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33RD ANNUAL RPTE VIRTUAL NATIONAL CLE CONFERENCE

April 21-23, 2021

rptecleconference.com



33RD ANNUAL RPTE VIRTUAL
NATIONAL CLE CONFERENCE
APRIL 21-23, 2021

✦ Building Bridges Together in the Practice of Law ✦



AMERICAN BAR ASSOCIATION

Real Property, Trust and
Estate Law Section



33RD ANNUAL RPTE VIRTUAL NATIONAL CLE CONFERENCE

APRIL 21-23, 2021

✦ Building Bridges Together in the Practice of Law ✦

I am pleased to announce the programs and activities planned for the 33rd Annual RPTE National CLE Conference, taking place virtually April 21-23.

I hope that you will make plans to join us as we share knowledge and build relationships with other practitioners in our very special and specialized areas of the law. To that end, this brochure outlines our broad range of programs focusing on the most cutting-edge areas of real property and trust and estate law and also lists our outstanding presenters, who are many of the industries' leading practitioners.

In spring 2020, RPTE was among the first organizations to take a planned in-person meeting and transform it into a virtual conference. At the time, we certainly did not expect that a year later we would still be conducting meetings electronically. But the success of our first effort, along with the extraordinarily high-caliber of the programs and faculty we've confirmed for this year, inspire my confidence that the 33rd Annual RPTE National CLE Conference will be our best meeting ever – virtual or in-person! And we want you to be a part of it.

I am especially hopeful that the virtual setting will allow those who have not had the opportunity to participate in previous Section meetings to be able to do so now. Our Section aims to represent all RPTE practitioners, and we want your voice to be a part of the conversation.

Between now and late April, visit the Conference website at **rptecleconference.com** for updated program information and please register to join us. I look forward to seeing you virtually in April and, hopefully, in-person very soon after that.



Stephanie Loomis-Price

2020-2021 Chair of the ABA Section
of Real Property, Trust and Estate Law
Winstead PC
Houston, Texas

SPONSORS

The Section acknowledges the generous support of the following sponsors for their involvement in this year's National CLE Conference:

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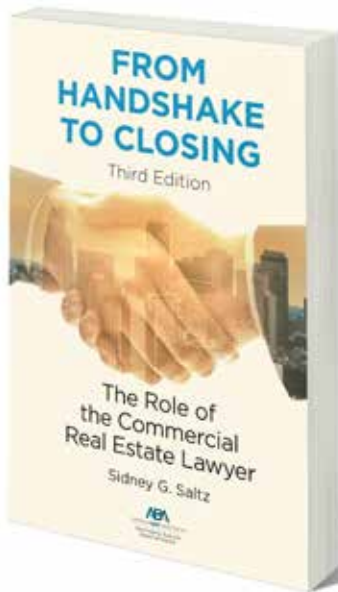
All RPTE publications can be purchased on the ABA Web Store, ShopABA.org, or by calling the Service Center, 800-285-2221.

STRAIGHT FORWARD GUIDE TO ALL STEPS IN A REAL ESTATE TRANSACTION

From Handshake to Closing The Role of the Commercial Real Estate Lawyer

Third Edition

By Sidney G. Saltz



2019, 158 pages
Paperback/eBook
Product Code 5431099
\$59.95 List Price
\$44.95 RPTE Member Price

Explaining the lawyer's critical role in documenting, reviewing, and negotiating the real estate transaction, this useful mentoring guide includes valuable sample language, examples taken from practice, and insightful tips and techniques for how to assist that client to make and close the deal.

Author Sidney G. Saltz, a veteran real estate lawyer, draws upon his years of practice of law, to describe the typical situations and stages of a deal and how to get it closed, including:

- The role of the real estate broker and how to build a good lawyer-broker relationship
- Pre-documentation documents: the term sheets, letters of intent, or loan commitment
- Documenting the transaction and creating the "law" of the deal
- Reviewing and analyzing documents
- Due diligence
- Preparing for and handling the closing
- Avoiding the pitfalls that can kill a deal



AMERICAN BAR ASSOCIATION

Real Property, Trust and
Estate Law Section

REAL PROPERTY PROGRAMS AT-A-GLANCE



WEDNESDAY, APRIL 21

10:00 - 11:00 am

Does Your Lease Really Protect Your Clients? Risk Managers Evaluate Liability Insurance, Indemnity, and Waiver Clauses in Leases

Not all Lenders Are the Same: What is a Nonbank Lender and What Difference Does It Make Anyway?

11:30 am - 12:45 pm

The ABCs of SPEs

Home is Where the Work Is: Regulating and Incentivizing Work Force Housing

1:30 - 2:45 pm

Beyond the Checklist: Leasing Due Diligence

Updated ALTA Forms: What's New

All times are Central Standard time



REAL PROPERTY PROGRAMS AT-A-GLANCE

THURSDAY, APRIL 22

10:00 am – 11:00 am	COVID-19 Infects Real Property: The Impact on the Real Estate Market and its Implications for the Real Estate Attorney - A Collaborative Program with The Appraisal Institute	Cancelling and Modifying Mortgage, PPP and Business Debt in a COVID World
11:30 am – 12:30 pm	The Ethics of RON (Remote Online Notary) Practice	The Impact of COVID on Senior Housing Financing, M&A and Operations
1:00 – 2:00 pm	The Future of Real Estate: How Millennials Have Changed the Real Estate Market (and what to expect next)	Keep it Clean, Keep it Safe, Keep the Heads in Beds: Guest Safety Issues Arising from COVID-19
2:30 – 3:45 pm	Trouble at the Park Hotel: The Fictional Challenges of a Luxury Hotel Struggling to Stay Afloat and Avoid Foreclosure During a Global Pandemic	Impact of the Pandemic on Commercial Leasing

All times are Central Standard time



FRIDAY, APRIL 23

10:30 – 11:30 am	Law Professors' Update	Estoppels and SNDAs - Understanding and Negotiating the Landlord's Lender's Lease Documents
11:45 am – 1:00 pm	No Property Left Behind: Does All Real Estate Return to Normal Post-COVID? (Non-CLE)	
1:15 – 2:15 pm	JOINT PROGRAM The Forgotten 40 Acres: How Real Property & Probate Laws Contributed to the Racial Wealth Gap and How Tax Policy Could Repair It	JOINT PROGRAM Must-Have Engagement Letter Clauses: Avoiding Practice Pitt-falls
2:45 – 3:45 pm	JOINT PROGRAM The Descendants – The Movie: Lessons for Estate Planners	JOINT PROGRAM The Value of Mentors in a World Gone Crazy

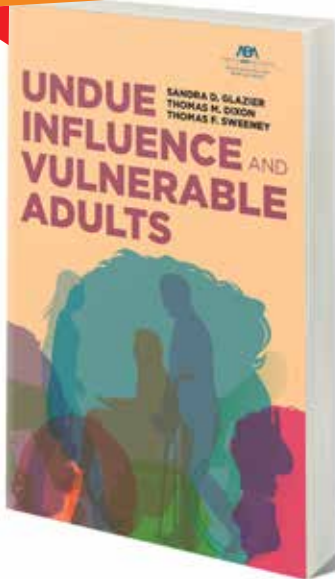
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RPTE PUBLICATIONS

All RPTE publications can be purchased on the ABA Web Store, ShopABA.org, or by calling the Service Center, 800-285-2221.

**ANNOUNCING AN
IMPORTANT
NEW RESOURCE**



2020, 207 pages, 6 x 9,
Paperback/eBook
Product Code 5431119
\$129.95 List Price
\$99.95 RPTE Members

“As financial abuse reaches epic proportions, *Undue Influence and Vulnerable Adults* is required reading for every attorney: From practical advice about protecting vulnerable clients to valuable tips to safeguard your practice, this book is a must-read from top practitioners whose prowess I have had the privilege of witnessing first-hand.”

— Sharon L. Klein, *Wilmington Trust, N.A.*

Undue Influence and Vulnerable Adults

By Sandra D. Glazier, Thomas M. Dixon and Thomas F. Sweeney

Age-related issues, including diminished capacity, often indicate the potential vulnerability of a client to undue influence. Looking at the topic from a legal perspective, this new book by practitioners with extensive experience in the area explains the relevant considerations in representing vulnerable adults and provides strategies when litigation is required. Their practical and legal advice helps planners identify issues and create effective plans for these clients that may better withstand attack. Topics look at these issues and more:

- Understanding capacity, defining undue influence, and the ethical considerations in representing vulnerable adults
- How fraud and duress are different from undue influence
- Presuming undue influence and rebutting the presumption
- No-contest clauses and probable cause
- Litigating undue influence cases
- Using experts and understanding medical evidence
- Attorney-client privilege
- Video recording, electronic wills, and remote witnessing and notarization



AMERICAN BAR ASSOCIATION

Real Property, Trust and
Estate Law Section

TRUST AND ESTATE PROGRAMS AT-A-GLANCE



WEDNESDAY, APRIL 21

10:00 – 11:00 am

What To Do With All This Stuff:
Administering an Estate with Art
and Collectibles

The Basics of Life Insurance in a
Changing World

11:30 am – 12:45 pm

Can Flexible Drafting Go Too Far?
And Your Annual Non-Tax Hot
Topics

Charitable Giving Beyond the
501(c)(3): New, Holistic Models to
Achieve Higher Impact for Clients

1:30 – 2:45 pm

Fiduciary-ing During Dislocations:
Best Practices for Volatile Markets,
Family Upheavals, Pandemics and
More

The Defined Value Clause- No
Longer Exotic

All times are Central Standard time



TRUST AND ESTATE PROGRAMS AT-A-GLANCE

THURSDAY, APRIL 22

10:00 am – 11:00 am	Planning When Medicaid Eligibility Is an Issue	Successor Trustees and 672(c): A Prison of Our Own Making?
11:30 am – 12:30 pm	Do's and Don'ts of Donor Intent: Managing Disputes over Restricted Charitable Gifts, Donor Intent and Changed Circumstances	Choosing A Trustee - Harder Than It Sounds? Considerations for Naming a Fiduciary when a Trust will hold Closely-Held Business Assets
1:00 – 2:00 pm	Grantor Trust Reimbursement Statutes: A Magic Wand to Allay the Woes of Grumpy Trustors	BDITs, BDOTs and Will They Remain BDON'Ts
2:30 – 3:45 pm	Undue Influence and Elder Abuse Allegations against Spouses, Family Members, and Caregivers	Potential Partnership Tax Pitfalls for Planners

All times are Central Standard time



FRIDAY, APRIL 23

10:30 – 11:30 am	Are Powers of Attorney Powerless in Employee Benefit Plans?	QSBS: Quest for Quantum Exclusions (Queries, Qualms, and Qualifications)
11:45 am – 1:00 pm	Report from the Trenches: An Inside Look into the Joint Meetings of the American Bar Association and the American Bankers Association	
1:15 – 2:15 pm	JOINT PROGRAM The Forgotten 40 Acres: How Real Property & Probate Laws Contributed to the Racial Wealth Gap and How Tax Policy Could Repair It	JOINT PROGRAM Must-Have Engagement Letter Clauses: Avoiding Practice Pitt-falls
2:45 – 3:45 pm	JOINT PROGRAM The Descendants – The Movie: Lessons for Estate Planners	JOINT PROGRAM The Value of Mentors in a World Gone Crazy

All times are Central Standard time





*Real Property
Programs*

✦ Building Bridges Together in the Practice of Law ✦

REAL PROPERTY PROGRAMS

WEDNESDAY, APRIL 21

10:00 – 11:00 AM

ALL TIMES ARE CENTRAL STANDARD TIME

Does Your Lease Really Protect Your Clients? Risk Managers Evaluate Liability Insurance, Indemnity, and Waiver Clauses in Leases

Risk management experts will evaluate typical lease indemnity and liability insurance requirements and provide substantive and practical drafting guidance for practitioners. Topics addressed will include:

- The division of liability risks between landlord and tenant
- The liability insurance that the landlord should require from the tenant
- Gaps in today's additional insured coverage, and why they're bad for both parties
- How indemnity provisions can cover insurance gaps
- Waivers and their value (or lack thereof).

Program Chair:

Marie A. Moore

*Sher Garner Cahill Richter Klein
& Hilbert, L.L.C.*
New Orleans, Louisiana

Speakers:

Charles E. Comiskey

*Brady, Chapman, Holland &
Associates, Inc.*
Houston Texas

Lennie Morgan

*The Corporate Protection
Group*
Plymouth, Michigan

10:00 – 11:00 AM

Not all Lenders Are the Same: What is a Nonbank Lender and What Difference Does It Make Anyway?

Nonbank lenders are financial institutions that offer loans but do not have a banking license. They raise funds from sources other than traditional demand deposit accounts from the public and are typically not subject to traditional bank regulatory oversight. Nonbank lending has increased dramatically in the last decade and is now in the mainstream of the commercial and residential real estate lending market. It is important that practitioners involved in real estate financing understand who these nonbank lenders are, how their funding and investment strategy might differ from those of bank lenders and how that might impact loan documentation and discussions with

Program Chair and Moderator:

Kari L. Larson

K&L Gates LLP
Seattle, Washington

Speakers:

Brett Forman

Trez Capital
Palm Beach, Florida

Heather A. Horowitz

K&L Gates LLP
New York, New York

Jennifer Portnoff

Pacific Life Insurance Company
Newport Beach, California

borrowers in distressed situations. Given the breadth of nonbank lending, we will start with a broad overview of the nonbank lending and then turn our focus to life insurance companies, debt funds and non-US lenders active in commercial real estate lending in the US. The panel is comprised of practitioners who represent nonbank lenders and in-house counsel and business leaders who work at such nonbanks.

11:30 A M– 12:45 PM

The ABCs of SPEs

Bankruptcy remote/structured finance requirements are no longer limited to CMBS deals. They are seen in TIC financings, GSE financings, insurance company financings, co-lending transactions and other transactions. Requirements may be driven by ratings agency considerations but not always. Requirements may be quite extensive or watered down depending on the nature and size of the deal. Given the evolution of DE entity law, most lenders prefer to see a brand new DE entity as the borrower, with the ownership of the borrower being a DE entity. Springing members structures and independent decision makers are features DE law supports. This panel will include a discussion of the types of SPEs, separateness covenants, organizational agreement requirements and various opinions related thereto, including non-consolidation opinions, the “no authority to file” opinion and dissolution/springing member concerns.

Program Chair and Moderator:

Joy Barist

Potter Anderson & Corroon LLP
Wilmington, Delaware

Speakers:

Siobhan M. O'Donnell

Ballard Spahr LLP
Los Angeles, California

Matthew J. O'Toole

Potter Anderson & Corroon LLP
Wilmington, Delaware

Amanda R. Steele

Pacific Life Insurance Company
Newport Beach, California

11:30 AM – 12:45 PM

Home is Where the Work Is: Regulating and Incentivizing Work Force Housing

What is the “missing middle” and what are governments doing to find it? “Ban” single family-only zoning? Incentivize work force housing? It's been 10 years since Daniel Parolek's description of “Missing Middle Housing” gained traction in new urbanist circles. This program will explore the strategies currently used to develop adequate housing choice for middle income individuals. It will also:

Program Chair and Moderator:

Karla L. Chaffee

Robinson+Cole LLP
Boston, Massachusetts

Program Chair and Speaker:

F. Christopher Wootten

Coats Rose PC
New Orleans, Louisiana

Speakers:

- Explore how local and state-wide legislation can address decades of discriminatory land use policies that have promoted or perpetuated racially and economically segregated neighborhoods
- Discuss Oregon's 2019 law that requires communities meeting certain population thresholds to permit two-family and in some cases three-family housing in areas zoned single family
- Address how zoning and land use laws can be amended in an attempt to counteract decades of racially discriminatory policies and practices
- Provide an overview of how State housing authorities incentivize and prioritize work force housing in "Qualified Allocation Plans" for low-income housing tax credit deployment
- Include a developer perspective on the challenge of financing housing for the "missing middle" through discussion of the Bourgoune Bywater development

Sarah Adams-Schoen
*University of Oregon
 School of Law
 Eugene, Oregon*

Regina LaMacchia
*Green Coast Enterprises
 New Orleans, Louisiana*

Faith Pettis
*Pacifica Law Group LLP
 Seattle, Washington*

1:30 – 2:45 PM

Beyond the Checklist: Leasing Due Diligence

This program will explore the fundamentals of leasing due diligence for parties entering into a new lease, covering both the key checklist items and more esoteric issues that arise in different types of leases. Both new and experienced practitioners will find valuable content in this program, including:

- A leasing due diligence checklist
- Pitfalls to avoid
- Real-life examples of issues that were avoided through due diligence
- Key lease provisions to consider during due diligence

Program Chair and Moderator:

Karen M. T. Nashiwa
*Nashiwa Law LLC
 Lake Oswego, Oregon*

Speakers:

Felicia B. Canfield
*First American Title Insurance
 Company
 Portland, Oregon*

Imran Naeemullah
*Cades Schutte LLP
 Honolulu, Hawaii*

Amy L. Lawrenson
*Baird Holm LLP
 Omaha, Nebraska*

1:30 – 2:45 PM

Updated ALTA Forms: What's New

We will go through the new ALTA forms for Commitment, Loan Policy and Owner's Policy which are currently scheduled to be effective July 1, 2021. We will discuss what has changed, the reason for the changes, and what remains the same.

Program Chair and Moderator:

Ryan T. Christiansen

Liskow & Lewis

New Orleans, Louisiana

Speakers:

Chelsea P. Fitzgerald

Liskow & Lewis

New Orleans, Louisiana

James Gosdin

Stewart Title

Houston, Texas

Vanessa Sharpe

First American Title

New Orleans, Louisiana



REAL PROPERTY PROGRAMS

THURSDAY, APRIL 22

ALL TIMES ARE CENTRAL STANDARD TIME

10:00 – 11:00 AM

COVID-19 Infects Real Property: The Impact on the Real Estate Market and its Implications for the Real Estate Attorney - A Collaborative Program with The Appraisal Institute

The coronavirus pandemic has impacted many sectors the global economy, and real estate is no exception. With widespread unemployment and business failures, COVID-19 has hurt nearly every corner of the housing, commercial, industrial, and retail real estate markets. This program explores the intersection of the coronavirus pandemic and the real estate market including short and long-term effects on real estate values and implications for real estate practitioners.

Program Chair and Speaker:

C. Scott Schwefel
Shipman, Shaiken & Schwefel LLC
West Hartford, Connecticut

Moderator and Speaker:

R. Marshall Grodner
McGlinchey Stafford PLLC
Baton Rouge, Louisiana

Speaker:

Paula K. Konikoff
Paula Konikoff, JD, MAI, AI-GRS
Los Angeles, California

10:00 – 11:00 AM

Cancelling and Modifying Mortgage, PPP and Business Debt in a COVID World

Federal, state and local pandemic relief, PPP and other legislation to prevent or forestall mortgage and debt foreclosure and provide rent relief will be discussed along with other legal and practical planning strategies to lessen the foreclosure risk. Eliminating or deferring recognition of cancelled debt income and adverse tax effects from modifying debt will be addressed including the unique traps and opportunities faced by partnerships and LLCs.

Program Chair, Moderator and Speaker:

Philip R. Hirshfeld
Cole Schotz P.C.
New York, New York

Speakers:

Joseph A. Dane
Goodsill Anderson Quinn & Stifel
Honolulu, Hawaii

Teresa A. Maloney
Jones Day
San Francisco, California

Gerald V. Thomas II
McGuireWoods LLP
Atlanta, Georgia

11:30 AM – 12:30 PM

The Ethics of RON (Remote Online Notary) Practice

Many of us are now working from home since COVID-19 and now need to know and understand how RON works. Join two distinguished panelists who have been extraordinarily involved with RON to discuss the ethics of remote online notary practice.

Program Chair:

Manuel Farach

Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

West Palm Beach, Florida

Moderator:

R. Marshall Grodner

McGlinchey Stafford PLLC

Baton Rouge, Louisiana

Speakers:

Orlando Lucero

Fidelity National Title Insurance Group

Albuquerque, New Mexico

Melissa Murphy

The Fund Title Services, Inc. Orlando, Florida

11:30 AM – 12:30 PM

The Impact of COVID on Senior Housing Financing, M&A and Operations

A panel of industry experts will discuss the impact of COVID on senior housing financing, M&A and operations. Attorneys and industry leaders will address what COVID means to management of existing senior housing as well as the impact on potential for future development. Consideration will be given to resources available to address the needs of residents, developers and owners. Discussion will include challenges and opportunities for affordable assisted living facilities.

Program Chair:

Michael A. Okaty

Foley & Lardner LLP

Orlando, Florida

Speakers:

Tracey Bracco

CNL Financial Group

Orlando, Florida

Kathryn Burton-Gray

Seniors Capital, LLC

Paradise Valley, Arizona

Ashleigh Dane

Equus Development Partners

Charleston, South Carolina

Sarabeth Hanson

Harbor Retirement Associates

Vero Beach, Florida

Christine L. Hayes

Confluent

Denver, Colorado

1:00 – 2:00 PM

The Future of Real Estate: Which Trends are Here to Stay

In the past decade, as millennials have become an important demographic as consumers, entrepreneurs, and employees, they have brought new perspectives and priorities to the places they work and live. This has spurred changes throughout the real estate industry, including the real estate market, real estate transactions, and real estate development. Some of those change, which will be discussed in this program include:

- How they've revolutionized the home buying process, i.e., the level of involvement they demand in the process, the online research they are doing, and the technology they are demanding (including electronic signature, electronic notarization, secure electronic delivery of EMDs, and secure electronic delivery of title and closing services and updates)
- Statistics on when millennials are buying and what they are buying
- Adjustments developers are having to make to new mixed-use projects, including rideshare staging, development walkability, on-site amenities (yoga studios, dogwash facilities, etc.)
- How millennial demand for more flexibility in the workplace (such as remote work) has changed the commercial leasing environment and how COVID-19 has amplified those demands

Program Chair, Moderator and Speaker:

Sarah D. Cline

Shulman Rogers
Potomac, Maryland

Speakers:

Imran Naeemullah

Cades Schutte LLP
Honolulu, Hawaii

Spencer Levy

CBRE
Baltimore, Maryland



1:00 – 2:00 PM

Keep it Clean, Keep it Safe, Keep the Heads in Beds: Guest Safety Issues Arising from COVID-19

This program will examine the legal issues facing the hospitality in the current and post COVID environment. We will:

- Examine guest safety issues and their impact on a hotel's liability and profitability, in an environment requiring quick response rapidly developing safety standards
- Show how technology and artificial intelligence (AI) will continue to impact the hospitality industry and contribute to guest safety measures
- Consider when and how to modify brand standards to implement the increased laser focus on operations and daily cleaning in the current COVID-19 environment and into the future

Program Chair and Speaker:

Tara K. Gorman
Loeb & Loeb LLP
Washington, DC

Moderator and Speaker:

Steven H. Mezer
Becker & Poliakoff
Tampa, Florida

Speakers:

Jonathan Falik
JF Capital Advisors
Tampa, Florida

Laura Brody Heltebran
Wheels Up
New York, New York

Charles P. Paret
Coloma River Hospitality
Washington, DC



2:30 – 3:45 PM

Trouble at the Park Hotel: The Fictional Challenges of a Luxury Hotel Struggling to Stay Afloat and Avoid Foreclosure During a Global Pandemic

Hotels have faced unprecedented challenges staying afloat during the COVID-19 pandemic, particularly luxury hotels that rely on business travel and group business conferences. In this program, the moderator will walk along a timeline of COVID-19 distress experienced by a fictional luxury business hotel, with a focus on forbearance, workout, and rescue capital negotiations with their lenders. Topics will include pre-negotiation letters, intercreditor agreements and existing loan document considerations, forbearance and workout agreements, rescue capital, note sales, borrower bankruptcy, foreclosure, and deeds or assignments in lieu of foreclosure. The speakers are all experienced practitioners who are currently working through multiple hotel workouts on behalf of hotel owners, lenders and hotel brands.

Program Chair and Moderator:

Dennis D. Kiely
K&L Gates
New York, New York

Speakers:

Kevin Davis
Jones Lang LaSalle Incorporated
New York, New York

Kari L. Larson
K&L Gates LLP
Seattle, Washington

Heather A. Horowitz
K&L Gates LLP
New York, New York

Amy H. Ironmonger
K&L Gates LLP
New York, New York

2:30 – 3:45 PM

Impact of the Pandemic on Commercial Leasing

The pandemic has completely upended the world of commercial leasing. The panelists will consider the application of force majeure and common law remedies to commercial leases as well as evolving practices relating to the pandemic and emerging case law.

Program Chair and Speaker:

George P. Bernhardt
Baker Hughes Company
Houston, Texas

Moderator:

Helen M. Mittelman
Helen M. Mittelman, P.A.
Miami Beach, Florida

Speakers:

Jack Fersko
Greenbaum, Rowe, Smith & Davis LLP, Roseland
New Jersey

Shelby D. Green
Pace University Haub School of Law
White Plains, New York

REAL PROPERTY PROGRAMS

FRIDAY, APRIL 23

ALL TIMES ARE CENTRAL STANDARD TIME

10:30 – 11:30 AM

Law Professors' Update

Law Professors will discuss how COVID-19 has restructured various legal relations, including landlord-tenant, purchase and sale, and mortgages.

Program Chair and Moderator:

Shelby D. Green
Pace University Haub School of Law
White Plains, New York

Speakers:

Judith L. Fox
University of Notre Dame Law School
Notre Dame, Indiana

Christopher Odinet
University of Iowa School of Law
Iowa City, Iowa

Andrea J. Boyack
Washburn University School of Law
Topeka, Kansas

10:30 – 11:30 AM

Estoppels and SNDAs - Understanding and Negotiating the Landlord's Lender's Lease Documents

This Program will review issues related to the two principal documents that landlords' lenders require from tenants: Estoppel Certificates and Subordination, Non-Disturbance and Attornment Agreements. The panel will discuss these documents from the perspectives of the landlord, tenant and lender, focusing on the issues that are most frequently "hot button" issues negotiated by these parties. The panel will also discuss how these documents should be addressed in the underlying lease, and how an SNDA can inadvertently amend the underlying lease and

Program Chair and Speaker:

G. Andrew Gardner
Walter Haverfield LLP
Cleveland, Ohio

Speakers:

Hannah Dowd McPhelin
Troutman Pepper
Harrisburg, Pennsylvania

Joseph M. Saponaro
Meyers, Roman, Friedberg & Lewis
Cleveland, Ohio

provide suggestions regarding best practices when coordinating delivery of these documents during both acquisition financing transactions and refinancing transactions.

11:45 AM – 1:00 PM

No Property Left Behind: Does All Real Estate Return to Normal Post-COVID? (Non-CLE)

More than a year ago, commercial real estate professionals hoped and expected that the COVID downturn would be sharp but short-lived. A year later, lenders, borrowers, property managers and developers are asking the tougher questions: Can my property return to 2019 performance levels? Have the needs of space users changed permanently? If adaptive reuse is the right choice, how do I get from here to there? A team of national real estate industry experts leads a provocative discussion on what to expect across property types and geographies as we begin to see some light at the end of the pandemic tunnel.

Program Chair:

Robert S. Freedman

Carlton Fields, P.A.

Tampa, Florida

Moderator and Speaker:

Brian Olasov

Carlton Fields, P.A.

New York, New York

Speakers:

Victor Calanog

Moody's Analytics

New York, New York

KC Conway

Red-Shoe Economics

Atlanta, Georgia

Lisa Pendergast

CRE Financial Council

New York, New York



1:15 – 2:15 PM

JOINT PROGRAM

The Forgotten 40 Acres: How Real Property and Probate Laws Contributed to the Racial Wealth Gap and How Tax Policy Could Repair It

This program will address the history behind the initial success and ultimate failure of Sherman's Special Field Order 15 promising freed slaves 40 acres (but not a mule), and the case for reparations today by covering the following:

- Real property and probate laws contributing to the racial wealth gap, including sharecropping, redlining, and the failures of state intestacy laws
- Past international examples of reparations paid to non-white South Africans after apartheid and Holocaust victims, as well as domestic examples of reparations paid to Japanese Americans interred during World War II and Native Americans
- Various options for reparations in the United States, including redistribution of land, baby bonds, life insurance, and community-based investments, and what these measures might cost
- Whether real property taxes and estate taxes are appropriate sources of funding for reparations
- Developments across the U.S. from Asheville, NC; Providence, RI; California; and the increasing interest in Representative John Conyers' H.R. 40

Program Chair and Speaker:

Sarah Moore Johnson
Birchstone Moore LLC
Washington, DC

Speakers:

Vanessa Browne
Bessemer Trust
Washington, DC

Raymond C. Odom
The Northern Trust Company
Chicago, Illinois

1:15 – 2:15 PM

JOINT PROGRAM

Must-Have Engagement Letter Clauses: Avoiding Practice Pitfalls

The panel will recommend unconventional engagement letter clauses to simplify and safeguard your practice. Issues addressed include: identifying the correct client; preserving privilege; correctly engaging other professionals; defining/limiting the scope of engagement; defining client v. attorney roles and limits of authority; properly ending the representation (including best practices for firing the client); ensuring payment; and destroying/retaining files retention/destruction.

Program Chair and Speaker:

Laura J. Lattman
The Lattman Law Firm LLC
New York, New York

Speakers:

Soo Yeon Lee
Mauck & Baker, LLC
Chicago, Illinois

Sahmra A. Stevenson
S.A. Stevenson Law Offices, LLC
Colombia, Maryland



2:45 – 3:45 PM

JOINT PROGRAM

The Descendants – The Movie: Lessons for Estate Planners

Panelists will comment on the practical, legal, and ethical concerns raised by the scenes from the film “The Descendants.” Attendees are encouraged to watch the entire movie before the program.

Program Chair:

Clifford Scott-Rudnick

*Attorney at Law
Chicago, Illinois*

Speakers:

Daniel Kofman

*Blake, Cassells & Graydon, LLP
Toronto, Ontario, Canada*

William P. LaPiana

*New York Law School
New York, New York*

Kelly Quam

*First American Title Insurance
Company
Minneapolis, Minnesota*

Julius J. Zschau

*Pennington PA
Tampa, Florida*

2:45 – 3:45 PM

JOINT PROGRAM

The Value of Mentors in a World Gone Crazy

This presentation will inspire attendees to mentor young professionals in their organizations and networks in order to create a diverse and inclusive cadre of professionals to best serve 21st century clients. This panel will explore the benefits of mentoring, offer a variety of mentoring techniques, and highlight strategies for mentoring in a remote work environment.

Program Chair, Moderator and Speaker:

Jennifer E. Smith

*McCollom D'Emilio Smith
Uebler LLC
Wilmington, Delaware*

Speakers:

Karly Laughlin

*Belfint Lyons Shuman, P.A.
Wilmington, Delaware*

Bobbie Nenno Larkin

*Glenmede
Philadelphia, Pennsylvania*



Find Your Well-Being!



The **RPTE Deliberate Well-Being** campaign focuses on information you can use to balance the demands of the profession. "Deliberate" recognizes what we, as lawyers, do best: developing and implementing careful strategies aimed at achieving specific objectives. The campaign addresses what we often do not do well, which is caring for ourselves. A sustained commitment to activities that enhance our personal welfare will benefit us both individually and professionally. Join us as we take an active and intentional role toward a healthy life amidst a fulfilling legal career.

For more information regarding upcoming programs, please visit

ambar.org/rptewellness

Interested in **Corporate Sponsorship?**

The ABA's Real Property, Trust and Estate Law Section will again host its highly anticipated 33rd Annual RPTE Virtual CLE Conference. This year, we will have a brand-new platform that will offer sponsors greater visibility and networking opportunities!

We are very fortunate to have the ability to host this event virtually and to offer attendees the opportunity to obtain CLE this spring with RPTE. We are also excited to provide our sponsors with NEW digital engagement options and exclusive visibility with this change in format.

Our new format will allow for sponsor visibility and attendee engagement opportunities that will provide pre-event exposure, visibility, and networking/branding/chat functionality during the virtual experience and then post-show materials will be available for six months after the event!

We have a limit to the number of sponsors that we can accept at each level, so if you have a need to reach Real Property or Trust and Estate attorneys - let me know ASAP so that we can schedule a call to discuss the options for sponsorship.

Please contact:

CHRIS MARTIN

Vice President, Sales

T: +1 (410) 316-9859

E: chris.martin@mci-group.com



Trust and Estate Programs

✦ Building Bridges Together in the Practice of Law ✦

TRUST AND ESTATE PROGRAMS

WEDNESDAY, APRIL 21

ALL TIMES ARE CENTRAL STANDARD TIME

10:00 – 11:00 AM

What To Do With All This Stuff: Administering an Estate with Art and Collectibles

Issues for estates with art and collectibles range from the practical to complex questions as to ownership. The panel will discuss:

- Locating and securing art and collectibles
- Valuation issues and options
- Establishing ownership
- Insurance coverage throughout the process of estate administration
- Disposition of art and collectibles: When to donate? What to sell?
- Funding trusts with art and collectibles
- Fiduciary issues and management of beneficiaries' wishes.

Dealing effectively with emotional and psychological consequences of the dislocation vis-a-vis beneficiaries

Program Chair and Speaker:

Ramsay H. Slugg

*Bank of America
Fort Worth, Texas*

Moderator:

Diana Wierbicki

*Withers Bergman LLP
New York, New York*

Speakers:

Tash Perrin

*Christie's
New York, New York*

Mary Pontillo

*Dewitt Stern Fine Art
New York, New York*

Elisa Shevlin Rizzo

*The Northern Trust Company
New York, New York*

10:00 – 11:00 AM

The Basics of Life Insurance in a Changing World

This fundamentals program will provide an overview of commonly used life insurance products and their basic structures and rules to give planners the tools to advise clients who own or are considering purchasing a life insurance policy. In addition, the panel will discuss the updated transfer for value regulations and how planners can implement strategies serving the business needs of estate planning clients. Highlights include:

- Types of life insurance policies and practical uses
- The risks associated with life insurance

Program Chair and Speaker:

Melisa Seyhun

*Schiff Hardin LLP
Chicago, Illinois*

Moderator:

Renee E. Salley

*The Salley Firm, LLC
Atlanta, Georgia*

Speakers:

Gordon Hartman

*Estate and Tax Planning
Attorney
Atlanta, Georgia*

- Helping clients understand the life insurance underwriting process
- Assessing and minimizing pitfalls in light of transfer for value regulation changes and use with buy-sell agreements

Bruce A. Tannahill
MassMutual
 Wichita, Kansas

11:30 A M– 12:45 PM

Can Flexible Drafting Go Too Far? And Your Annual Non-Tax Hot Topics

This program will provide an update of hot topics and will address flexible drafting techniques including:

- HDAPTs. Hybrid Domestic Asset Protection Trusts start as plain vanilla dynasty trusts, but a non-fiduciary individual is given the authority to add the settlor to the class of permissible beneficiaries. That effectively converts the trust to a self-settled trust, thereby changing the trust's function/purpose.
- Effective Share. It may be possible to incorporate an elective share provision for a spouse without naming the spouse (directly anyway) as a beneficiary. This could mean that what looks like a trust for descendants could – in part – convert to a marital trust.
- Nonjudicial Settlements. Parties to a trust can make many interesting changes to trusts without judicial involvement, and often without the settlor. Do laws establishing limits on nonjudicial settlements stand a chance against the machinations of wily estate planners?
- Decanting. The ability to decant a trust is not new, but are there limits as to how flexible this power can be? When a fully discretionary trust is created for the benefit of a large class of beneficiaries, but a broad decanting power is incorporated, it may be possible to eliminate all but one or several beneficiaries, or perhaps create an entirely charitable trust.

Program Chair:
Michael A. Sneeringer
*Porter Wright Morris &
 Arthur LLP*
 Naples, Florida

Speakers:
Cara M. Koss
Arnold & Porter Kaye Scholer
 Washington, DC

Alex S. Tanouye
The Northern Trust Company
 Washington, DC

Lee-ford Tritt
*University of Florida Levin
 College of Law*
 Gainesville, Florida

T. Sandra Fung
Withers Bergman LLP
 New York, New York

11:30 AM – 12:45 PM

Charitable Giving Beyond the 501(c)(3): New, Holistic Models to Achieve Higher Impact for Clients

This session will focus on expanded definitions of impact through new structures such as donor-advised funds, 501(c)(4)s, and charitable LLCs; impact investing and environmental, social and governance. In the wake of COVID-19 and the emergence of a new generation of philanthropists, estate planners are increasingly called upon to help clients achieve their charitable ambitions. Hear from experts on new models for giving beyond the 501(c)(3), and increase the tools in your toolbox for advising clients achieving philanthropic impact.

Program Chair and Moderator:

Carly E. Doshi
HSBC
New York, New York

Speakers:

Preston C. Demouchet
Carter Ledyard & Milburn LLP
New York, New York

Andrew S. Katzenberg
DLA Piper
New York, New York

Ruth M. Madrigal
KPMG
Washington, DC

Leila L. Zakhem
Full Impact Advisory
London, England

1:30 – 2:45 PM

Fiduciary-ing During Dislocations: Best Practices for Volatile Markets, Family Upheavals, Pandemics and More

The COVID-19 pandemic and associated market volatility have shed new light on some familiar fiduciary issues and also created some novel ones. This program will address:

- Transitioning to an entirely web-based/remote platform for carrying out fiduciary duties
- Limiting liability and managing risk during financial volatility
- Exercising discretion to deal with novel or unusual circumstances and requests by beneficiaries
- Dealing effectively with emotional and psychological consequences of the dislocation vis-a-vis beneficiaries.

Program Chair and Moderator:

Laura T. Lattman
McLaughlin & Stern, LLP
New York, New York

Speakers:

Verley Brown
McLaughlin & Stern, LLP
New York, New York

Preston C. Demouchet
Carter Ledyard & Milburn LLP
New York, New York

Mark M. Parthemer
Bessemer Trust
Palm Beach, Florida

1:30 – 2:45 PM

The Defined Value Clause-No Longer Exotic

Taxpayers have enjoyed a string of victories with valuation clauses. The *McCord*, *Christiansen*, *Petter*, *Hendrix* and *Wandry* cases each provided a road map for using these clauses in a way the tax court would respect. Nearly a decade after the *Wandry* decision, use of defined value clauses to mitigate tax risks should now be considered standard, not exotic. With lower estate tax exemptions, a larger number of clients will be able to benefit from the certainty that can be provided by well-crafted valuation clauses.

Program Chair and Speaker:

Stephen Liss

Schiff Hardin LLP
New York, New York

Moderator:

Dana M. Foley

Arnold & Porter Kaye Scholer LLP
Washington, DC

Speakers:

Keri D. Brown

Baker Botts LLP
Houston, Texas

James Dougherty

Withers Bergman LLP
Greenwich, Connecticut

Joanna G. Morrison

Schiff Hardin LLP
Chicago, Illinois



TRUST AND ESTATE PROGRAMS

THURSDAY, APRIL 22

ALL TIMES ARE CENTRAL STANDARD TIME

10:00 – 11:00 AM

Planning When Medicaid Eligibility Is An Issue

This program will introduce planning concepts that may appear when a client who is not a Medicaid recipient has a spouse or child who is or may become eligible for Medicaid benefits. The panel will discuss:

- Changing an estate plan to a Medicaid plan.
- The use of a testamentary special needs trust in an estate plan to protect the interest of a spouse in a nursing home.
- The use of Sole Benefit Trusts for a disabled child.

Program Chair and Speaker:

Heidi M. Brown

*Osterhout & McKinney, PA
Fort Myers, Florida*

Moderator:

M. John Way

*Schwabe Williamson & Wyatt
Seattle, Washington*

Speakers:

Mary Elizabeth “Beth” Anderson

*Wyatt, Tarrant & Combs, LLP
Louisville, Kentucky*

Benjamin A. Rubin

*Rubin Law
Chicago, Illinois*

10:00 – 11:00 AM

Successor Trustees and Section 672(c): A Prison of Our Own Making?

Since 1995 it has been common to prohibit "related or subordinate" parties from serving as successor Trustees. Overuse of this restriction may be limiting options for clients. This panel will explore:

- The origins of this limitation
- The true limitations on successor trustees in various scenarios
- The ways poor drafting often restricts trustee choices
- Options for drafting successor trustee provisions.

Program Chair and Speaker:

Stephen Liss

*Schiff Hardin LLP
New York, New York*

Speakers:

Jessica Coutré

*Freeborn & Peters, LLP
Chicago, Illinois*

Amy K. Kanyuk

*McDonald & Kanyuk PLLC
Concord, New Hampshire*

11:30 AM – 12:30 PM

***Do's and Don'ts of Donor Intent:
Managing Disputes over Restricted
Charitable Gifts, Donor Intent and
Changed Circumstances***

This panel will discuss issues that arise in administering restricted charitable gifts. The panel will offer guidance to practitioners concerning: What is the current state of the law governing restricted gifts and charitable trusts when circumstances change?

Lessons that can be learned from high profile disputes involving donor-imposed restrictions on charitable gifts.

The current state of the law governing restricted gifts and charitable trusts

The risks trustees and charitable organizations and their board members face if they fail to comply with donor-imposed restrictions

Who has standing to seek to enforce or modify restrictions on charitable gifts

The legal tools available to modify restrictions when circumstances change

The role of the State Attorney General in enforcing donor-imposed restrictions

Drafting gift agreements to address the possibility of changed circumstances and reduce the chances of future controversies.

***Program Chair, Moderator
and Speaker:***

David E. Lieberman
Levin Schreder & Carey Ltd.
Chicago, Illinois

Speakers:

Nancy Assaf McLaughlin
University of Utah
Salt Lake City, Utah

Melissa Osorio Dibble
Archer
Haddonfield, NJ



11:30 AM – 12:30 PM

Choosing A Trustee - Harder Than It Sounds? Considerations for Naming a Fiduciary when a Trust will Hold Closely-Held Business Assets

This program will examine the considerations involved in choosing a trustee. The panel will discuss the pros and cons associated with various types of fiduciaries. Topics to be discussed include:

- A broad conversation of the selection criteria for fiduciaries
- Selection and consideration of a corporate fiduciary
- Review of inherent conflict and material participation rules if a business officer serves as a trustee

Program Chair, Moderator and Speaker:

Emily A. Plocki

Venable

Washington, DC

Speakers:

Nathan R. Brown

McDermott Will & Emery, LLP

Chicago, Illinois

Chelsea L. McGrath

Venable

Washington, DC

Alex S. Tanouye

The Northern Trust Company

Washington, DC



1:00 – 2:00 PM

Grantor Trust Reimbursement Statutes: A Magic Wand to Allay the Woes of Grumpy Trustors

Creating a trust that qualifies for grantor trust status means that the trustor will be responsible for the taxes associated with income of the trust during the trustor's lifetime. The payment of taxes by the trustor (rather than from the assets of the trust) enhances the growth of trust assets and does not require any additional allocation of the trustor's unified lifetime gift and estate tax exemption or generation skipping transfer tax exemption. Estate planners love this feature and so do trustors, until something happens and the trustor is no longer happy to pay the taxes associated with the trust. What's an estate planner to do when her client has a serious case of buyer's remorse? A handful of jurisdictions now offer a solution.

This panel will:

- Compare and contrast the reimbursement statutes for Colorado, Connecticut, Delaware, Florida, New Hampshire, and New York (with particular focus on Connecticut and Florida, which enacted legislation in 2020 and a 2021 proposed amendment in Delaware)
- Discuss how to migrate a trust to a jurisdiction that has a grantor reimbursement statute
- Provide sample grantor reimbursement language and offer words of caution to avoid potential pitfalls

Program Chair, Moderator and Speaker:

Jennifer E. Smith
McCollom D'Emilio Smith
Uebler LLC
Wilmington, Delaware

Speaker:

Kristen A. Curatolo
Kirkland & Ellis LLP
New York, New York



1:00 – 2:00 PM

BDITs, BDOTs and Will They Remain BDON'Ts

“Beneficiary Defective Inheritors Trusts” and “Beneficiary Deemed Owner Trusts” may appear appealing to clients seeking to preserve family wealth. These vehicles may raise more issues than clients can handle. The panel will discuss:

- Administrative burdens and how they naturally lead to bad facts
- Valuation and gift tax reporting - dotting your i's and crossing the t's of the BDIT
- The IRS position and disposition
- Finding the right BD trust - Updates and new approaches

Program Chair:

Michael A. Sneeringer

*Porter, Wright, Morris & Arthur
Naples, Florida*

Moderator and Speaker:

Katarinna McBride

*Focus Family Office Counsel, US
Vail, Colorado*

Speakers:

Steven B. Gorin

*Thompson Coburn LLP
St. Louis, Missouri*

Edward Morrow III

*Huntington National Bank
Private Wealth Management
Cincinnati, Ohio*

2:30 – 3:45 PM

Undue Influence and Elder Abuse Allegations against Spouses, Family Members, and Caregivers

Vulnerable clients can be prey to those upon whom they depend for care. This program will explore the issues that may arise in this context, including the effect of the COVID-19 pandemic on prevention and discovery. The program will review undue influence cases and provide resources and guidance in the following areas:

- Factors considered by various courts in recognizing undue influence
- Recourse in situations involving property transfers and mismanagement of funds,
- Various state laws regarding the ability of financial institutions to assist family members in the protection of vulnerable adults
- Issues or defenses unique to the spousal relationship

Program Chair and Moderator:

M. John Way

*Schwabe, Williamson & Wyatt
Seattle, Washington*

Speakers:

Chasity Grice

*Peppel, Grice & Palazzolo, P.C.
Memphis, Tennessee*

Crystal Patterson

*Gulfstream Commercial
Services
Owensboro, Kentucky*

Julian Zebot

*Maslon, LLP
Minneapolis, Minnesota*

2:30 – 3:45 PM

Potential Partnership Tax Pitfalls for Planners

This program offers a discussion of potential pitfalls involving interests in partnership that can trip up gift and estate tax planning, including:

- Section 1061 and the impact of the final Treasury Regulations, and continuing unknowns for family offices
- Business terms in partnership agreements or related buy-sell agreements at odds with Chapter 14
- Partnership audit rules and the potential to shift tax liability
- Section 754 elections in estate and trust administration
- Implications of negative basis on a transfer to a non-grantor trust
- Material participation in the context of a trust and considerations for when it may be more tax efficient for a trust to not be a material participant
- Considerations related to charitable giving with partnership assets and partnership interests
- Benefits of partnerships relative to other entity options.

Program Chair, Moderator and Speaker:

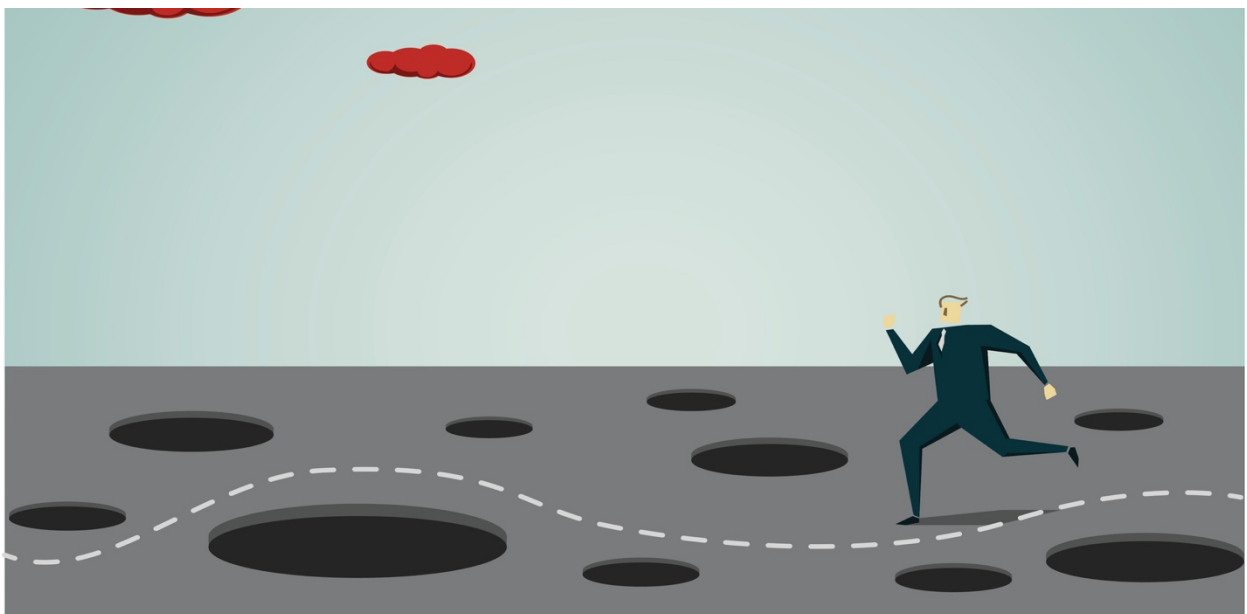
Marissa Dungey
Withers Bergman LLP
Greenwich, Connecticut

Speakers:

Thomas A. Cooper
Moore & Van Allen PLLC
Charlotte, North Carolina

Kelly M. Perez
J.P. Morgan Private Bank
Dallas, Texas

Naomita Yadav
EY
Palo Alto, California



TRUST AND ESTATE PROGRAMS

FRIDAY, APRIL 23

ALL TIMES ARE CENTRAL STANDARD TIME

10:30 – 11:30 AM

Are Powers of Attorney Powerless in Employee Benefit Plans?

Powers of attorney that are valid under state law may nonetheless be ineffective when used in connection with an employee benefit plan due to federal (ERISA) preemption of state law. Problems may arise with attempted use of a power of attorney to:

- Direct investments in a 401(k) plan
- Name a beneficiary of a retirement plan or group insurance plan
- Elect to receive a distribution from a retirement plan
- Elect, or waive, federal rights, such as COBRA healthcare continuation or spousal annuity rights

Plan administrators may choose to give effect to powers of attorney for some purposes, even though the state law is preempted, but must be mindful of their fiduciary obligations. Lastly, some representative capacities other than a power of attorney are recognized for specific purposes under ERISA.

Program Chair and Speaker:

Karen K. Suhre

*Karen K. Suhre Attorney at Law
Kansas City, Missouri*

Moderator and Speaker:

Lori Oliphant

*Winstead PC
Dallas, Texas*

Speaker:

Brian M. Balduzzi

*Davis & Gilbert LLP
New York, New York*



10:30 – 11:30 AM

QSBS: Quest for Quantum Exclusions (Queries, Qualms, and Qualifications)

Qualified Small Business Stock (QSBS) under Section 1202 is not just for tech companies anymore. Almost 30 years after it first became law, QSBS is being used to benefit a wide range of closely-held businesses. QSBS provides an exciting array of benefits (and a surprising alternative) for business owners: (i) 100% gain exclusion on sale; (ii) tax-free rollover of gains; and (iii) a chance to “stack” (multiply) and “pack” the exclusion by 10 times (maybe more). While the benefits of QSBS are straightforward, the qualifications and questions surrounding QSBS planning are far from it. This presentation will discuss planning opportunities around QSBS, unanswered questions, potential pitfalls, and best practices in the quest for quantum QSBS exclusions.

Program Chair and Speaker:

Benetta Y. Park

*J.P. Morgan Private Bank
Chicago, Illinois*

Speakers:

Paul S. Lee

*The Northern Trust Company
New York, New York*

René Morency

*Prudent Counsel, LLC
St. Louis, Missouri*

11:45 AM – 1:00 PM

Report from the Trenches: An Inside Look into the Joint Meetings of the American Bar Association and the American Bankers Association

The National Conference of Lawyers and Corporate Fiduciaries (NCLCF) is a standing committee consisting of a select group of RPTE members who interface with members of the American Bankers Association throughout the year, most notably in the context of 1-2 annual joint meetings. In the past, access to those meetings has exclusively been limited to the members of the committee. Now, for the first time, the NCLCF presents highlights of these recent discussions to the RPTE Section at large, including:

- Best practices for meeting business challenges during a pandemic, such as
- Document execution
- Account openings
- Asset management
- Court operations
- Estate settlement and administration
- Management of staff working remotely

***Program Chair, Moderator
and Speaker:***

Anthony R. LaRatta

*Archer
Haddonfield, New Jersey*

Speaker:

Stephanie Loomis-Price

*Winstead PC
Houston, Texas*

- Federal and state law developments
- Litigation developments and best practices

1:15 – 2:15 PM

JOINT PROGRAM

The Forgotten 40 Acres: How Real Property and Probate Laws Contributed to the Racial Wealth Gap and How Tax Policy Could Repair It

This program will address the history behind the initial success and ultimate failure of Sherman's Special Field Order 15 promising freed slaves 40 acres (but not a mule), and the case for reparations today by covering the following:

- Real property and probate laws contributing to the racial wealth gap, including sharecropping, redlining, and the failures of state intestacy laws
- Review past international examples of reparations paid to non-white South Africans after apartheid and Holocaust victims, as well as domestic examples of reparations paid to Japanese Americans interred during World War II and Native Americans
- Various options for reparations in the United States, including redistribution of land, baby bonds, life insurance, and community-based investments and what these measures might cost
- Whether real property taxes and estate taxes are appropriate sources of funding for reparations
- Developments across the U.S. from Asheville, NC; Providence, RI; California; and the increasing interest in Representative John Conyers' H.R. 40

Program Chair and Speaker:

Sarah Moore Johnson

Birchstone Moore LLC
Washington, DC

Speakers:

Vanessa Browne

Bessemer Trust
Washington, DC

Raymond C. Odom

The Northern Trust Company
Chicago, Illinois

1:15 – 2:15 PM

JOINT PROGRAM

Must-Have Engagement Letter Clauses: Avoiding Practice Pitfalls

The panelists will recommend unconventional engagement letter clauses to simplify and safeguard your practice. Issues addressed include; identifying the correct client; preserving privilege; correctly engaging other professionals; defining/limiting the scope of engagement; defining client v. attorney roles and limits of authority; properly ending the representation (including best practices for firing the client), ensuring payment; and destroying/retaining files.

Program Chair and Speaker:

Laura J. Lattman
McLaughlin & Stern, LLP
New York, New York

Speakers:

Soo Yeon Lee
Mauck & Baker, LLC
Chicago, Illinois

Sahmra A. Stevenson
S.A. Stevenson Law Offices, LLC
Colombia, Maryland

2:45 – 3:45 PM

JOINT PROGRAM

The Descendants – The Movie: Lessons for Estate Planners

Panelists will comment on the practical, legal, and ethical concerns raised by the scenes from the film “The Descendants.” Attendees are encouraged to watch the entire movie before the program.

Program Chair:

Clifford Scott-Rudnick
Attorney at Law
Chicago, Illinois

Speakers:

Daniel Kofman
Blake, Cassells & Graydon, LLP
Toronto, Ontario, Canada

William P. LaPiana
New York Law School
New York, New York

Kelly Quam
*First American Title Insurance
Company*
Minneapolis, Minnesota

Julius J. Zschau
Pennington PA
Tampa, Florida

2:45 – 3:45 PM

JOINT PROGRAM

The Value of Mentors in a World Gone Crazy

This presentation will inspire attendees to mentor young professionals in their organizations and networks in order to create a diverse and inclusive cadre of professionals to best serve 21st century clients. This panel will explore the benefits of mentoring, offer a variety of mentoring techniques, and highlight strategies for mentoring in a remote work environment.

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Jennifer E. Smith

McCollom D'Emilio Smith

Uebler LLC

Wilmington, Delaware

Speakers:

Karly Laughlin

Belfint Lyons Shuman, P.A.

Wilmington, Delaware

Bobbie Nenno Larkin

Glenmede

Philadelphia, Pennsylvania



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RPTE Membership Guide

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Share your knowledge and get involved in the Section's work including 80 Groups and Committees focusing on various law specialties, Section advocacy/policy programs and diversity programs.

Stay connected and discuss cutting edge issues, changing laws, and the latest business trends. Participate in **FREE** Group and Committee substantive conference calls and email discussions. Find out the latest case law, legislative and regulatory developments. Discover practical planning, drafting, and business development strategies. Prepare comments to the government on current policy and pending legislation in your area of expertise.

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ambar.org/rptebenefits

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Special Investors and Investment Structure Group

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Income and Transfer Tax Planning Group

Litigation, Ethics and Malpractice Group

Non-Tax Estate Planning Considerations Group

Trust and Estate Practice Group



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- Firm logo included in the RPTE meeting platform where registrants access all conference programming, including important details like schedules, meeting details, speaker information, etc
- Firm recognition on **rpteconference.com** website
- Firm recognition/thank you video on all RPTE social media pages
- Opportunity to brand a conference item or supply separate giveaway item to be mailed to all registrants, post conference, as a thank you for registering for the conference. **Firm to notify Bryan by March 1, 2021 if they will provide an item and details of the item. The item must arrive at the ABA offices by March 31, 2021**
- Prominent display of firm name in meeting promotion distributed to approximately 18,000 Section members
- Appreciation acknowledgements in RPTE's publications: the *eReport* and *Probate & Property* magazine. The *eReport* is distributed to more than 17,500 subscribers, and the *Probate & Property* magazine is mailed out to more than 18,000 section members

Contact **bryan.lambert@americanbar.org**
Commitment Deadline is **APRIL 2, 2021**

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Rates

ABA RPTE Member:	\$350
ABA Member:	\$405
Non-ABA Member:	\$450
Conference Speaker/Academic/Government Attendee:	\$350
Law Student Attendee:	No Charge

Registering Online

Register online at ambar.org/rptenationalcle. Online registration is available now and will continue to be open through the Conference. To register at discounted rates, ABA members will need an ABA identification number, which may be found on your ABA membership card. Non-ABA members may register online by creating a new customer account. You may also join the Section to take advantage of the discounted member rates. Please contact the ABA Service Center at (800) 285-2221 if you need help with the online registration system or if you need assistance in locating your membership number.

Virtual Program Access and Program Materials

Login details will be emailed to registrants during the week of the Conference. Using a unique login, attendees will be able to access a customized landing site with entree to a Virtual Lobby where all sessions can be viewed/entered during the event. Registrants will have the ability to access the virtual platform before the start of Conference to build their own schedule and set up their individual account page, where attendees can add a headshot, biographical information and adjust their privacy settings. Online assistance will be available throughout the Conference. A link to the program materials will be available to registrants for downloading or printing. All registered attendees will be sent this link during the week of the Conference.

GENERAL INFORMATION

Cancellation Policy

Requests for refunds must be made in writing and emailed to Frankie Angelone at Frankie.Angelone@americanbar.org no later than April 15, 2021. A \$75 administrative fee will be deducted from the amount refunded. The Section will gladly accept substitute registrants for cancellations received at any time.

CLE Credit

The ABA will seek 10 hours of CLE credit in 60-minute states, and 12 hours of CLE credit for this program in 50-minute states including 2 hours of CLE specialty ethics credit in 60-minute states, 2.4 hours of CLE specialty ethics credit in 50-minute states, 1 hour of CLE specialty elimination of bias credit in 60-minute states and 1.2 hours of CLE specialty elimination of bias credit in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at ambar.org/rptenationalcle for program CLE details or visit americanbar.org/mcle for general information on CLE at the ABA.

For more information about CLE accreditation in your state, visit ambar.org/rptenationalcle or contact Frankie Angelone at Frankie.Angelone@americanbar.org or 312-988-5346.

Financial Assistance

A limited number of scholarships is available based on need. The scholarships range from a 25% to a 50% tuition discount. Scholarship applications are due April 15th and decisions regarding the applications will be announced no later than April 20, 2021. Complete the application at ambar.org/rptescholarship.

Persons with Disabilities

Services for persons with disabilities can be arranged. If arrangements are required, please notify Christopher Meacham at christopher.meacham@americanbar.org at least two weeks prior to the Conference.

Stay Engaged. Stay Connected

Take advantage of everything your Section membership has to offer! Any questions about these or other aspects of your membership, visit **ambar.org/rpte**. Thank you for being a part of our Real Property, Trust and Estate Law community.

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www.linkedin.com/groups/2384722/



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