



38th Annual **RPTE** National CLE Conference

April 29-May 1, 2026 | Chicago, IL

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ABA[®]
AMERICAN BAR ASSOCIATION
Real Property, Trust and
Estate Law Section



Marie A. Moore

Chair | American Bar Association,
Real Property, Trust, and
Estate Law Section

Welcome Message from RPTE Section Chair

Dear Esteemed Colleagues,

Welcome to the 38th Annual National CLE Conference, hosted by the ABA Section of Real Property, Trust, and Estate Law.

We are delighted to welcome you to Chicago from April 30-May 1 at the Loews Chicago Hotel. Known for its bold architecture, global influence, vibrant business environment, and deep legal roots, Chicago provides the perfect setting for a conference focused on the programs and insights you need to serve today's clients.

This year's program features top-tier, in-person CLE, nationally recognized speakers, and valuable networking opportunities designed to strengthen your practice and expand your professional connections. The agenda spans estate planning, real property law, trust administration, and wealth management, offering timely insights into today's most pressing issues and practical solutions.

Beyond the sessions, attendees will enjoy opportunities to connect with fellow attorneys and speakers from across the country over dining and cocktails, all set against Chicago's iconic skyline. Interactive programming and discussions on current topics will bring practitioners together, culminating in a celebratory close that honors new connections and fresh perspectives.

Thank you for investing in your practice and joining us for what promises to be a memorable and enriching experience in one of America's great cities.

See you in the Windy City!

38TH ANNUAL RPTE NATIONAL CLE CONFERENCE

CHICAGO

April 29 - May 1, 2026 | Loews Hotel



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Groups

The Section of Real Property, Trust and Estate Law is unique in that we are comprised of two divisions, real property, and trust and estate. These divisions are broken down into high-level groups, and further broken down into issue-specific committees. Group activity provides much of the basis for our high-quality educational programs like the ones produced for the National CLE Conference. View our list of Groups below and become involved in the Section's work.

To join a Group visit:

www.americanbar.org/my-aba/memberships/

REAL PROPERTY DIVISION

- Commercial Real Estate Transactions Group
- Hospitality, Timesharing, and Common Interests Development Group
- Land Use and Environmental Group
- Leasing Group
- Real Estate Financing Group
- Real Property Litigation and Ethics Group
- Residential, Multi-Family, and Special Use Group
- Special Investors and Investment Structure Group

TRUST AND ESTATE DIVISION

- Business Planning Group
- Charitable Planning and Organizations Group
- Elder Law and Special Needs Planning Group
- Employee Plans and Executive Compensation Group
- Income and Transfer Tax Planning Group
- Litigation and Professional Responsibility Group
- Non-Tax Estate Planning Considerations Group

INTERDIVISIONAL GROUPS

- Joint Technology and Law Practice Group
- Joint Legal Education and Uniform Laws Group



Special Events

WEDNESDAY, APRIL 29 2026

Chicago Law Schools x ABA RPTE: National Conference Kickoff Mixer

4:30- 5:30 PM

A high-energy, early-evening mixer connecting Chicago law students with ABA RPTE leaders and practitioners attending the National CLE Conference. Expect intros from the law school outreach committee, a short description of what RPTE can offer law students, and guided networking to help students make meaningful connections before the conference begins.

WELCOME RECEPTION

5:30 – 6:30 PM

Loews Chicago Hotel

(complimentary for attendees, \$25 for guests)

Kick off the RPTE CLE Conference at our Welcome Reception at the Loews Chicago Hotel. This complimentary gathering is open to all conference attendees and their registered guests. Connect with colleagues, enjoy light refreshments, and settle in before the conference begins.

THURSDAY, APRIL 30, 2026

THURSDAY CONFERENCE RECEPTION

7:00 – 9:00 PM

The Forum at 110

(additional fee, \$85 per person)

Unwind, connect, and experience Chicago after a day of conference sessions. Join us for the Thursday Conference Reception at The Forum at 110. Sip drinks, enjoy specialty curated fare, and take in the venue's stunning city views while mingling with colleagues—an ideal setting for networking and conversation.



FRIDAY, MAY 1, 2026

FRIDAY LUNCHEON

12:15 – 1:45 PM (JOINT PROGRAM)

NOT FOR CLE CREDIT

**Downtown Revitalization:
Lessons from Chicago**
(additional fee, \$60 per person)

This luncheon will feature engaging discussions on the bold ideas and long-term goals shaping the future development of Chicago's downtown area.





Real Property Programs

REAL PROPERTY PROGRAMS AT-A-GLANCE

WEDNESDAY, APRIL 29, 2026

4:30- 5:30 PM

**Chicago Law Schools x ABA RPTE:
National Conference Kickoff Mixer**

Loews Chicago Hotel

5:30- 6:30 PM

Welcome Reception

Loews Chicago Hotel
(complimentary for attendees, \$25 for guests)

THURSDAY, APRIL 30, 2026

7:30 - 8:15 AM

**Learning Lab Breakfast with Orbital (Real Property)
Learning Lab Breakfast with Bone & Gray (Trust & Estate)**

*Sessions run concurrently / see mobile app for program locations

8:30 - 9:45 AM

(Almost) Everything You Ever
Wanted To Know About Affordable
Housing But Were Afraid To Ask

Promises, Perceptions & Power:
Legal Challenges in Common
Interest Communities

9:45 - 10:00 AM

Break with Exhibitors

10:00 - 11:15 AM

Cyber Fraud: Guarding Against
Cybercriminals in Real Estate
Transactions

Unlocking Coverage: Commercial
Title Insurance Endorsements You
Didn't Know You Need

11:15 - 11:30 AM

Break with Exhibitors

11:30 AM - 12:45 PM

Beyond the Basics: Mortgage
Lending Secured by Leaseholds,
Condominiums and Complex
Collateral

Bridge Over Troubled Waters: Cross
Border Real Estate Investments

1:00 - 2:00 PM

Boxed Lunch and Group/Committee Breakouts

2:15 - 3:30 PM

Check-In to Closing: Navigating
Hotel Purchase Agreements

Gaps, Traps, and Mishaps:
Navigating Ethical Challenges in
Your Practice

3:30 - 3:45 PM

Break with Exhibitors

3:45 - 5:00 PM

Wired for Success: Navigating
Data Center Leasing

Hurricanes, Wind, Flood,
and Winter Storms - and
the Forensics, Insurance and
Liability Issues that Follow

7:00 - 9:00 PM

Conference Reception (ticketed event)

The Forum at 110
tickets \$85/per person

All times are Central Daylight Time



REAL PROPERTY PROGRAMS AT-A-GLANCE



FRIDAY, MAY 1, 2026

7:30 - 8:15 AM	Learning Lab Breakfast with Kidder Mathews *See mobile app for program location	
8:30 - 9:30 AM	JOINT Beyond the Headlines: A Call to Action for Real Estate and Probate Attorneys for Tackling Heirs Property	JOINT Prompt Engineering for Transactional Attorneys: Practical Demonstrations of AI
9:30 - 9:45 AM	Break with Exhibitors	
9:45 - 10:45 AM	Emerging Issues in Property, Tax, and Land Use: Law Professors' Update	Do I Say "I Do" to a Transfer in Lieu? Considerations for Borrowers and Lenders
10:45 - 11:00 AM	Break with Exhibitors	
11:00 AM - 12:00 PM	Under All Lies in the Land: Highest and Best Use	How to Prevent "Oh Shoot" from Becoming a Suit: Pre-Suit and Early Dispute Best Practices
12:15 - 1:45 PM	Lunch & Joint Program Downtown Revitalization: Lessons from Chicago NOT FOR CLE CREDIT	
1:45 - 2:00 PM	Break with Exhibitors	
2:00 - 3:00 PM	Navigating SNDAs and Estoppel Certificates in Real Estate Loan Transactions	Amplify Your Practice: Building Custom AI Tools for Transactional Practice
3:00 - 3:15 PM	Break with Exhibitors	
3:15 - 4:15 PM	JOINT Tackling Chronic Stress in the Profession	JOINT Don't Get Burned: Understanding FinCEN's New Anti-Money Laundering Reporting Rule & Its Penalties

All times are Central Daylight Time



REAL PROPERTY DIVISION PROGRAMS

THURSDAY, APRIL 30, 2026

All times are Central Daylight Time

8:30 – 9:45 AM

(Almost) Everything You Ever Wanted To Know About Affordable Housing But Were Afraid To Ask

You and/or your client are experienced in the world of market rate real estate development, but want to explore affordable housing development. You've heard affordable housing real estate development is a different world from market rate, but how? This panel will introduce you to key concepts legal advisors should be aware of at various stages of development when guiding new affordable housing developers through their first few successful affordable housing developments. Attendees are expected to learn:

- Key parties to include in the development team.
- Commonly used corporate entities and financing structures.
- Common sources of financing and the importance of "site control," timing, and considering compatibility of financing requirements from various sources.
- Land use and environmental law provisions specific to affordable housing.
- Closing issues specific to affordable housing
- Update on Federal initiatives and funding (including One Big Beautiful Bill).

Program Chair / Moderator:

George Weidenfeller

*Telesis Corporation
Washington, D.C.*

Speakers:

Kelly Behr

*Nixon Peabody
Washington, D.C.*

Brendan Cardella-Koll

*Nixon Peabody
Washington, D.C.*

Erin Lapeyrolerie

*Goldfarb & Lipman LLP
Oakland, CA*

8:30 – 9:45 AM

Promises, Perceptions & Power: Legal Challenges in Common Interest Communities

The purpose of this program is to discuss the controversial issues currently affecting common interest communities. The program will:

- Explore selective enforcement concerns, including owner perceptions and legal implications for associations.

Program Chair / Speaker:

Randy Roussel

*Phelps Dunbar LLP
Baton Rouge, LA*

Speaker:

Paxon Guest

*Phelps Dunbar LLP
Baton Rouge, LA*

Sally Richardson

*Tulane University, School of Law
New Orleans, LA*

- Examine declarant control issues, especially post-sale majority ownership and emerging case law (e.g., Florida precedent on co-owner rights).
- Analyze discrepancies between sales materials/renderings and actual development, focusing on legal obligations around “MAY” vs. “MUST” build representations.
- Discuss regime termination, particularly in light of insurance market pressures and community sustainability.
- Review mandatory reserve requirements, their legal basis, and practical challenges for associations and developers.
- Identify best practices and legislative trends to reduce litigation risk and improve governance transparency.

10:00 – 11:15 AM

Cyber Fraud: Guarding Against Cybercriminals in Real Estate Transactions

Cybersecurity is a growing concern in real estate transactions. Cybercriminals are evolving and coming up with new and improved ways to steal closing funds or illegally transfer title to property. This program will discuss:

- Common forms of cybercrime in real estate transactions including some case-specific examples.
- What to look for to protect against fraud, including best practices for law firms and attorneys with respect to protocols.
- In the event something happens, best practices for handling in terms of working with law enforcement, banks, insurance companies, and potential litigation.

Program Chair / Moderator:

Shane Costello

Hill Ward Henderson

Tampa, FL

Speakers:

Krista Christensen

Fidelity National Title Insurance

Omaha, NE

Ryan Ellard

Womble Bond Dickinson LLP

Charleston, SC

10:00 – 11:15 AM

Unlocking Coverage: Commercial Title Insurance Endorsements You Didn't Know You Need

Commercial real estate transactions may leave hidden gaps in title policy coverage that may be overlooked if attorneys do not know what endorsement options are available or when to ask for them. Using a series of real-world hypotheticals, this session breaks down

Program Chair /

Moderator:

Wendy S. Gibbons

First American Title Insurance

Company

Charlotte, NC

Speakers:

Sarah D. Cline

Miles & Stockbridge P.C.

Frederick, MD

complex, uncommon and underutilized title insurance endorsements that can mitigate risk and prevent post-closing surprises. Attendees will learn to:

- Recognize when specific issues and/or types of transactions trigger special coverage considerations
- Apply endorsement options to real world fact patterns to evaluate risk, negotiate stronger coverage and to protect clients more efficiently
- Negotiate endorsements in a way that aligns coverage with deal structure and financing requirements.

Matt Foster

First American Title Insurance Company
Chicago, IL

Kristin Niver

Robinson & Cole
Washington, D.C.

11:30 AM – 12:45 PM

Beyond the Basics: Mortgage Lending Secured by Leaseholds, Condominiums and Complex Collateral

This presentation explores diligence, underwriting and loan documentation related to mortgage lending on unique asset classes and property interests. We'll examine specialized sectors such as hospitality, data centers, and senior housing, as well as non-traditional property interests like ground leaseholds and condominiums. Attendees will gain insights into best practices for diligence and closing these distinctive transactions. During this session, attendees will learn to:

- Understand the unique characteristics and risks associated with specialized asset classes such as hospitality, data centers, and senior housing in mortgage lending.
- Identify key diligence considerations for non-traditional property interests, including ground leaseholds and condominium structures.
- Explore best practices in loan documentation for transactions involving unique assets and property interests.
- Apply practical approaches to mitigate risk and enhance deal certainty when closing distinctive mortgage lending transactions.

Program Chair / Speaker:

Kari Larson

Arnold & Porter Kaye Scholer LLP
Seattle, WA

Speakers:

Christian Scarlett

K&L Gates LLP
Seattle, WA

TBD

11:30 AM – 12:45 PM

Bridge Over Troubled Waters: Cross Border Real Estate Investments

The program will explore the impact of US persons investing abroad as well as foreign investors and funds investing in the US. The panel will focus on investing for business, investment and personal purposes. We will explore:

- Choice of entity and structures for cross border investing that reduce or eliminate cross border income, gift and estate tax exposure and allow for repatriation of cash flow from operations and possible exit strategies that minimize tax exposure.
- Reporting requirements and restrictions on foreign ownership.
- Techniques to reduce those burdens.
- Particular focus will be made on Canadian and Mexican investors as well as US persons investing in Mexico and Canada.

Program Chair / Speaker:

Michael Hirschfeld

Dechert
New York, NY

Speakers:

Joseph Calianno

Andersen
New York, NY

Carlo Cannizzo

Cannizzo, Ortiz y Asociados, S.C.
Mexico City, Mexico

Jean-Simon Lamarre

Blake, Cassels & Graydon
Montreal, Canada

2:15 – 3:30 PM

Check-In to Closing: Navigating Hotel Purchase Agreements

Hotel transactions are unlike any other real estate deals. From flag agreements to operational assets and amenities, hotel purchase and sale agreements require specialized knowledge and careful drafting. This session will explore the unique provisions, negotiation strategies, and legal pitfalls that attorneys must understand to effectively represent clients in hotel acquisitions and dispositions. Participants will learn to:

- Identify key hotel-specific provisions that should be included in a purchase and sale agreement.
- Understand how hotel management and franchise agreements impact the transaction and how to address them in the contract.
- Develop negotiation strategies tailored to hotel-specific provisions in a purchase and sale agreement.
- Anticipate and resolve common legal issues that arise in hotel transactions.

Program Chair / Speaker:

Jiten Patel

Seyfarth Shaw LLP
New York, NY

Moderator:

Angela Otto

*Brownstein Hyatt Farber Schreck
LLP*
Las Vegas, NV

Speakers:

Thomas Lynn

Caesars Entertainment
Chicago, IL

Cameron Weil

Polsinelli PC
New York, NY

2:15 – 3:30 PM

Gaps, Traps, and Mishaps: Navigating Ethical Challenges in Your Practice

Ethics and Professional Responsibility CLE Credit Requested

This interactive legal ethics program explores common and emerging ethical challenges faced by real estate lawyers. Through engaging hypotheticals drawn from real cases, participants will examine issues such as legal malpractice risk, conflicts of interest, multi-jurisdictional practice, ethical use of AI, mandatory and permissive withdrawal, client and counsel cognitive impairment, the duty of confidentiality, and practical strategies for addressing mistakes ethically and communicating with clients when things go wrong. The session will integrate data from the ABA Standing Committee on Lawyers Professional Liability report and recent lawyer wellbeing studies as well as consider key Model Rules of Professional Conduct.

By the end of this program, participants will be able to:

- Identify and analyze common ethical pitfalls in real estate practice, including conflicts in dual/multiple representation, client cognitive impairment, and improper use of AI.
- Understand potential ethical issues related to multi-jurisdictional practice.
- Apply professional responsibility rules (e.g., Rule 1.16(a)(2)) to scenarios involving lawyer impairment and determine appropriate steps for withdrawal.
- Develop strategies for managing errors ethically, including best practices for client communication when mistakes occur.
- Evaluate trends and risk factors using ABA Lawyers Professional Liability data and lawyer wellbeing research to proactively reduce malpractice exposure.

Program Chair:

Sarah D. Cline
Miles & Stockbridge P.C.
Frederick, MD

Speaker:

Tracy Kepler
CNA Insurance
Chicago, IL

Joseph M. Sapanaro

Kohan Retail Investment Group
Great Neck, NY

3:45 – 5:00 PM

Wired for Success: Navigating Data Center Leasing

As demand for cloud computing, AI, and digital infrastructure accelerates, data centers have become one of the fastest-growing asset classes in commercial real estate. Yet leasing these highly specialized facilities presents unique challenges that go far beyond traditional office or industrial agreements. This program will provide an overview of the issues surrounding data center leasing. Participants will explore:

- Some key factors differentiating commercial leases with data center leases.
- Learning to speak data center jargon: CRACs, CRAHs, PDUs & QDCOs. Understanding the physical components of a data center.
- Data center standards: We will cover concepts such as uptime guarantees, power and cooling commitments and remedies for downtime.
- Regulatory Considerations: Privacy, CFIUS, and compliance obligations that intersect with lease terms.
- Market Trends: How hyperscaler tenants, co-location providers, and enterprise users are shaping deal structures – and the impact of private equity.
- Power and Water: Considerations regarding these increasingly scarce resources.

Program Chair / Moderator:

Karen Nashiwa
OneEnergy Renewables
Portland, OR

Speakers:

George Bernhardt
Eversheds Sutherland
Houston, TX

Imran Naemullah
Eversheds Sutherland
Chicago, IL

3:45 – 5:00 PM

Hurricanes, Wind, Flood, and Winter Storms - and the Forensics, Insurance and Liability Issues that Follow

This program will feature Dr. "Hurricane" Hal Needham, a forensic meteorologist who, using various media, will take us on a journey into hurricanes, winter storms and other extreme weather events. His engaging presentation will serve to provide entry points for the discussion of legal issues that relate to and regularly follow such events.

Extreme weather events are driving an unprecedented volume of insurance claims and litigation. As the impacts of extreme weather events increase, policyholders and practitioners are confronting the hard reality that many losses fall into coverage gaps created by exclusions in standard homeowners and commercial property policies. This program will include a focused, practical look at the

Program Chair / Moderator:

Drew Miller
Kemp Smith LLP
Austin, TX

Speakers:

Gregory L. Boso
Boso Forensics PLLC
Summersville, WV

Carin Marcussen
Lugenbuhl, Wheaton, Peck, Rankin & Hubbard
Houston, TX

Dr. "Hurricane" Hal Needham
GeoTrek
Galveston, TX

policy provisions that most often limit or bar recovery after catastrophic weather events. It will also touch upon alternate or supplemental coverages that can bridge these gaps.

At the heart of the discussion between weather impacts and the policies for different perils from weather is the insured property itself. Claims arising from weather related events should involve the skilled forensic engineer to analyze the property to decide causation of the claimed damages. And when the event includes multiple weather-related perils, the program will discuss how the forensic engineer may analyze impacts to the property, using meteorological assistance, to decide which happened first for the covered losses.

Attendees will learn about a variety of types of extreme weather events from a leading scientist while gaining a deeper understanding of:

- the useful benefit forensic experts can have on coverage determination; and
- insurance coverage issues related to extreme weather events, to be able to better advise their clients in this rapidly evolving landscape.

REAL PROPERTY DIVISION PROGRAMS

FRIDAY, MAY 1, 2026

All times are Central Standard Time

8:30 – 9:30 AM

JOINT DIVISION PROGRAM

Beyond the Headlines: A Call to Action for Real Estate and Probate Attorneys for Tackling Heirs Property

Elimination of Bias / DEI CLE Credit Requested

Heirs' property—the tangled ownership of land passed down without formal estate planning—continues to strip families of billions in generational wealth across the United States. While national discussions often focus on the broad social implications, the local, state-specific realities tell a deeper story of legal complexity, family fragmentation, and community displacement.

This program brings the national conversation down to the micro level, combining real property and trust and estate perspectives to address the root causes and legal nuances of heirs' property. Presenters will examine how state laws shape outcomes in both residential and agricultural contexts, spotlighting how these issues manifest differently across jurisdictions.

Attendees will gain a practical understanding of:

- The historical and systemic roots of heirs' property and its disproportionate impact on communities of color and poor communities without access to legal services;
- The effectiveness and limitations of the Uniform Partition of Heirs Property Act (UPHPA) and how its adoption varies by state;
- Strategies for real estate and estate planning lawyers to collaborate in preventing property loss and stabilizing ownership; and
- Actionable steps for practitioners to educate and empower clients and communities to preserve generational wealth.

This session moves beyond awareness—it equips attorneys with tools and frameworks to be part of the solution

Program Chair:

Bryanna Frazier
B. Frazier Consulting LLC
New Orleans, LA

Program Chair / Moderator:

Christina Jenkins
Christina Jenkins PLLC
Forney, TX

Speaker:

Thomas Mitchell
Boston College Law School
Boston, MA

Markus D. Reneau
The Center for Heirs Property Preservation
North Charleston, SC

Jane Sternecky
Uniform Law Committee
Chicago, IL

8:30 – 9:30 AM

JOINT DIVISION PROGRAM

Prompt Engineering for Transactional Attorneys: Practical Demonstrations of AI

Technology CLE Credit Requested

Generative AI is rapidly transforming transactional law practice, but its real value depends on how lawyers communicate with it. This live demonstration will teach attorneys the art and science of prompt engineering—how to “supervise” AI as a junior associate, produce accurate, context-specific work product, and integrate it safely into real estate and trust and estate practices. Using live examples, attendees will learn to:

- Write, refine, and chain prompts to generate documents and integrate AI into their practice.
- Differentiate between retrieval-based search and generative AI reasoning, recognizing why precise instructions and context produce superior legal outputs.
- Learn the role of "prompt engineering" in the use of AI systems.
- Apply the prompt engineering frameworks to structure high-performing prompts.
- Use persona-based prompting to simulate counterpart perspectives and improve negotiation strategy.
- Employ advanced prompt-engineering methods such as chunking, iterative refinement, prompt chaining, few-shot prompting, and flipped-interaction prompting to manage complex drafting workflows.
- Design prompt-driven workflows that elevate AI from a one-off tool to a repeatable drafting process, enabling clause generation, deal analysis, and comparative review.
- Evaluate AI outputs critically—identifying hallucinations, bias, and confidentiality risks—and apply best-practice verification strategies consistent with ethical rules.
- Develop personalized or firm-wide AI playbooks to safely integrate AI into transactional and estate-planning practice while maintaining ethical and professional standards.

Program Chair / Speaker:

J. Cliff McKinney
*Quattlebaum, Grooms & Tull
PLLC*
Little Rock, AR

Speakers:

Estrella M. Lucero
Goldfarb & Lipman LLP
San Diego, CA

Brandon L. Wolff
Brandon Lee Wolff, PA
King of Prussia, PA

9:45 – 10:45 AM

Emerging Issues in Property, Tax, and Land Use: Law Professors' Update

This program brings together leading scholars to highlight emerging developments shaping real estate, tax, and land-use law. Panelists will offer concise, practice-oriented updates on new trends and reform efforts that affect how practitioners advise clients, structure transactions, and navigate evolving regulatory frameworks.

Topics will include:

- Deed Fraud and the Erosion of Title Security: Emerging Trends, Legal Responses and Practitioner Strategies
- Charitable Giving After the BBB: New Deductions, New Limits, and How Tax Reforms Are Reshaping Philanthropy
- From Dead Halls to Data Centers: Adaptive Reuse at the Crossroads of Housing, Climate, and Economic Revitalization.

Attendees will learn to:

- Identify current national trends in deed fraud and analyze their implication for title security, transactions, and litigation.
- Interpret key charitable giving reforms under the Big Beautiful Bill and apply updated planning strategies for donors and nonprofit clients.
- Evaluate how adaptive reuse projects intersect with land-use regulations, climate considerations, preservation and redevelopment incentives.
- Anticipate risks and opportunities across these emerging areas to better advise clients in real estate, tax planning, and development.
- Integrate interdisciplinary perspectives from property, tax, and land-use scholarship into day-to-day practice.

Program Chair / Speaker:

Rosa Newman
Elon University School of Law
Greensboro, NC

Speakers:

Shelby D. Green
Elisabeth Haub School of Law at
Pace University
White Plains, NY

Bradley Myer
University of North Dakota School
of Law
Grand Forks, ND

9:45 – 10:45 AM

Do I Say “I Do” to a Transfer in Lieu? Considerations for Borrowers and Lenders

The purpose of this program is to contrast the transfer in lieu of foreclosure process with completing a foreclosure. For beginners, in it would provide a solid overview of the deed in lieu process and some foreclosure basics. For more experience practitioners, the program will also cover recent trends in transfer in lieu documentation, real world examples of outcomes depending on the chosen path, and loan specific hypotheticals.

The program will:

- Provide an overview of how a transfer in lieu of foreclosure is typically documented (basic documents and generally acceptable terms, variations depending on asset type (fee interest, leasehold, personal property)), what to do when the borrower says it is sending the keys).
- Identify the relevant considerations for determining when pursuit of a transfer in lieu of foreclosure may make sense.
- Discuss transactions in the current marketplace from the viewpoint of the mortgagee, mortgagor and title company and highlight applicable concerns and goals.

Program Chair:

Kari Larson
Arnold & Porter Kaye Scholer LLP
Seattle, WA

Speakers:

Laura Bouyea
Venable LLP
Baltimore, MD

Wendy S. Gibbons
*First American Title Insurance
Company*
Charlotte, NC

Rishi Kapoor
Venable LLP
New York, NY

Cheryl Kelly
Thompson Coburn LLP
St. Louis, MO

11:00 AM – 12:00 PM

Under All Lies in the Land: Highest and Best Use

In real-property valuation disputes, the appraisal is often the evidentiary centerpiece and the highest and best use (HBU) analysis is where the case truly begins. This program explores HBU as the analytical fulcrum of valuation, examining how differing conclusions about use can drive dramatically different value outcomes.

Through real-world examples and litigation-informed discussion, the presentation highlights how HBU analysis both informs-and is influenced by-the valuation process and the advocacy environment in which it is applied. Program Topics Include:

- Why highest and best use is the foundational step in every credible appraisal analysis

Program Chair / Speaker:

C. Scott Schwefel
*Shipman, Shaiken & Schwefel,
LLC*
West Hartford, CT

Speaker:

Paula Konikoff
Appraisal Institute
Los Angeles, CA

- The relationship between HBU, market and marketability analysis, and the three approaches to value
- HBU determinations for vacant land versus improved properties
- Divergent HBU conclusions in assessor/condemner versus property owner appraisals-who is "right," and why?
- The role of judgment, assumptions, and potential bias in HBU analysis
- The influence of legal counsel and litigation strategy on HBU conclusions

11:00 AM – 12:00 PM

How to Prevent "Oh Shoot" from Becoming a Suit: Pre-Suit and Early Dispute Best Practices

Litigation is expensive, consumes time that could otherwise be used to support business objectives, and introduces uncertainty into agreed-upon business outcomes. Because of this, the best litigation outcome in many instances is avoiding a suit in the first place.

During this session, attendees will learn:

- Practical benefits of working closely with nonlawyer business people early in the dispute process in order to reduce the likelihood of an adverse outcome.
- Strategies for dealing with common tactics from adversaries, including liens and other pre-suit tactics that have impacts on title or financing.
- Tactics (short of filing suit or your counterparty filing suit) that help narrow issues and avoid litigation.
- The importance of carefully crafting pre-dispute nonlawyer communications.

Program Chair / Speaker:

Benjamin Rubinstein

K&L Gates LLP

New York, NY

Speakers:

Joseph M. Sapanaro

Kohan Retail Investment Group

Great Neck, NY

12:15 – 1:45 PM

JOINT DIVISION PROGRAM

Downtown Revitalization: Lessons from Chicago

NOT FOR CLE CREDIT

Using Chicago as a case study, this program will discuss how major cities are responding to shifting economic realities and work patterns through innovative legal, policy, and development strategies. Attendees will gain insight into how public initiatives and evolving sources of private capital are reshaping downtown real estate and redevelopment efforts across the country.

Moderator:

Kristin Niver
Robinson & Cole
Washington, D.C.

Speakers:

Ranadip Bose
SB Friedman Development
Advisors
Chicago, IL

Linda Sweiss Hattar
DL3 Realty
Chicago, IL

Cynthia Roubik
City of Chicago
Chicago, IL

Leon Walker
DL3 Realty
Chicago, IL

2:00 – 3:00 PM

Navigating SNDAs and Estoppel Certificates in Real Estate Loan Transactions

Subordination, Non-Disturbance and Attornment Agreements and Estoppel Certificates are routine documents in leasing and financing transactions, but they are seldom the focus and therefore, infrequently discussed. This program provides an overview of the purpose for each and common terms and negotiation positions in lending transactions. Lender does not necessarily control the forms to be used with a major tenant (space wise or net worth wise).

Topics covered include:

- Primary Purposes/ When Required and Benefits to Lender, Tenant and Borrower for both SNDAs and Tenant Estoppel Certificates
- Standard Clauses & Commonly Negotiated Terms in Lending Transactions
- Lender, Tenant and Borrower Negotiating Positions

Program Chair / Moderator:

Colleen MacRae
Nyemaster Goode
Des Moines, IA

Speakers:

Jonathan Carlson
McDonald's Corporation
Chicago, IL

Beth A. Jacobs
Northwestern Mutual
Milwaukee, WI

Jo-Ann Marzullo
Ligris
Boston, MA

Mikell Washington
Miles & Stockbridge, P.C.
Washington, D.C.

2:00 – 3:00 PM

Amplify Your Practice: Building Custom AI Tools for Transactional Practice

Technology CLE Credit Requested

You've learned the basics of prompting—now what? This hands-on session moves beyond one-off queries to show you how to build AI systems that actually integrate into your transactional workflow. Using a live environment to practice creating a full project as our working example, you'll learn to distinguish when a task needs a simple prompt versus a custom-built project, design input frameworks that capture deal variables upfront, and create reusable tools that generate consistent first drafts across multiple matters. Walk away with a practical roadmap for identifying which repetitive tasks in your practice are ripe for automation—and the skills to build those solutions customized to your needs.

Participants will learn to:

- Categorize AI tasks by workflow type—distinguishing when a matter calls for a one-off prompt, a reusable prompt template, or a fully customized project/GPT based on transaction frequency, complexity, and consistency needs.
- Design structured input frameworks that capture deal-specific variables (property details, parties, contingencies, regulatory requirements) to generate consistent first-draft documents across multiple transactions.
- Build and customize AI projects by uploading firm templates, regulatory references, and practice-specific instructions to create purpose-built drafting and analysis tools.
- Practice constructing an AI workflow—demonstrated through a hands-on environmental and zoning evaluation project that synthesizes multiple inputs into actionable client deliverables.
- Match AI tools to task requirements—selecting between general chat interfaces, custom projects, and specialized research

Program Chair / Moderator:

Sarah D. Cline
Miles & Stockbridge, P.C.
Frederick, MD

Speaker:

Jodi Tagessen
Monroe Moxness Berg PA
Minneapolis, MN

platforms based on the nature of the transactional work.

- Apply AI-assisted research techniques to efficiently gather, synthesize, and verify regulatory, title, and zoning information while maintaining professional responsibility standards.
- Leverage AI as a practice development tool—using projects to critique their own drafting, stress-test contract language, and identify areas for skill improvement.
- Create a personal AI integration plan identifying which repetitive transactional tasks in their practice are candidates for project-based automation.

3:15 – 4:15 PM

JOINT DIVISION PROGRAM

Tackling Chronic Stress in the Profession

Wellness CLE Credit Requested

Chronic stress is prevalent among lawyers according to numerous studies, affecting the quality and length of their lives and practices. Stress is expected in the legal profession, however, chronic stress develops from a relentless state of stress that goes unchecked.

Overtime, it impacts one's physical and mental health, which in turn affects the quality of their work and prompts many to consider leaving the profession entirely. The panelists include practicing lawyers joined by Ali Schroer who is a LCSW with experience working with lawyers, and together they will:

- Review the implications of chronic stress in the legal profession and the related ethical responsibilities.
- Discuss the science of prolonged stress, symptoms, and how taking care of yourself means taking care of clients too.

Program Chair / Speaker:

Marissa Dungey
Dungey Dougherty PLLC
Greenwich, CT

Speakers:

Heather Johnson
Sapphire Law Group
Laguna Niguel, CA

Ali Schroer
Mental Scope Consulting
Greenwood Village, CO

3:15 – 4:15 PM

JOINT DIVISION PROGRAM

Don't Get Burned: Understanding FinCEN's New Anti-Money Laundering Reporting Rule & Its Penalties

(FinCEN) has adopted a final rule that requires, on a nationwide basis, certain persons involved in the transfer of title (including attorneys and title companies) to report information to FinCEN about certain transfers of residential real estate including, but not limited to, no consideration transfers of property to certain trusts and other entities. The scope of this rule may surprise some practitioners; the definition of 'residential real estate' extends well beyond a single-family home.

Effective March 1, 2026, a 'reporting person' must provide a "Real Estate Report" that includes: i) The reporting person; ii) The legal entity (transferee entity) or trust (transferee trust) receiving ownership of the property; iii) The beneficial owners of the transferee entity or transferee trust; iv) Certain individuals signing documents on behalf of the transferee entity or transferee trust during the reportable transfer; v) The transferor (e.g., the seller); vi) The residential real property being transferred; and vii) Total consideration and certain information about any payments made.

This program will walk through:

- The requirements of the rule, the expansive definition of residential real estate, the exemptions and when they may apply
- Reasons why all trust and estate attorneys, as well as real estate practitioners, need to understand these requirements and the associated penalties
- Updates regarding reporting and tools to assist in data collection.

Program Chair / Speaker:

Erin August

Shulman Rogers, P.A.
Rockville, MD

Speakers:

Elizabeth J. Wysong Berg

FNF Family of Companies
Indianapolis, IN

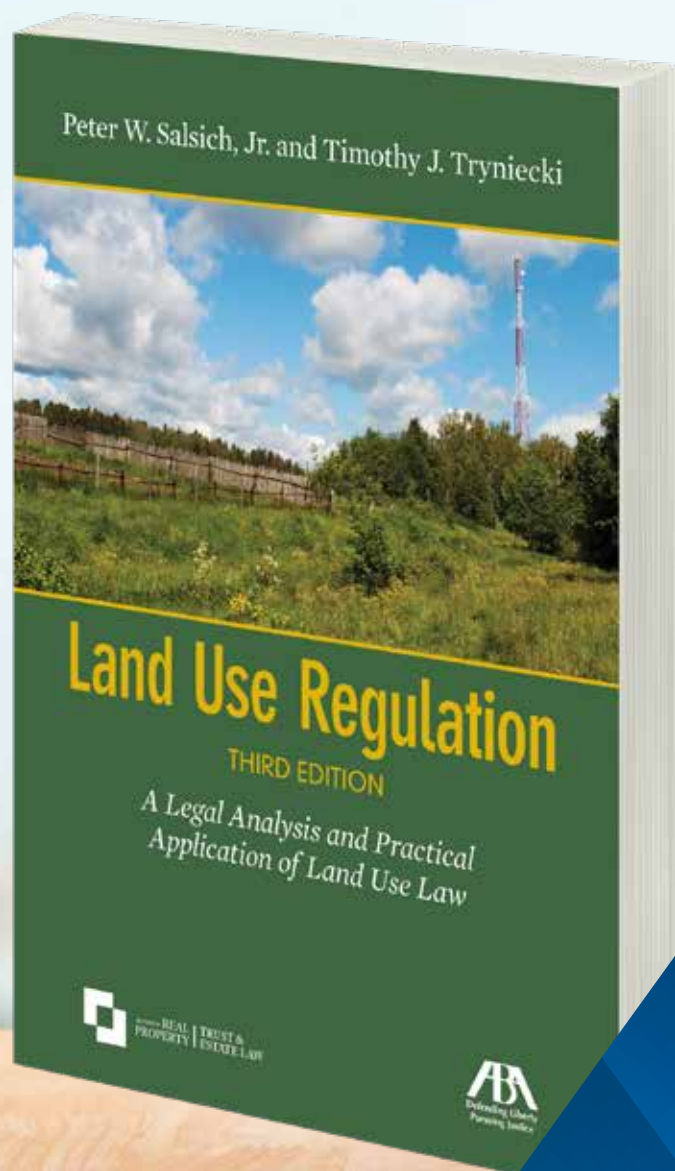
Soo Yeon Lee

Mauck Baker LLP
Chicago, IL

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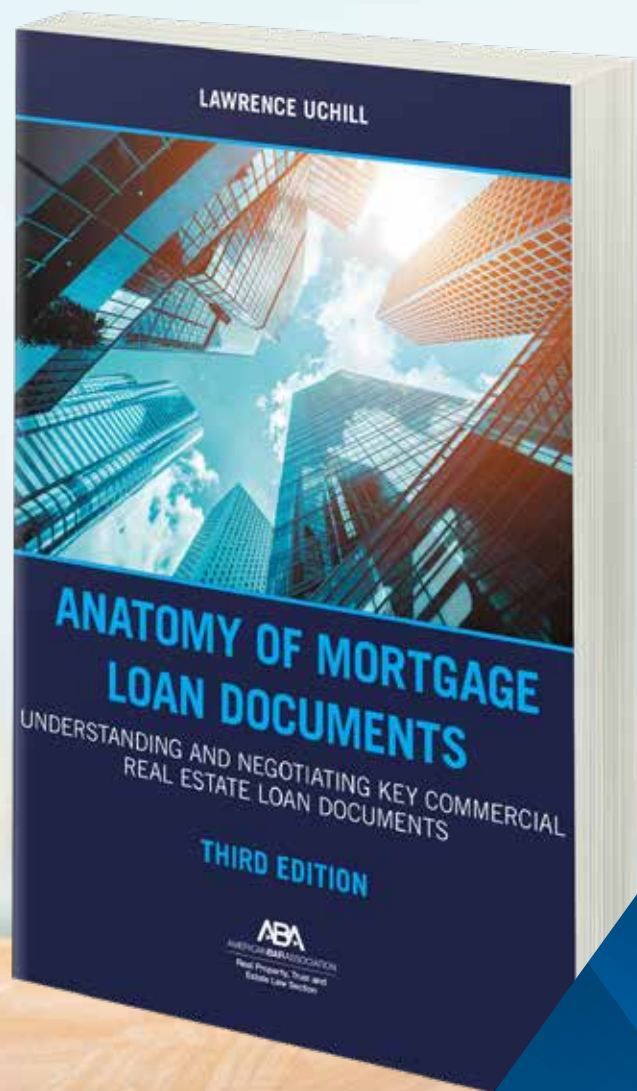


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REAL PROPERTY BOOKS



Check out our library of Real Property, and Trust and Estate Law Books



ambar.org/anatomyofmortgage3



Trust and Estate Programs

ABA[®]

AMERICAN BAR ASSOCIATION

Real Property, Trust and
Estate Law Section

TRUST AND ESTATE PROGRAMS AT-A-GLANCE

All times are Central Daylight Time



WEDNESDAY, APRIL 29, 2026

4:30- 5:30 PM

**Chicago Law Schools x ABA RPTE:
National Conference Kickoff Mixer**

Loews Chicago Hotel

5:30- 6:30 PM

Welcome Reception

Loews Chicago Hotel
(complimentary for attendees, \$25 for guests)

THURSDAY, APRIL 30, 2026

7:30 - 8:15 AM

**Learning Lab Breakfast with Bone & Gray (Trust & Estate)
Learning Lab Breakfast with Orbital (Real Property)**

*Sessions run concurrently / see mobile app for program locations

8:30 - 9:45 AM

Predatory Marriages: Part I

No, You Can't Do That with A Trust:
Recognizing Scam Trusts Before
Clients Get Involved

9:45 - 10:00 AM

Break with Exhibitors

10:00 - 11:15 AM

Predatory Marriages: Part II

Doing Good by Doing Well:
Charitable Giving with
Business Interests

11:15 - 11:30 AM

Break with Exhibitors

11:30 AM - 12:45 PM

Tax Planning Techniques to Defer
or Minimize Capital Gains Tax

Retirement Plan Beneficiary
Designations: Making Sure Assets End
Up Where You and Your Client Want
Them

1:00 - 2:00 PM

Boxed Lunch and Group/Committee Breakouts

2:15 - 3:30 PM

Managing Conflicts Through Trust
and Estate Administration & Hot
Topics

Inbound Planning Playbook: What
the NRA (and Advisor) Must Get
Right

3:30 - 3:45 PM

Break with Exhibitors

3:45 - 5:00 PM

Challenges and Opportunities:
State Taxation of Trusts

Emerging Risks in Federal
Enforcement: What Every Non-
Profit and Donor Should Know

7:00 - 9:00 PM

Conference Reception (ticketed event)

The Forum at 110
tickets \$85/per person

TRUST AND ESTATE PROGRAMS AT-A-GLANCE



FRIDAY, MAY 1, 2026

7:30 - 8:15 AM	Learning Lab Breakfast with Kidder Mathews *See mobile app for program location	
8:30 - 9:30 AM	JOINT Beyond the Headlines: A Call to Action for Real Estate and Probate Attorneys for Tackling Heirs Property	JOINT Prompt Engineering for Transactional Attorneys: Practical Demonstrations of AI
9:30 - 9:45 AM	Break with Exhibitors	
9:45 - 10:45 AM	What We Owe Each Other: Strategies and Pitfalls for Charitable Planning and Giving	ING Planning after McDougall: Do We Have a Problem?
10:45 - 11:00 AM	Break with Exhibitors	
11:00 AM - 12:00 PM	Planning for Peace: Solutions for Shared Intergenerational Vacation Properties	Fair (Market) Warning: This is Not a Final Determination - Practical Advice from Tax Litigators
12:15 - 1:45 PM	Lunch & Joint Program Downtown Revitalization: Lessons from Chicago NOT FOR CLE CREDIT	
1:45 - 2:00 PM	Break with Exhibitors	
2:00 - 3:00 PM	The Top Ten 1041 Mistakes Made by Attorneys	A Child by Any Other Name: Family Ties in the Uniform Parentage Act
3:15 - 3:15 PM	Break with Exhibitors	
3:15 - 4:15 PM	JOINT Tackling Chronic Stress in the Profession	JOINT Don't Get Burned: Understanding FinCEN's New Anti-Money Laundering Reporting Rule & Its Penalties

All times are Central Daylight Time



TRUST AND ESTATE DIVISION PROGRAMS

THURSDAY, APRIL 30, 2026

All times are Central Standard Time

8:30 – 9:45 AM

Predatory Marriages: Part I

This program will address marriages that are the result of predatory actions and the potential consequences resulting from the same. The consequences may vary depending on whether the decedent lived in a jurisdiction that can invalidate a marriage following death (such as Florida) or whether statutory elections and allowances will apply by virtue of the marriage.

The program will discuss options that may be available to help protect vulnerable adults, including protective proceedings while the individual is still alive, postmortem options, tax considerations when evaluating settlement options and possible estate planning options.

During the program, attendees will learn:

- Understanding options available while the vulnerable adults is still alive vs. those available postmortem.
- The impact of statutory elections and allowances and the different impact that the same may have in jurisdictions that have augmented estates vs. those that do not.
- Estate planning considerations and options that may help to provide protections for vulnerable adults against predatory conduct during a marriage.

Program Chair / Speaker:

Sandra D. Glazier
Sandra D. Glazier P.C.
Troy, MI

Speakers:

Andrew Bishop
Rothly Law
Manchester, England

Mark J. Esposito
Shatz, Schwarts & Fentin
Springfield, MA

Daphne Franks
Newcastle Upon Tyne, England

Heather Galvin
Beaufort County Probate Court
Beaufort, SC

Julian C. Zebot
Maslon LLP
Minneapolis, MN

8:30 – 9:45 AM

No, You Can't Do That with A Trust: Recognizing Scam Trusts Before Clients Get Involved

This program provides a detailed examination of abusive trust arrangements, including so-called “non-grantor, complex, irrevocable, discretionary, spendthrift” trusts and ecclesiastical trust schemes, and explains why these structures fail under federal income tax law. Attendees will learn how IRC sections 641 and 643 operate, why fiduciary accounting income does not control taxable income, and how the IRS and

Program Chair / Speaker:

John R. Strohmeier
Strohmeier Law PLLC
Houston, TX

Speakers:

Emily Chase
Gunster
West Palm Beach, FL

James I. Dougherty
Dungey Dougherty PLLC
Greenwich, CT

courts apply economic substance and assignment-of-income doctrines to invalidate these arrangements. The session also offers practical guidance for advising clients who have been drawn into these schemes and for navigating related ethical considerations.

Participants will learn to:

- Identify the core federal income tax principles governing the taxation of trusts under IRC sections 641 and 643.
- Distinguish fiduciary accounting income from taxable income and understand why accounting classifications cannot eliminate federal tax liability.
- Recognize the structure and claims of common scam trust schemes, including ecclesiastical trusts, and explain why they fail as a matter of law.
- Resolving how trusts may be disregarded for federal tax purposes, but respected for state law purposes.
- Analyze IRS Memorandum AM 2023-006 and relevant case law to understand how the government evaluates and dismantles sham trust arrangements.
- Advise attorneys and clients on the risks, ethical issues, and corrective steps associated with participation in abusive trust schemes.

Michael Sneeringer
Brennan Manna Diamond
Naples, FL

10:00– 11:15 AM

Predatory Marriages: Part II

This program will address marriages that are the result of predatory actions and the potential consequences resulting from the same. The consequences may vary depending on whether the decedent lived in a jurisdiction that can invalidate a marriage following death (such as Florida) or whether statutory elections and allowances will apply by virtue of the marriage.

The program will discuss options that may be available to help protect vulnerable adults, including protective proceedings while the individual is still alive, postmortem options, tax considerations when evaluating settlement options and possible estate planning options.

During the program, attendees will learn:

Program Chair / Speaker:

Julian C. Zebot
Maslon LLP
Minneapolis, MN

Speaker:

Andrew Bishop
Rothly Law
Manchester, England

Mark J. Esposito
Shatz, Schwarts & Fentin
Springfield, MA

Daphne Franks
Newcastle Upon Tyne, England

Heather Galvin
Beaufort County Probate Court
Beaufort, SC

- Understanding options available while the vulnerable adults is still alive vs. those available postmortem.
- The impact of statutory elections and allowances and the different impact that the same may have in jurisdictions that have augmented estates vs. those that do not.
- Estate planning considerations and options that may help to provide protections for vulnerable adults against predatory conduct during a marriage.

Sandra D. Glazier
Sandra D. Glazier P.C.
 Troy, MI

10:00– 11:15 AM

Doing Good by Doing Well: Charitable Giving with Business Interests

As more entrepreneurs, family business owners, and investors seek to align wealth transfer with purpose, charitable giving using business interests has become a sophisticated and dynamic planning strategy. This session explores the technical, valuation, and practical considerations of contributing closely held business interests to charitable vehicles.

Attendees will gain insights into structuring contributions, managing IRS compliance, and aligning philanthropic goals with liquidity and succession events including how to:

- Identify key structures for charitable gifts of business interests, including CRTs, CLTs, DAFs, and private foundations.
- Understand valuation and appraisal requirements, including timing and substantiation pitfalls.
- Explore income tax, capital gains, and estate tax implications of business interest gifts.
- Address unique issues with S corporations, partnerships, and LLCs in charitable planning.
- Develop strategies to integrate charitable planning with business succession or exit transactions.

Program Chair:

Alex Lyden
Evercore Trust Company N.A.
 Wilmington, DE

Speakers:

Brian M. Balduzzi
Faegre Drinker Biddle & Reath LLP
 Philadelphia, PA

Brent Berselli
Holland & Knight LLP
 Portland, OR

Trevor A. Mason
Miller Johnson
 Grand Rapids, MI

11:30 AM – 12:45 PM

Tax Planning Techniques to Defer or Minimize Capital Gains Tax

In this session, speakers will highlight three practical levers to mitigate capital gains and income tax in a sale or liquidity event:

- Qualified Opportunity Funds to defer gains and potentially eliminate future appreciation.
- Non-grantor and incomplete non-grantor trusts (e.g., DING/NING) to manage state taxes.
- Qualified Small Business Stock to exclude gains if certain requirements are met. The session will also cover how coordinating eligibility and timing across these tools can meaningfully reduce taxes while supporting estate planning objectives.

Program Chair / Speaker:

Joanna Morrison

UBS
Chicago, IL

Speakers:

Kevin Matz

ArentFox Schiff LLP
New York, NY

Melisa Seyhun

ArentFox Schiff LLP
Chicago, IL

11:30 AM – 12:45 PM

Retirement Plan Beneficiary Designations: Making Sure Assets End Up Where You and Your Client Want Them

Incorrect or unintended beneficiary designations with respect to tax-favored accounts (such as retirement plans, IRAs and HSAs) can thwart otherwise careful estate planning and have significant tax implications for the recipient beneficiary. This practice-oriented program will explore what issues can (and cannot) be fixed. Attendees will:

- Learn the issues that can arise from beneficiary designations (or a lack thereof) so that you can avoid these issues before a participant's death.
- Review the special rules for spouses that allow assets passing to an estate to avoid the RMD non-designated beneficiary rules as well as how and when the separate share rules apply.
- Review the trust rules for retirement assets including what can and cannot be corrected through reformation, modification and decanting.
- Gain perspective of and practical tips for working with plan administrators and custodians when beneficiary designations are not ideal.

Program Chair / Moderator:

Jennifer Dunsizer

Vorys Sater Seymour & Pease LLP
Columbus, OH

Speakers:

David A. Guadagnoli

Sullivan & Worcester LLP
Boston, MA

Peter Moshang

Heckscher, Teillon, Terrill & Sager PC
West Conshohocken, PA

2:15 – 3:30 PM

Managing Conflicts Through Trust and Estate Administration & Hot Topics

The program will use a hypothetical to discuss how conflicts may arise in the administration of trusts and estates and the tools necessary to mitigate and manage those conflicts, including:

- Identifying potential areas of conflict in the intake process.
- Identifying most common Fiduciary Duties that are implicated.
- Best practices for mitigating and managing conflicts.
- Best practices for drafting to minimize conflict that could lead to litigation.
- Risks, litigation, considerations.
- Communication and human considerations.

Program Chair / Speakers:

Kim V. Heyman

Pathstone
Philadelphia, PA

Paulina Mjia

Fiduciary Trust International
New York, NY

Speakers:

Brian M. Balduzzi

Faegre Drinker Biddle & Reath LLP
Philadelphia, PA

Timothy Ferges

McCarter English
Newark, NJ

Melineh Ounanian

Brown Brothers Trust Company
New York, NY

Lee-ford Tritt

University of Florida, Levin College of Law
Gainesville, FL

2:15 – 3:30 PM

Inbound Planning Playbook: What the NRA (and Advisor) Must Get Right

This presentation will discuss foundational tax rules for inbound planning, including the most important rules associated with income tax, transfer tax, and the proper classification of trusts as domestic or foreign, and as grantor or non-grantor.

Our panelists will review some of the most common asset holding structures for foreign investment into the U.S., with a particular emphasis on non-residents investing in the U.S. equities markets or U.S. real estate.

Finally, we will discuss planning available to foreign persons before they move to the U.S., and some of the traps for those who are not properly advised.

Program Chair:

Rachel M. Lee

Strategic Planning Law Group, P.C.
Los Angeles, CA

Program Chair /

Moderator:

Juliya L. Ismailov

McGrail & Bensinger LLP
New York, NY

Speakers:

Eli Akhavan

Grant Herrmann Schwartz & Klinger LLP
New York, NY

Xiang Qu

ArentFox Schiff LLP
New York, NY

3:45 – 5:00 PM

Challenges and Opportunities: State Taxation of Trusts

In advising clients with respect to state income tax exposure of trusts, practitioners must navigate an evolving framework of state-specific (and often conflicting) rules and standards. The panel will explore how factors such as grantor domicile, trustee and beneficiary residency, situs of administration, and source – income rules interact across jurisdictions – and how practitioners can leverage planning opportunities while avoiding unintended state exposure.

During this session, attendees will learn to:

- Understand various frameworks states use to tax trusts, including grantor-, trustee-, and beneficiary-based models.
- Understand nexus triggers and constitutional limitations on a state’s taxing authority.
- Evaluate “way-out” provisions, carve-outs, and state-specific exceptions that can eliminate or reduce resident trust status.
- Analyze high-risk residency scenarios, and
- Use planning opportunities to manage or mitigate state income-tax exposure.

Program Chair / Moderator:

Samuel Dangremond
Curtis, Mallet-Prevost, Colt & Mosle LLP
New York, NY

Speakers:

David Berek
Venable LLP
Chicago, IL

Lisa Goodrich Page
Dungey Dougherty PLLC
Greenwich, CT

Lisa Rispoli
Grassi
New York, NY

3:45 – 5:00 PM

Emerging Risks in Federal Enforcement: What Every Non-Profit and Donor Should Know

Since the beginning of the second Trump administration, numerous Presidential and agency actions have altered the risk landscape for tax-exempt organizations and their donors. Emerging risks now include potential loss of tax-exempt status, investigations by the IRS, DOJ and other federal agencies, as well as Congressional and public scrutiny. In this session, attendees will learn about:

- The key Presidential and agency actions impacting the nonprofit sector.
- IRS enforcement processes and trends.
- Emerging role of the DOJ and other agencies in enforcement actions against nonprofits and donors, including new domestic terrorism designations.
- Practical steps that nonprofits and donors can take now to evaluate, mitigation and respond to enforcement risk.

Program Chair:

Carly Doshi
Flagstar Private Bank
New York, NY

Program Chair / Speaker:

Bridget Weiss
Arnold & Porter
Washington, D.C.

Speakers:

Eun Young Choi
Arnold & Porter
Washington, D.C.

Joshua Mintz
MacArthur Foundation
Chicago, IL

Carolyn A. Schenck
Caplin & Drysdale
Washington, D.C.

TRUST AND ESTATE DIVISION PROGRAMS

FRIDAY, MAY 1, 2026

All times are Central Standard Time

8:30 – 9:30 AM

JOINT DIVISION PROGRAM

Beyond the Headlines: A Call to Action for Real Estate and Probate Attorneys for Tackling Heirs Property

Elimination of Bias / DEI CLE Credit Requested

Heirs' property—the tangled ownership of land passed down without formal estate planning—continues to strip families of billions in generational wealth across the United States. While national discussions often focus on the broad social implications, the local, state-specific realities tell a deeper story of legal complexity, family fragmentation, and community displacement.

This program brings the national conversation down to the micro level, combining real property and trust and estate perspectives to address the root causes and legal nuances of heirs' property. Presenters will examine how state laws shape outcomes in both residential and agricultural contexts, spotlighting how these issues manifest differently across jurisdictions.

Attendees will gain a practical understanding of:

- The historical and systemic roots of heirs' property and its disproportionate impact on communities of color and poor communities without access to legal services.
- The effectiveness and limitations of the Uniform Partition of Heirs Property Act (UPHPA) and how its adoption varies by state.
- Strategies for real estate and estate planning lawyers to collaborate in preventing property loss and stabilizing ownership.
- Actionable steps for practitioners to educate and empower clients and communities to preserve generational wealth.

This session moves beyond awareness—it equips attorneys with tools and frameworks to be part of the solution.

Program Chair:

Bryanna Frazier
B. Frazier Consulting LLC
New Orleans, LA

Program Chair / Moderator:

Christina Jenkins
Christina Jenkins PLLC
Forney, TX

Speaker:

Thomas Mitchell
Boston College Law School
Boston, MA

Markus D. Reneau
The Center for Heirs Property Preservation
North Charleston, SC

Jane Sternecky
Uniform Law Committee
Chicago, IL

8:30 – 9:30 AM

JOINT DIVISION PROGRAM

Prompt Engineering for Transactional Attorneys: Practical Demonstrations of AI

Technology CLE Credit Requested

Generative AI is rapidly transforming transactional law practice, but its real value depends on how lawyers communicate with it. This live demonstration will teach attorneys the art and science of prompt engineering—how to “supervise” AI as a junior associate, produce accurate, context-specific work product, and integrate it safely into real estate and trust & estate practices. Using live examples, attendees will learn to:

Learning Objectives:

- Write, refine, and chain prompts to generate documents and integrate AI into their daily practice.
- Differentiate between retrieval-based search and generative AI reasoning, recognizing why precise instructions and context produce superior legal outputs.
- Learn the role of "prompt engineering" in the use of AI systems.
- Apply the prompt engineering frameworks to structure high-performing prompts.
- Use persona-based prompting to simulate counterpart perspectives and improve negotiation strategy.
- Employ advanced prompt-engineering methods such as chunking, iterative refinement, prompt chaining, few-shot prompting, and flipped-interaction prompting to manage complex drafting workflows.
- Design prompt-driven workflows that elevate AI from a one-off tool to a repeatable drafting process, enabling clause generation, deal analysis, and comparative review.
- Evaluate AI outputs critically—identifying hallucinations, bias, and confidentiality risks—and apply best-practice verification strategies consistent with ethical rules.
- Develop personalized or firm-wide AI playbooks to safely integrate AI into transactional and estate-planning practice while maintaining ethical and professional standards.

Program Chair / Speaker:

J. Cliff McKinney

*Quattlebaum, Grooms & Tull PLLC
Little Rock, AR*

Speakers:

Estrella M. Lucero

*Goldfarb & Lipman LLP
San Diego, CA*

Brandon L. Wolff

*Brandon Lee Wolff, PA
King of Prussia, PA*

9:45 – 10:45 AM

What We Owe Each Other: Strategies and Pitfalls for Charitable Planning and Giving

This presentation will equip attorneys with practical strategies and legal insights for advising clients on complex charitable giving, whether during life or after death. Most estate planners have clients who genuinely want to have a charitable impact on the world. But proper charitable planning strategies are crucial to (1) ensure income and transfer tax planning benefits, (2) avoid tax pitfalls, (3) ensure clients are properly recognized for their contributions, and (4) ensure that gifts are used for their intended purposes.

Panelists will provide:

- Overview of the charitable deduction and excess benefit rules, including pitfalls and penalties.
- Strategies, best practices, and industry custom for negotiating gifts with charities, including naming rights and recognition, grant purpose, confidentiality, and other terms.
- Structuring charitable gifts in wills and trusts, including contingent and conditional gifts.
- Creative solutions for blended family and multi-generational charitable planning.
- Drafting for flexibility: successor charities and cy pres doctrine.
- Proper administration of charitable gifts during trust and estate administration.

Program Chair / Speaker:

Emma V. Connor
Prather Ebner Wilson LLP
Chicago, IL

Moderator:

Cassandre Damas
Atlanta Volunteer Lawyers Foundation
Atlanta, GA

Speakers:

Aditi Panosh
Loeb & Loeb, LLP
Chicago, IL

Joseph S. Trytten
Loeb & Loeb, LLP
Chicago, IL

9:45 – 10:45 AM

ING Planning after McDougall: Do We Have a Problem?

Since CCA 202352018 there has been growing concern about potential gift tax consequences associated with trust modification, whether or not trust beneficiaries consent to that modification. McDougall has changed this from concern to fear. This panel provides the unique opportunity to hear from an author of the CCA and counsel for McDougall on this rapidly evolving area of law. This presentation will:

- Review McDougall and other relevant authority on the gift tax risk for trust beneficiaries.
- Identify various planning techniques that could be impacted.
- Consider if there are any planning options to minimize this risk.

Program Chair:

Stephen Liss
Dungey Dougherty PLLC
New York, NY

Speakers:

Samantha Contreras
Croke Fairchild Duarte & Beres
Chicago, IL

Daniel J. Gespass
Andersen
Washington, D.C.

Tyler Murray
Baker Botts
Dallas, TX

11:00 AM – 12:00 PM

Planning for Peace: Solutions for Shared Intergenerational Vacation Properties

Owning an inter-generational vacation home often turns a place of rest into a tangle of responsibilities, expectations, and competing visions. Such ownership is both emotionally complex and logistically challenging. This program will explore the risks associated with owning an intergenerational vacation property and present practical trust and estate and real estate strategies to address and mitigate those challenges. This program will discuss:

- Planning options to mitigate disputes (i.e., including language that forces the personal representative to liquidate any vacation homes and counseling family members on ownership expectations).
- Terms to include in trusts that own such properties.
- The advantages to selling the family cabin or beach home before you die.
- The risk of litigation and future disputes (i.e., disputes among parties (keep vs. sell, maintenance costs, valuation disputes (because vacation homes are always worth more than they appraise in family members' minds)).

In addition to fiduciary and estate litigation, we will also discuss partition actions.

Program Chair / Speaker:

Kelly Zerillo
Cozen O'Connor
New York, NY

Speakers:

Erin M. August
Shulman Rogers
Potomac, MD

Carly Johnson
Maslon LLP
Minneapolis, MN

Clay McKenna
JP Morgan
Houston, TX

11:00 AM – 12:00 PM

Fair (Market) Warning: This is Not a Final Determination - Practical Advice from Tax Litigators

Determining fair market value is fundamental to estate and gift tax compliance, but often leads to significant disputes during tax audits and litigation. Valuation matters can be particularly challenging when unique, complex, or closely held assets are involved.

This program offers:

- Candid look at valuation challenges in estate and gift tax litigation.
- Real-world insights from private practitioners, appraisers, and a former IRS litigator.
- Discussion on impact of recent valuation case law.

Program Chair / Moderator:

Bri Loughlin Johnson
Perkins Coie LLP
Austin, TX

Speakers:

Travis Harms
Mercer Capital
Memphis, TN

Tyler Murray
Baker Botts
Dallas, TX

Emma W. Smith
Comiter Singer
Boca Raton, FL

12:15 – 1:45 PM

JOINT DIVISION PROGRAM

Downtown Revitalization: Lessons from Chicago

NOT FOR CLE CREDIT

Using Chicago as a case study, this program will discuss how major cities are responding to shifting economic realities and work patterns through innovative legal, policy, and development strategies. Attendees will gain insight into how public initiatives and evolving sources of private capital are reshaping downtown real estate and redevelopment efforts across the country.

Moderator:

Kristin Niver
Robinson & Cole
Washington, D.C.

Speakers:

Ranadip Bose
SB Friedman Development Advisors
Chicago, IL

Linda Sweiss Hattar
DL3 Realty
Chicago, IL

Cynthia Roubik
City of Chicago
Chicago, IL

Leon Walker
DL3 Realty
Chicago, IL

2:00 – 3:00 PM

The Top Ten 1041 Mistakes Made by Attorneys

Most trusts and estates attorneys advise their clients about the income tax consequences of their planning; however, many of them do not routinely prepare 1041s and are not aware of some of the nuances of the fiduciary income tax structure. In addition, attorneys are often not aware of the income tax consequences of some common planning and administration techniques.

This presentation will focus on three areas:

- Mistakes made on 1041s: the most frequent errors, potential red flags to taxing authorities, the most common grantor trust/non-grantor trust mistakes.
- Mistakes made when reviewing 1041s: What should attorneys be focusing on when reviewing these tax returns, and what are they most frequently missing.
- Mistakes made when advising clients: the most common misconceptions attorneys make when advising clients about fiduciary income taxes, what planning techniques create income tax complexity, often without attorneys realizing it.

Program Chair / Moderator:

Claire N. Carrabba
Dungey Dougherty PLLC
Boston, MA

Speaker:

Nicholas K. Davidson
EY Private
Washington, D.C.

Raj A. Malviya
Miller Johnson
Grand Rapids, MI

Emma W. Smith
Comiter Singer
Boca Ration, FL

2:00 – 3:00 PM

A Child by Any Other Name: Family Ties in the Uniform Parentage Act

Elimination of Bias / DEI CLE Credit Requested

This program will discuss the unusual scenarios that can arise from an expanded and more inclusive view of the parent-child relationship to encompass same-sex parents, adoptive parents, and other forms of descendancy. State law varies on this topic, but those states that have enacted the Uniform Parentage Act benefit from statutory guidance on the definition of a "descendant." This program will explore various real and hypothetical familial relationships and discuss the implications of each on an estate.

Participants will learn:

Program Chair:

Jane Sternecky
Uniform Law Commission
Chicago, IL

Speakers:

Carole Bass
Sullivan & Worcester LLP
New York, NY

Tom Gallanis
George Mason University
Fairfax, VA

Libby Snyder
Uniform Law Commission
Chicago, IL

- How parent-child and other descendant relationships can be created under the Uniform Parentage Act and other state law.
- The implications across state lines for recognition of non-traditional parent-child or other descendant relationships.
- How to counsel clients through the various emotional issues at play when addressing complex lineage scenarios.

3:15 – 4:15 PM

JOINT DIVISION PROGRAM

Tackling Chronic Stress in the Profession

Wellness CLE Credit Requested

Chronic stress is prevalent among lawyers according to numerous studies, affecting the quality and length of their lives and practices. Stress is expected in the legal profession, however, chronic stress develops from a relentless state of stress that goes unchecked. Overtime, it impacts one's physical and mental health, which in turn affects the quality of their work and prompts many to consider leaving the profession entirely. The panelists include practicing lawyers joined by Ali Schroer who is a LCSW with experience working with lawyers, and together they will:

- Review the implications of chronic stress in the legal profession and the related ethical responsibilities.
- Discuss the science of prolonged stress, symptoms, and how taking care of yourself means taking care of clients too.

Attendees will leave with evidence-based strategies to manage their own stress while staying at the top of their careers for the long-haul.

Program Chair / Speaker:

Marissa Dungey
Dungey Dougherty PLLC
Greenwich, CT

Speakers:

Heather Johnson
Sapphire Law Group
Laguna Niguel, CA

Ali Schroer
Mental Scope Consulting
Greenwood Village, CO

3:15 – 4:15 PM

JOINT DIVISION PROGRAM

Don't Get Burned: Understanding FinCEN's New Anti-Money Laundering Reporting Rule & Its Penalties

(FinCEN) has adopted a final rule that requires, on a nationwide basis, certain persons involved in the transfer of title (including attorneys and title companies) to report information to FinCEN about certain transfers of residential real estate including, but not limited to, no consideration transfers of property to certain trusts and other entities. The scope of this rule may surprise some practitioners; the definition of 'residential real estate' extends well beyond a single-family home.

Effective March 1, 2026, a 'reporting person' must provide a "Real Estate Report" that includes: i) The reporting person; ii) The legal entity (transferee entity) or trust (transferee trust) receiving ownership of the property; iii) The beneficial owners of the transferee entity or transferee trust; iv) Certain individuals signing documents on behalf of the transferee entity or transferee trust during the reportable transfer; v) The transferor (e.g., the seller); vi) The residential real property being transferred; and vii) Total consideration and certain information about any payments made.

This program will walk through:

- The requirements of the rule, the expansive definition of residential real estate, the exemptions and when they may apply.
- Reasons why all trust and estate attorneys, as well as real estate practitioners, need to understand these requirements and the associated penalties.
- Updates regarding reporting and tools to assist in data collection.

Program Chair / Speaker:

Erin August

Shulman Rogers, P.A.
Rockville, MD

Speakers:

Elizabeth J. Wysong Berg

FNF Family of Companies
Indianapolis, IN

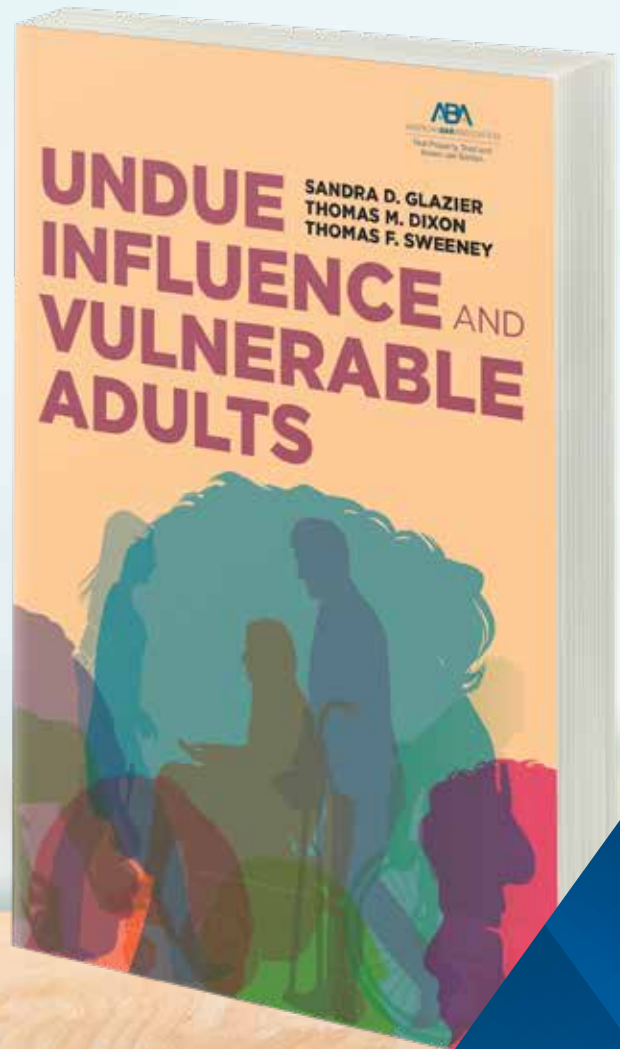
Soo Yeon Lee

Mauck Baker LLP
Chicago, IL

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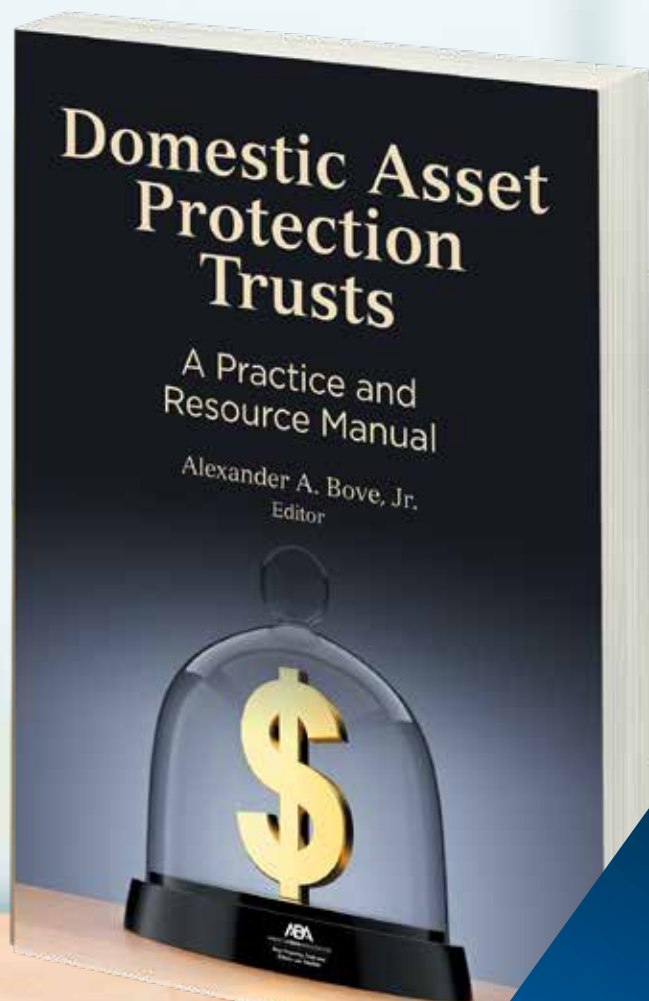
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REGISTRATION

<i>Rates</i>	<i>General Registration</i>
ABA RPTE Member:	\$895
ABA Member:	\$1110
Non-ABA Member:	\$1305
First Time Attendee:	\$750
Conference Speaker/Academic/Government Attendee:	\$630
Law Student Attendee:	Complimentary

Meeting Format

The 38th Annual RPTE National CLE Conference will be presented in-person at the Loews Hotel Chicago!

Registering Online

Register online at rpteconference.com. 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 ABA and 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.

Cancellation Policy

Requests for refunds must be made in writing and emailed to rptemeetings@americanbar.org no later **April 20, 2026**. 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 11.25 hours of CLE credit in 60-minute states, and 13.50 hours of CLE credit for this program in 50-minute states; including 2 hours of Elimination of Bias / DEI CLE, 1.25 hours Ethics / Professional Responsibility CLE, 2 hours Technology CLE, and 1 hour of Wellness CLE in 60-minute states and 2.4 hours of Elimination of Bias / DEI CLE, 1.5 Ethics / Professional Responsibility CLE, 2.4 hours Technology CLE, and 1.2 hours Wellness CLE in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit americanbar.org/mcle for general information on CLE at the ABA.

Hotel Information

We have negotiated special group rates at the Loews Chicago Hotel of \$265/night plus taxes and fees. The reservation deadline for the group rate is Tuesday, April 7, 2026. If necessary, cancellations must be made at least 72 hours prior to the scheduled arrival to avoid a one-night cancellation charge. Reservations may be made by calling the the Loews Chicago Hotel at: 312-840-6600. Be sure to mention you are attending the "ABA Real Property, Trust and Estate Conference" to receive the group rate. Rooms may also be booked [online](#).

Travel Discounts

With ABA Egencia, you can automatically obtain ABA negotiated airfare discounts for travel to the ABA Meetings. ABA Egencia enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination. Reservations with ABA Egencia can be made online or offline. For offline reservations, call (877) 833-6285. ABA Egencia is available online at www.egencia.com via ABA Travel Services. ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

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Financial Assistance

In accordance with MCLE requirements, the American Bar Association offers financial hardship scholarships for live, in-person, and multi-session virtual event CLE programs. If you would like to apply, please review our Scholarship Policy and Application at ambar.org/cle-scholarship. A limited number of scholarships is available based on need. Scholarship applications must be submitted by **April 16, 2026**, in order to be considered. Applicants will be notified of decision within 5 business days of submission.

Persons with Disabilities

Services for persons with disabilities can be arranged. If arrangements are required, please notify Keri Wallace at Keri.Wallace@americanbar.org



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