

New York State Bar Association

Trusts and Estates Law Section

Family Matters: Litigation and Planning Considerations for the Modern Family

Friday, September 26, 2025

CLE Program

9:00 a.m. – 12:45 pm.

Saturday, September 27, 2025

CLE Program

9:00 a.m. – 12:45 p.m.

8.0 MCLE Credits in Areas of Professional Practice
(Friday – 4.0 Credits / Saturday – 4.0 Credits)

CLE Agenda

Friday, September 26

8:00 a.m.

Registration

9:00 a.m. – 9:10 a.m.

Program Introduction

Trusts and Estates Law Section Welcome

Angelo M. Grasso Esq., Section Chair
Greenfield Stein & Senior LLP, New York, NY

Meaghan T. Feenan Esq., Program Co-Chair
Harris Beach Murtha Cullina, PLLC.
Albany, New York

9:10 a.m. – 10:00 a.m.

Here's the Story...Drafting Considerations for Second Marriages

This presentation will explore key estate planning strategies for second marriages, focusing on estate tax considerations, asset titling, and the use of trusts to balance the needs of the surviving spouse with the desire to preserve assets for each spouse's children. Attendees will gain insights into navigating New York's right of election and structuring plans to ensure equitable asset distribution.

Speakers

Kevin H. Cohen, Esq.
Cohen Soloway & Wooldridge, P.C.
White Plains, NY

Matthew J. Nolfo, Esq.
Matthew Nolfo & Associates
New York, NY

1.0 Credit in Areas of Professional Practice

10:00 a.m. – 10:50 a.m.

**Succession Planning with the Roys (Minus the Drama):
Business Succession Planning – Practical
Considerations**

This presentation will discuss questions to consider in the context of typical corporate agreements for purposes of the estate planning and tax impact of a planned or unplanned succession, along with an overview of the related valuation concepts. We will also explore when clients should consider a valuation and common pitfalls in succession planning.

Speakers

Jennifer M. Boll, Esq.
Harris Beach Murtha Cullina PLLC
Albany, NY

David Consigli, CPA, ABV, CDFA
FAZ Forensics
Saratoga Springs, New York

1.0 Credit in Areas of Professional Practice

10:50 a.m. – 11:05 a.m.

Coffee Break

11:05 a.m. – 11:55 a.m.

**It's a Prenup Thing: Marriage Insurance, a/k/a, the
Prenuptial Agreement**

This presentation will discuss who needs a prenuptial agreement (spoiler alert: everyone!) and provide general practice tips for approaching the prenuptial agreement, the benefits and limitations of a prenuptial agreement, avoiding pitfalls and costly mistakes which can potentially void an agreement, and the late prenuptial agreement (a/k/a, a postnuptial agreement).

Speaker

J. Rochelle Cavanagh, Esq.
Whiteman Osterman & Hanna LLP
Albany, NY

1.0 Credit in Areas of Professional Practice

11:55 a.m. – 12:45 p.m.

All in the (Legislative Family): Legislative Update

A review and discussion about recent updates to New York trusts and estate law, including legislation and proposals that Section members are actively working on.

Speaker

David A. Bamdad, Esq.
Meltzer Lippe Goldstein & Breitstone LLP
Mineola, NY

1.0 Credit in Areas of Professional Practice

12:45 p.m.

Remarks from NYSBA President-Elect, Taa Grays

Saturday, September 27

8:00 a.m.

Registration

8:00 a.m. – 9:00 a.m.

Committee Breakfast Meetings

9:00 a.m. – 9:10 a.m.

Program Introductions

Brooke S. Teich, Esq. Program Co-Chair
Greenfield Stein & Senior, LLP
New York, NY

9:10 a.m. – 10:00 a.m.

Full House, Split Deed: Real Property Multi-Beneficiary Ownership Issues and the Uniform Partition of Heirs Property Act

This session will explore the often-overlooked Uniform Partition of Heirs Property Act (UPHPA), which was enacted in New York in 2019. The law is designed to address the unique challenges of real estate inherited by multiple beneficiaries or distributees as tenants-in-common without a clear agreement on how to manage or divide the property. The session will also evaluate how the UPHPA aims to preserve family wealth by providing a framework that prioritizes due process and offers solutions to prevent forced sales of inherited property, especially benefiting vulnerable families who may lack resources to navigate complex legal processes.

Speakers

Jill Choate Beier, Esq.
Norfolk Beier PLLC
Lake Placid, NY

Robert M. Harper, Esq.
Farrell Fritz, P.C.
Uniondale, NY

1.0 Credit in Areas of Professional Practice

10:00 a.m. – 10:50 a.m.

Family Matters —Until You're Left Out: Litigation with Disinherited Relatives

Believe it or not, some families do not get along. This presentation examines disinheritance, the family fallout that follows, and common issues in litigation brought by the disinherited

Speakers

Lisa Fenech, Esq.
Offit Kurman
New York, NY

Michael D. Zahler, Esq.
Hodgson Russ LLP
Albany, NY

1.0 Credit in Areas of Professional Practice

10:50 a.m. – 11:05 a.m.

Coffee Break

11:05 a.m. – 11:55 a.m.

Leave It to the Spouse: Right of Election Litigation Highlights

This presentation examines the spousal right of election and the litigation that can arise when its exercise is contested. The speakers will cover key issues such as calculating and enforcing the elective share, the impact of prenuptial and postnuptial waivers, and potential disqualification. Practical strategies for prosecuting and defending these claims will also be covered.

Speaker

Michael Calcagni, Esq.
Morritt Hock & Hamroff, LP
New York, NY

Ross Katz, Esq.
Schlesinger Lazetera & Auchincloss LLP
New York, NY

1.0 Credit in Areas of Professional Practice

11:55 a.m. – 12:45 p.m.

Modern Family Feuds: Insights from the Surrogates

This Surrogates Panel will examine the various ways familial relationships impact Surrogate's Court practice, including the question of whether a joint bank account, commonly held between family members, reflects a true joint tenancy with rights of survivorship or simply a convenience account, with the funds properly belonging to the estate of the deceased account holder.

Panelists

Hon. Timothy P. McElduff, Jr.
Surrogate of Orange County

Hon. Rosemarie Montalbano
Surrogate of Kings County

Hon. Acea Mosey
Surrogate of Erie County

Hon. Mary Keib Smith
Surrogate of Onondaga County

Moderator

Emma K. Pletenycky, Esq.
Day Pitney LLP
New York, NY

1.0 Credits in Areas of Professional Practice

12:45 p.m.

Adjourn – Closing Remarks
Angelo M. Grasso, Esq., Section Chair