A. Beata, Esq., Hancock Estabrook, LLP, Syracuse

Speaker:

Digital Note-Taking and Organization (1.0 Credits in Areas of Professional Practice)

Parth Chowlera, Esq., Greenfield Stein & Senior, LLP, New York City

Speaker:

HotDocs and Templates (1.0 Credits in Areas of Professional Practice)

Gary R. Mund, Esq., New York City

SCHEDULE OF EVENTS

Thursday, October 6 (continued)

Valuation Implications of the Proposed Treasury Regulations under Section 2704

(1.0 Credits in Areas of Professional Practice)

Speakers:

Todd G. Povlich, CFA, ASA, MPI, New York City

Quincy Cotton, Esq., Roberts & Holland LLP, New York City

New York and Federal Transfer Tax Update *(1.0 Credits in Areas of Professional Practice)*

Speakers:

Nancy Klotz, Esq., Tompkins Trust Company, Pittsford

Anthony T. Selvaggio, Esq., The Cicero Law Firm LLP, Rochester

Engagement Letters and Attorneys Fees in SNT Planning and Administration

(1.0 Credits in Ethics)

Speaker:

Ian W. MacLean, Esq., MacLean Law Firm, P.C., New York City

6:00 – 7:00 p.m.

Cocktail Reception - Saratoga Automobile Museum

7:00 – 10:00 p.m.

Dinner – Saratoga Automobile Museum

The Saratoga Automobile Museum is located in the Saratoga Spa State Park in Saratoga Springs, New York. Housed in a former bottling plant built in 1935, the Saratoga Automobile Museum is a non-profit educational institution focusing on the impact of the automobile in the past, present and future in New York and the wider world. Its curator is Ken Gross.

It is a short walk from the Gideon Putnam Hotel to the museum. Come and enjoy dinner with your colleagues at this interesting venue.

Friday, October 7

WHAT EVERY TRUSTS AND ESTATES ATTORNEY NEEDS TO KNOW ABOUT SPECIAL NEEDS PLANNING

8:00 a.m. – 11:50 p.m. **Registration and Exhibitors – Gallery**

8:50 a.m. – 11:50 p.m. **GENERAL SESSION – Hawthorne Coesa**

8:50 – 9:00 a.m. **Program Introduction**
Tara Anne Pleat, Esq., Program Chair

9:00 – 9:50 a.m. **Planning for the Client with Special Needs** *(1.0 Credits in Areas of Professional Practice)*
Presentation of a case study advising the parents of two children, one with special needs and on the autism spectrum. Topics will include: What benefits are available? Do the parents need to become Guardian? Should the parents set up a Special Needs Trust (SNT)? How should it be drafted: testamentary, irrevocable or revocable trust? How and when should it be funded? Who should be the Trustee?

Speakers:

Robert M. Freedman, Esq.
Schiff Hardin LLP, New York City

Frances M. Pantaleo, Esq.
Bleakley Platt & Schmidt LLP, White Plains

9:50 – 10:40 a.m.

Self Settled First Party Supplemental Needs Trusts *(1.0 Credits in Areas of Professional Practice)*
How to establish and fund the SNT; Administering the Supplemental Needs Trust: case management; distribution and expenditures; accountings. When is prior DSS or court approval advisable or required? Fiduciary liability considerations.

Speakers:

Tara Anne Pleat, Esq.
Wilcenski & Pleat PLLC, Clifton Park

Lisa Walbridge, Vice President & Trust Officer
Saratoga National Bank & Trust Company

Edward V. Wilcenski, Esq.
Wilcenski & Pleat PLLC, Clifton Park

SCHEDULE OF EVENTS

Friday, October 7 (continued)

- 10:40 – 11:00 a.m. **Refreshment Break with Exhibitors – Gallery**
Sponsored by NYSARC, Inc. Trust Services
- 11:00 – 11:50 a.m. **Selected Supplemental Needs Trusts Issues** (1.0 Credits in Areas of Professional Practice)
Pooled Income Trusts; Corporate Trustees; Labor Law and Liability issues regarding hiring of care managers, aides and attendants.
- Speakers:*
- | | |
|--|---|
| Robert M. Freedman, Esq.
Schiff Hardin LLP, New York City | Frances M. Pantaleo, Esq.
Bleakley Platt & Schmidt LLP, White Plains |
| Tara Anne Pleat, Esq.
Wilcenski & Pleat PLLC, Clifton Park | Lisa Walbridge, Vice President & Trust Officer
Saratoga National Bank & Trust Company |
- 12:00 – 12:30 p.m. **Reception with Exhibitors – Gallery**
Sponsored by FMV Opinions, Inc.
- 12:30 – 2:30 p.m. **Committee Luncheon Meetings - Orenda Geyser**
The section committees will be meeting during a buffet luncheon. We encourage our members to join and participate in the variety of committees. This is a great opportunity to ask questions and learn about the various committees and how you can get involved.

CLE Information

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Discounts and Scholarships:

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, **not later than ten working days** prior to the start of program, explaining the basis of his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Lori Nicoll, New York State Bar Association, One Elk Street, Albany, New York 12207. 518.487.5563 or Inicoll@nysba.org.

Special Discounts:

Attorneys admitted for less than 10 years are entitled to receive a \$50.00 discount by joining the Young Lawyers or Trusts and Estates Law Sections. Already a YLS member? The \$50.00 discount will be applied to your 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 Lori Nicoll at 518.487.5563 or Inicoll@nysba.org.

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RDM Financial Group

The Center for Special Needs Trust Administration

The Lackner Group

THINGS TO DO IN SARATOGA SPRINGS

National Museum of Dance & Hall of Fame

99 South Broadway, 518.584.2225. Only museum in the country devoted to American Professional Dance. www.dancemuseum.org

National Museum of Racing & Hall of Fame

Union Avenue, 518.584.0400. Trace the history and adventure of the Thoroughbred from 17th & 18th century racing in New York to the present day scene! www.racingmuseum.org

Roosevelt Baths and Spa

37-39 Roosevelt Drive, 518.226.4790. Stroll across the park from the Gideon Putnam to the spa to enjoy the luxury of Saratoga's naturally effervescent waters, with soothing baths and wonderfully relaxing spa treatments. Open 9 am to 7 pm. Appointments are recommended. Please call 800.452.7275 ext. 4. www.gideonputnam.com

Saratoga Automobile Museum

110 Avenue of the Pines, Saratoga Spa State Park, 518.587.1935. Located in a historic bottling plant, The Saratoga Automobile Museum preserves, interprets and exhibits automobiles and automotive artifacts. The museum offers education to the general public, students and enthusiasts regarding the role of the automobile in the past, present, and future. www.saratogaautomuseum.org

Saratoga Battlefield National Historical Park

648 Route 32, Stillwater, 518.664.9821 ext. 224. In the autumn of 1777 American forces met, defeated and forced a major British army to surrender. The Battle of Saratoga was a crucial American victory that renewed patriots' hopes for independence and secured essential foreign recognition and support. www.nps.gov/sara

Saratoga Spa Golf Course

60 Roosevelt Drive, 518.584.2006. Saratoga Spa Golf is located just south of historic Saratoga Springs, NY. Set in a pine forest, and surrounded by the natural and historic beauty of Saratoga Spa State Park, 'SPA GOLF' is comprised of an 18-hole Championship Course, a 9-hole Executive Course, an all grass driving range, a practice putting green, and a full service golf shop. www.saratogaspagolf.com

Saratoga Winery

462 Route 29, 518.584.9463. The family-owned and operated Saratoga Winery offers a diverse selection of traditional wines, as well as their signature wine called Melomel; the ancestor of all fermented drinks. Melomel is centuries old in Europe, Africa and Asia. Not to be confused with mead, Melomel is made of fruit and honey offering a smooth, somewhat sweet flavor to the palate. Visit any time for a tasting at their warm and inviting Adirondack style tasting bar. www.thesaratogawinery.com

Tang Teaching Museum and Art Gallery

Skidmore College, 815 N. Broadway, 518.580.8080. One of the first interdisciplinary museums of its kind in the country, the Tang develops exhibitions and programs that combine a variety of subjects such as antique maps, scientific artifacts and Shaker furniture together with new works of international, contemporary art. Artist talks, curator tours, films, music on the roof, and children's activities bring everyone together to explore art in new ways. <http://tang.skidmore.edu>

Tennis Courts at Spa State Park

Saratoga Spa State Park, Four hard top and four clay courts are available to Spa State Park visitors on a first come, first serve basis.

Yaddo Artists' Community

Union Ave at Henning Road, 518.584.0746. Yaddo offers residencies to professional creative artists from all nations and backgrounds working in a variety of media. The Yaddo Gardens are open daily dawn to dusk, free of charge. A formal rose garden and an informal rock garden feature turn-of-the-century fountains and statues. The Gardens are the only part of the Yaddo estate open to the public. www.yaddo.org



DIRECTIONS

**Gideon Putnam Resort
24 Gideon Putnam Road
Saratoga Springs, NY 12866**

From West (Buffalo)

Take I-90 east (New York State Thruway). Exit at Amsterdam Exit 27, pay toll. Take right to Route 67 to Ballston Spa. Take Route 50 north. Take right into park at 2nd light after the "Saratoga Performing Arts Center" sign. Follow signs to hotel.

From South (New York City)

Take I-87 north (New York State Thruway). Exit 24 to I-87 (Northway). Exit 13N (Route 9). At 4th light turn left into the park. Bear left after .8 mile--hotel is ahead on right

From North

Take I-87 south (Northway) Exit 14 and make a right on Route 9P (Union Avenue). At the end of Union Avenue make a left onto West Circular Street. Bear right at first stop sign. Turn left onto Broadway at 1st light. At 3rd light turn right into the park. Bear left after .8 mile--hotel is ahead on right.

From East (Boston)

Take I-90 west (Mass. Turnpike) continue until Albany, use Troy/Albany Exits (24). Take I-87 (Northway). Take Exit 13N (Route 9). At 4th light turn left into the park. Bear left after .8 mile--hotel ahead on right.

From Albany Airport

Starting from the main parking/car rental area, continue through the toll booths to first traffic light. Turn left onto Albany-Shaker Road following signage to I-87 North (the Adirondack Northway). Turn left to take ramp onto I-87 North. Follow I-87 N to Exit 13N. Continue onto Route 9 North.



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TRUSTS AND ESTATES LAW SECTION

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