

Elder Law and Special Needs Section 2025 Summer Meeting

Thursday, July 17th – Saturday, July 19th
Sheraton Inner Harbor Hotel
300 South Charles Street, Baltimore, MD, 21201

Program Chairs

Kristen M. Casper, Wertime Ries & Van Ullen PC, Albany, NY
Miles P. Zatkowsky, Rochester Elder Law, Rochester, NY

Elder Law and Special Needs Section Chair

Richard A. Marchese, Woods Oviatt Gilman LLP, Rochester, NY

12.0 MCLE Credits: 7.0 Areas of Professional Practice, 1.5 Law Practice Management, 2.5 Skills, 1.0 Ethics and Professionalism

Day 1: Thursday, July 17, 2025

9:00 a.m. – 5:00 p.m. Exhibitors
Chesapeake Gallery

9:00 a.m. – 10:00 a.m. Executive Officer's Meeting and Breakfast
Chesapeake 1
Section Leaders Only

10:15 a.m. – 12:45 p.m. Executive Committee Meeting
Loch Raven I & II
Light Refreshments provided

12:30 p.m. – 1:00 p.m. **CLE Program Registration**
Patapsco

4.0 MCLE Credits: 4.0 in Areas of Professional Practice

1:00 p.m. – 4:00 p.m. **CLE Programing**
Chesapeake II

1:00 p.m. – 1:10 p.m. **Program Introduction**
Announcements & Chair Update

Elder Law and Special Needs Section Chair:
Richard A. Marchese, Woods Oviatt Gilman LLP, Rochester

1:10 p.m. – 2:00 p.m. **I. Medicaid Update**

This presentation will provide an update on Medicaid in NYS including the ending of Public Health Emergency easements, status of fair hearings, homecare and managed care market changes, and the status of federal changes under the Budget Reconciliation Act.

Speaker:
Peter Travitsky, New York Legal Assistance Group, Brooklyn

1.0 MCLE Credit in Areas of Professional Practice

2:00 p.m. – 2:25 p.m.

II. Unauthorized Practice of Law: Medicaid Applications

This presentation will explore the unauthorized practice of law as it pertains to Medicaid applications. It will examine how non-lawyers are crossing ethical and legal boundaries, the impact of their actions on clients, and the risks to attorneys who refer clients to or work with such individuals. The session will also review relevant statutes, and proposed or enacted legislative responses intended to strengthen UPL enforcement and protect consumers.

Speaker:

David A. Cutner, Lamson & Cutner, P.C., NYC

0.5 MCLE Credit in Areas of Professional Practice

2:25 p.m. – 3:15 p.m.

III. Surrogate's Court Today: Hot Legal Topics and Emerging Trends

New York's Surrogate's Courts continue to face complex legal, procedural, and practical challenges as they oversee matters of probate, estate administration, guardianships, and fiduciary litigation. This presentation provides attorneys with a timely and in-depth update on current developments, emerging trends, and best practices within Surrogate's Court across the state.

Speaker:

Hon. Christopher S. Ciaccio, Monroe County Surrogate's Court, Rochester

1.0 MCLE Credit in Areas of Professional Practice

3:15 p.m. – 3:35 p.m.

Refreshment Break with Exhibitors

Chesapeake Gallery

3:35 p.m. – 4:50 p.m.

IV. Medicaid Crisis Planning: Fundamentals, Myths, and Legal Strategies

- Eligibility
- Lookback period
- Spend Down
- Exempt Transfers
- Spousal Refusals
- Common misconceptions from clients/financial advisors
- Crisis Planning utilizing Gift/Loan Strategy

Speaker:

John C. Florsch, IV, Rowlands, LeBrou & Griesmer, PLLC, Latham

1.5 MCLE Credits in Areas of Professional Practice

4:50 p.m. – 5:00 p.m.

Closing Remarks

Speaker:

TBD

5:00 p.m. – 7:00 p.m. **Welcome Cocktail Hour and Refreshments**
Sheraton, Potomac Terrace
(Rain Location Chesapeake Gallery)
Cost is included with conference registration
**Please RSVP for this event as part of your conference registration.*

7:00 p.m. **Dinner on Own**

7:00 p.m. **Speakers' Dinner**
Program faculty & sections officers only.
Offsite at TBD

Day 2: Friday, July 18, 2025

8:00 a.m. – 9:00 a.m. Committee Meetings & Breakfast with Exhibitors
Chesapeake Gallery & Chesapeake III

8:00 a.m. – 2:00 p.m. Exhibitor Hall
Chesapeake Gallery

8:30 a.m. – 9:00 a.m. **CLE Program Registration**
Patapsco

9:00 a.m. – 2:00 p.m. **CLE Programing/General Session**
Chesapeake II

4.0 MCLE Credits: 1.0 in Areas of Professional Practice; 1.5 Skills;
1.5 in Law Practice Management

9:00 a.m. – 9:10 a.m. **Introduction: Sponsor Acknowledgements**
Program Co-Chairs:
Kristen M. Casper, Wertime Ries & Van Ullen PC, Albany
Miles P. Zatkowsky, Rochester Elder Law, Rochester

9:10 a.m. – 10:25 a.m. **I. How to Manage a Thriving Elder Law and Special Needs Practice: Insights from a CPA on Financial Strategies and Best Practices**

- How to Maximize Profitability
- Keys to Law Firm Profitability
- Economic Rewards
- Tax Saving Opportunities

Speaker:
Michael J. Garibaldi, CPA, ABV, CFF, Garibaldi Group, Garden City
Judith D. Grimaldi, Esq., Grimaldi Yeung Law Group, Brooklyn

1.5 MCLE Credit in Skills

**This session will also count toward CPE credit*

10:25 a.m. – 11:40 a.m.

II. Tech-Savvy Estate Planning: How to Use Apps, Software, and Online Tools for Effective Elder Law Services

Welcome to the Consumer Electronic Show of Estate Planning – where shiny new tools promise to save you time, sanity, and maybe even your weekend. We will cover AI and automation that can manage your inbox, streamline client intake, answer your phones, track your time, document your SOPs, and more. If you've ever wished your practice ran itself—this is as close as it gets (without cloning yourself).

Speaker:

Daniel R. Miller, Miller & Miller Law Group, PLLC, Brooklyn

1.5 MCLE Credit in Law Practice Management

11:40 a.m. – 12:00 p.m.

Refreshment Break with Exhibitors

Chesapeake Gallery

12:00 p.m. – 12:50 p.m.

III. Breaking Down Accessibility Barriers for Clients: Ensuring Inclusive Communication Technologies for an Aging Population

A significant number of older Americans experience hearing, vision, and cognitive loss, all of which can interfere with their ability to use the telephone, access the Internet, get emergency services, and watch video programming. Accessibility barriers to these services can create dire consequences for older Americans. Over the past several decades, Congress has enacted a string of federal mandates, implemented by the Federal Communication Commission and the U.S. Department of Justice, to ensure disability access to these technologies. This session will familiarize attendees with these and other accessibility laws relevant to their clients' daily lives and explore pending legislation to ensure that federal policies governing communication services continue to ensure the full inclusion and societal integration of older Americans with disabilities.

Speaker:

Karen Peltz Strauss, Esq., Disability Access Consultant and Historian, Washington, DC

1.0 MCLE Credit in Areas of Professional Practice

12:50 p.m. – 1:00 p.m.

Closing Remarks

1:00 p.m. – 4:30 p.m.

Lunch on your own and time to explore Baltimore!

4:30 p.m. – 7:00 p.m.

Reception & Dinner Cruise along the Inner Harbor

Inner Harbor, 561 Light St, Baltimore, MD 21202

Itinerary:

- 4:30 p.m. Boarding
- 5:00 p.m. Departure
- 7:00 p.m. Return

**RSVP is required to attend. Space is limited.*

Day 3: Saturday, July 19, 2025

8:00 a.m. – 9:00 a.m. Breakfast with Exhibitors
Chesapeake Gallery

8:30 a.m. – 9:00 a.m. **CLE Program Registration**
Patapsco

9:00 a.m. – 1:00 p.m. **CLE Programing/General Session**
Chesapeake II

4.0 MCLE Credits: 2.0 Areas of Professional Practice, 1.0 Ethics,
1.0 Skills

9:00 a.m. – 9:10 a.m. **Introduction**

9:10 a.m. – 10:00 a.m. **I. Bright New Horizons? A Deep Dive into the Loper Bright
Decision and Its Impact on Administrative Law**

This presentation will provide an in-depth analysis of the U.S. Supreme Court's landmark decision in *Loper Bright Enterprises v. Raimondo*, exploring its profound implications for administrative law. As we unpack the nuances of the decision, the presentation will focus on its potential effects on Medicaid appeals.

Speaker:

Moriah Adamo, Esq., Abrams Fensterman, LLP, New Hyde Park

1.0 MCLE Credit in Areas of Professional Practice

10:00 a.m. – 10:50 a.m. **II. Inherited Retirement Accounts After SECURE 2.0 and the
2024 Final Regulations: A Step-by-Step Visual Guide to Post-
Death RMD Rules**

Did you know that the final regs cover 32 separate situations and sets of rules for inherited IRAs and retirement plans? Cut through the complexity of 2025 post-death RMDs with a clear, visual approach using decision trees (flowcharts). Understand (and take home) a step-by-step guide that will allow you to answer the three key post-death questions: 1. When must RMDs begin? 2. How are RMDs calculated? 3. When must RMDs end?

From NDBs to EDBs to PODBs, trust beneficiaries and pre/post RBD deaths, we will cover all scenarios in a straightforward, follow-the-arrows format.

Speaker:

Hon. Timothy O'Rourke, O'Rourke Seaman LLP, Syosset

1.0 MCLE Credit in Skills

10:50 a.m. – 11:10 a.m.

Refreshment Break with Exhibitors

Chesapeake Gallery

11:10 a.m. – 12:00 p.m.

III. A Practical Approach to Retirement Benefits Planning after SECURE 2.0 and the 2024 Final Regulations

This two-part presentation will explore strategies that practitioners can use to protect as much as possible of retirement account balances from long-term care expenses during clients' lifetimes and, upon their deaths, for clients' beneficiaries. Topics of discussion will include income-tax optimization, Roth conversions, drafting trusts for surviving spouses and descendants as DBs and income replacement by which grandparents' retirement accounts fund grandchildren's Roth IRAs.

Attendees will be invited to email questions in advance to which the presenters will attempt to provide answers that are useful to everyone

Speakers:

Hon. Timothy O'Rourke, O'Rourke Seaman LLP, Syosset

Donna M. Stefans, Esq., Stefans Law Group PC, Woodbury

1.0 MCLE Credit in Areas of Professional Practice

12:00 p.m. – 12:50 p.m.

IV. Ethical Issues in Elder Law: Navigating Challenges in a Changing Legal Landscape

This ethics panel will focus on the unique ethical challenges faced by attorneys practicing in elder law, special needs planning, and estate matters. This program will explore real-world scenarios that highlight common — and often complex — ethical dilemmas, including issues related to client capacity, conflicts of interest, undue influence, dual representation, and confidentiality in multigenerational planning.

Speakers:

Hon. Christopher S. Ciaccio, Monroe County Surrogate's Court, Rochester

Daniel R. Miller, Miller & Miller Law Group, PLLC, Brooklyn

Hon. Timothy O'Rourke, Esq., O'Rourke Seaman LLP, Syosset

1.0 MCLE Credit in Ethics

12:50 p.m. – 1:00 p.m.

Closing Remarks

1:00 p.m.

Meeting Adjourns