



Oregon Law Institute
of Lewis & Clark
Law School

Guardianships and Conservatorships



Updated Forms and Procedures

This CLE focuses on protective proceedings and will begin with an overview of conservatorships and guardianships and forms. The seminar will include presentations on working with professional fiduciaries, changes to attorney fee standards, legal capacity evaluations, reaching your aging LGBT clients, and tips for eFiling.

Attorneys, professional guardians or conservators, social workers, legal assistants, or any other professionals who practice in the area will benefit from this program.

FORMS ON CD



The forms included in the course book are available on a CD in Word and WordPerfect for an additional \$20.

Friday, October 24, 2014

Ambridge Event Center
1333 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6.25 General or Practical Skills *and* **1** Access to Justice MCLE Credits

— SCHEDULE —

8:00 a.m.
CHECK-IN AND CONTINENTAL BREAKFAST

8:25 WELCOME AND INTRODUCTION

8:30–9:30

Guardianships

- Overview of guardianships and alternatives
- The intake process and case evaluation
- Court filings, service, and notices
- Contested case hearings
- The powers and duties of a guardian
- Case updates and new legislation
– *Julie Meyer Rowett*

9:30–10:30

Conservatorships

- Initiating the protective proceeding
- Contesting proceedings
- Managing the estate
- Actions requiring court approval
- Claims
- Accountings
- Terminating and closing
– *Don B. Dickman*

10:30–10:45 BREAK

10:45–12:00

Professional Fiduciaries

- Working with professional fiduciaries
- Things you should know (as attorneys) when working with professional fiduciaries
- Certification requirements
- Dealing with change of ownership at a fiduciary firm, or sale by individual
- Oregon Public Guardian and Conservator
– *Jacob M. Lingo*
– *Timothy M. McNeil*
– *Gary L. Vigna*
– *Mark M. Williams*

12:00–1:00
LUNCH (on your own)

1:00–2:00

Getting Paid—The Rules Have Changed (Or Have They?)

- Attorney fee substance and procedure after HB 2570
- Fiduciary compensation standards in light of HB 3129's national certification standards
- Standards for compensation of lay fiduciaries
- Ethical considerations and pitfalls
– *Matthew Whitman*

SCHEDULE (cont.)

2:00–3:00

Capacity Evaluation— A View from the Examiner’s Seat

- Bridging the gap—translating capacity from clinical to legal terms
- Clarifying the question and the expert’s role
- The general exam process and understanding results
- Clinical capacity opinion versus legal capacity decision
- ORCP 44 ordered exams
- Ready your witness
 - *Amy S. Friday, Ph.D.*
 - *Stephen R. Owen*

3:00–3:15 BREAK

3:15–3:45

Paperless Practice Goes Mainstream—Issues for eFilers in Guardianships and Conservatorships

- Document format and procedures
- Exhibits and attachments
- Confidential documents
- Retention of paper originals
- Suggestions from the court staff
 - *Orrin R. Onken*

3:45–4:45

The LGBT Experience of Aging

In this session audience members will learn how aging is different for lesbian, gay, bisexual, and transgender people. This session will combine an introduction to the unique challenges this population faces and personal stories from LGBT older adult panel members:

- Increase understanding of the unique challenges lesbian, gay, bisexual and transgender people face as they age
- Gain knowledge on how to create a welcoming and inclusive environment for the LGBT community
- Learn about programming for LGBT older adults in Oregon and how to conduct outreach to this community

– *Joyce M. Sjoberg, RN,*
and members of the
SAGE Metro Portland Elder Panel

4:45 p.m. ADJOURN

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Planning Committee

Dady K. Blake

Dady Blake Elder Law Attorney

Stephen R. Owen

Attorney at Law

S. Jane Patterson

Attorney at Law

Mark M. Williams

Gaydos, Churnside & Balthrop, PC

Program Faculty

Don B. Dickman

Don B. Dickman PC

Amy S. Friday, Ph.D.

Licensed Clinical Geropsychologist

Jacob M. Lingo

MacDonald & Associates, LLC

Timothy M. McNeil

The Elder Law Firm,
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Matthew Whitman

Cartwright Whitman Baer PC

Mark M. Williams

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LIVE PRESENTATION

Portland – October 24, 2014

Ambridge Event Center
1333 NE MLK Jr. Blvd.

MCLE CREDIT

*Guardianships and Conservatorships:
Updated Forms and Procedures* will
receive **6.25** General or Practical Skills
and **1** Access to Justice MCLE Credits.

PROGRAM PRODUCTS

Even if you cannot attend, you
can still get the program on
CDs or DVDs. Use the order
form in this brochure to order
your set today! OLI Annual
Passholders may purchase OLI
program products at 50% off
the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free
in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu,
or visit our website at <http://go.lclark.edu/oli>.

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Guardianships and Conservativeships: Updated Forms and Procedures

Friday, October 24, 2014

Name	OSB No. or Profession
Firm/Organization	
Street Address	City/State/Zip
Phone	E-Mail

Please "✓" appropriate box:

TUITION

Registration includes electronic course materials. Printed materials are available for an additional \$15.00. (A link to a PDF of the materials will be emailed prior to the seminar date.)

Early registration (received by October 20, 2014)

- \$189 Early registration
- \$139 New attorneys (admitted 2012–2014) and legal staff
- \$95 Legal Aid attorneys
- \$15 Attorneys attending with their Mentor from an approved Bar Mentor Program (call OLI or go to <http://go.lclark.edu/oli> for details). Mentor's name: _____
- \$15 OLI Passholder (Pass No. _____), Oregon judges, their lawyer staff, and law students
- \$15 Print materials
- \$20 Forms on CD (Available only with program attendance or book/CD/DVD purchase)
- \$20 **Add to above tuition if registration received after October 20, 2014**

LIVE WEBCAST REGISTRATION

Can't attend in person? OLI offers a simultaneous live webcast option allowing you to "attend" the program from the convenience of your office. This program will be broadcast LIVE online on Friday, October 24, 2014, starting at **8:30 a.m.** Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials. To register for the live webcast, please [click here](#) or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

DVDs, CDs, AND COURSE BOOKS *I am unable to attend. Please send me:*

- \$209 Audio CDs and print course book
- \$309 DVDs and print course book
- \$59 Print course book only
- \$20 Forms on CD (Available only with program attendance or book/CD/DVD purchase)
- Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. _____)
- \$9.00 Note: Add \$9.00 shipping & handling fee to above product orders.**

ENCLOSED IS \$ _____ BY:

- Check payable to Oregon Law Institute (OLI)
 - Credit Card: Acct. # _____ - _____ - _____ - _____
 - VISA MasterCard Discover AmEx
- Exp. Date: _____ Signature: _____

Return this form with payment to:
OLI Registrar
Lewis & Clark Law School
10015 SW Terwilliger Blvd.
Portland, OR 97219

...or fax (503-768-6585) or e-mail
(oli@lclark.edu) this registration form to
OLI, including credit card information.

CONFIRMATION: Confirmation will be sent via e-mail.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, October 20, 2014.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.