

Trusts & Estates Law Section and Elder Law & Special Needs Section 2026 Joint Fall Meeting

Thursday, September 23rd & Friday, September 24
The Saratoga Hilton
534 Broadway, Saratoga Springs, NY, 12866

Program Chairs:

Britt N. Burner, Esq., Burner Prudenti Law P.C., New York, NY
Lindsay V. Heckler, Esq., Center for Elder Law & Justice, Buffalo, NY
Ellyn S. Kravitz, Esq., Abrams Fensterman, LLP, Brooklyn, NY
Daniel Ross Miller, Esq., Miller & Miller Law Group PLLC, Brooklyn, NY

Elder Law and Special Needs Section Chair:

Tammy R. Lawlor, Esq., Miller & Milone, P.C., Garden City, NY

Trusts and Estates Section Chair:

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

9.0 MCLE Credits: 3.0 Skills, 4.0 Areas of Professional Practice, 1.0 Diversity, Inclusion and Elimination of Bias, 1.0 Ethics (**Tentative pending topic descriptions**)
(Thursday – 6.0 Credits / Friday – 3.0 Credits)

CLE Agenda

Day 1: Thursday, September 24, 2026

8:30 a.m. – 4:20 p.m.

Exhibitor Hall

8:30 a.m. – 9:00 a.m.

CLE Program Registration

6.0 MCLE Credits: 1.0 Skills, 4.0 Areas of Professional Practice, 1.0 Diversity, Inclusion and Elimination of Bias

9:00 a.m. – 4:20 p.m.

CLE Programing

9:00 a.m. – 9:15 a.m.

Program Welcome and Introduction

9:15 a.m. – 10:05 a.m.

Drafting and Implementing SNTs and MAPTs: Practical Strategies for Protecting Assets and Preserving Benefits

Description-TBD

Presenter:

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

1.0 MCLE Credit in Skills

10:05 a.m. – 10:55 a.m.

The Digital Will Revolution: Are E-Wills Ready for Prime Time?

In December 2027, New York will join over a dozen states in permitting electronic wills. Is this a sea change or a logical step in the evolution of estate planning? This presentation will discuss how the electronic wills statute was crafted, how and why it differs from the Uniform Electronic Wills Act and other states' statutes, and considerations for planners, litigators, and courts when electronic wills become the law and part of a practitioner's toolbox.

Speakers:

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

Angelo M. Grasso, Esq.
Loeb & Loeb LLP, New York, NY
New York, NY

1.0 MCLE Credit in Areas of Professional Practice

10:55 a.m. – 11:15 a.m.

Coffee Break with Exhibitors

11:15 a.m. – 12:05 p.m.

Hot Topics in Estate Planning

This session will provide an overview of recent developments, and important topics and techniques at the forefront of current planning and discussion, covering all areas of planning considerations. Topics to be covered include the 2/37th cutback of itemized deductions for trusts and estates under the One Big Beautiful Bill Act (OBBBA); the IRS's recent safe guidance concerning the filing of gift tax returns to report contributions to Trump accounts; the Fifth Circuit Court of Appeals' recent affirmance of the Tax Court's decision in the Fields bad facts family limited partnership case; the IRS's aggressive challenge to grantor retained annuity trusts (GRATs) in the Elcan case; and the latest IRS guidance concerning qualified opportunity zone (QOZ) funds in light of 'Tranche 2' for QOZs under the OBBBA.

Presenter:

Kevin Matz, Esq. CPA, LL.M. (Taxation)
ArentFox Schiff LLP
New York, NY

1.0 MCLE Credit in Areas of Professional Practice

12:05 p.m. – 1:30 p.m.

Lunch

1:30 p.m. – 2:20 p.m.

The Fiduciary Playbook: Access, Authority, and Accountability Under NY EPTL Article 13-A: Administration of Digital Assets

This CLE program provides New York practitioners with a practical and comprehensive overview of the planning and administration of Digital Assets as defined under EPTL Article 13-A. Participants will examine New York's EPTL Article 13-A, applicable federal privacy laws, and significant New York case law addressing fiduciary access to Digital Assets. The discussion will focus on how these legal frameworks balance fiduciary authority with individual privacy interests, highlighting important distinctions between electronic communications and other digital records.

Today, estates of all sizes and values must account for Digital Assets. We are no longer waiting by the mailbox for bills, financial records, and bank statements to arrive. From email, social media, and photographs to online financial accounts and cryptocurrency, much of an individual's personal and financial property now exist online.

As a result, estate planners, fiduciaries, and practitioners will be increasingly confronted with complex legal, practical, and cybersecurity challenges surrounding Digital Assets. Identifying, accessing, safeguarding, and administering Digital Assets requires a thorough and ethical understanding of constantly evolving technologies, the legal framework governing digital property and privacy rights, and fiduciary duties.

Through real-world examples and common client scenarios, attendees will also explore familiar challenges posed by lost devices and credentials, multifactor authentication, cybersecurity risks, and informal use of a decedent's credentials. The program will centralize fiduciary duties, liability considerations, and best practices.

Whether representing modest estates or substantial wealth transfers, attorneys will leave with strategies to better protect their clients' digital legacies while helping fiduciaries fulfill their responsibilities to the modern estate.

Presenter:

Julie Min Chayet
Fiduciary Trust International
New York, NY

Brian Conboy
Fiduciary Trust International
New York, NY

1.0 MCLE Credit in Cybersecurity, Privacy and Data Protection-General

2:20 p.m. – 2:40 p.m.

Coffee Break with Exhibitors

2:40 p.m. – 3:30 p.m.

Recognizing Age Bias and Preventing Elder Financial Exploitation: Lessons from the Citibank Case

Speakers:

Arlene Mary Markarian, Esq.
Nassau County District Attorney's Office
Mineola, NY

Raymond J. Dowd, Esq.
Dunnington Bartholow & Miller LLP
New York, NY

1.0 MCLE Credit in Diversity, Inclusion and Elimination of Bias

3:30 p.m. – 4:20 p.m.

From Chaos to Clarity: Restoring Accountability in the Modern Family Law

Accountability is not a values problem. It is a power problem and most law firms are running patterns that make it structurally impossible.

In this session, attorney and organizational consultant Libby Clark, Esq. introduces the Power Patterns™ framework: a diagnostic tool for identifying how power moves through law firm leadership, where it leaks, where it gets taken, and how to restore it. Drawing on 20 years as a law firm partner, General Counsel, and COO, Libby brings a practitioner's eye to the dynamics that T&E attorneys navigate daily — unclear ownership, avoided feedback, rescue leadership, and the slow erosion of an accountable culture.

Participants will leave with:

- A clear framework for understanding why accountability breaks down even when everyone wants it
- The ability to identify Power Leaks™, Power Steals™, and Power Fuels™ in their own practice and firm
- Practical language and tools for restoring ownership at the individual, team, and firm level

Presenter:

Libby Clark, Esq.
Libby Clark Law
Saratoga, NY

1.0 MCLE Credit in Areas of Professional Practice

4:20 p.m.- 4:25 p.m.

Closing Remarks

4:25 p.m.

Adjourn

6:00 p.m. – 9:00 p.m.

Reception & Dinner
1863 Club

267 Union Ave
Saratoga Springs, NY 12866

Day 2: Friday, September 25

8:30 a.m. – 12:10 p.m.

Exhibitor Hall

8:30 a.m. – 9:00 a.m.

CLE Program Registration

3.0 MCLE Credits: 2.0 Skills, 1.0 Ethics

9:00 a.m. – 9:15 a.m.

Introduction

9:15 a.m. – 10:05 a.m.

Which Path Fits? Real-World Fact Patterns in SDM, Article 81 and Article 17-A Guardianship

This panel brings together practitioners across three decision-making support frameworks - Supported Decision-Making (SDM), Article 81 guardianship, and Article 17-A guardianship – to highlight for attendees where the frameworks diverge, where they might overlap, and the practical and strategic considerations that guide the choice between them. Each presenter will briefly outline the legal framework of their decision-making modality including who it's designed for the scope of authority (or support) it provides. The panelists will each share fact patterns that highlight the effective use of their support framework to obtain a positive outcome for an individual in need of decision-making support. Attendees will leave with a clearer, comparative understanding of when SDM, Article 81, or Article 17-A is the most appropriate — and least restrictive — fit for a given client.

Panelists:

Nadia Arginteanu
The Arc New York
Latham, NY

Bradley Scott Loliger
Center for Elder Law & Justice
Buffalo, NY

Christopher R. Lyons, Esq.
AIM Services, Inc.
Saratoga Springs, NY

1.0 MCLE Credit in Skills

10:05 a.m. – 10:55 a.m.

The Fight Before the Will Contest: Litigation Skills for Navigating Article 81 Proceedings

Description TBD

Moderator:

Hon. Peter J. Kelly
Queens County Supreme Court
Jamaica, NY

Speakers:

Robert Abrams, Esq.
Abrams Fensterman, LLP
New Hyde Park, NY

Brian R. Heitner, Esq.
Heitner Kaufman PC
Melville, NY

1.0 MCLE Credit in Skills

10:55 a.m. – 11:15 a.m.

Coffee Break with Exhibitors

11:15 a.m. – 12:05 p.m.

**View from the Bench: Ethics and Professionalism in
Surrogate's Court Practice**

Description TBD

Panelists:

Hon. Cassandra Johnson
Queens County

Hon. Mary Keib-Smith
Onondaga County

Hon. Jonathan G. Schopf
Saratoga County

Hon. Brandon R. Sall
Westchester County

Hon. Vincent W. Versaci
Schenectady County

1.0 MCLE Credit in Ethics

12:05 p.m. – 12:10 p.m.

Closing Remarks

12:10 p.m.

Adjourn