NAELA
National Academy of Elder Law Attorneys

NAELA's 2023 Online Annual Conference Program Agenda

Tuesday, 8/8 (Day 1)

2:00-2:15 p.m. Program Kick-Off; What to Expect; Housekeeping

2:15-3:15 p.m. **Representing Fiduciaries: How to Keep Fiduciary Clients Out of Hot Water** (presented by Eric Einhart, Esq.)
The session will discuss the due care and due diligence required of a fiduciary, types of misfeasance and malfeasance that commonly get fiduciaries into trouble, drafting documents to avoid liability for fiduciaries, when is judicial intervention needed, and best practices for representing fiduciary clients.

3:15-4:15 p.m. **The Current Status of Retirement Benefits Planning After the SECURE Act** (presented by Mark Munson, CELA, CAP)
This session will include a discussion of retirement benefits planning to the passage of the SECURE Act for both disabled and non-disabled beneficiaries and planning options, including how to "stretch" the distribution period for non-disabled beneficiaries.

4:15-4:30 p.m. **Networking Break**

4:30-5:30 p.m. **Kruse Ethics Lecture - Ableism and the Law** (presented by Professor Robyn Powell, Professor of Law, Oklahoma University)
Ableism is pervasive and persistent, affecting all aspects of disabled people's lives. This presentation will define ableism. It will then describe the ways that ableism is woven into our laws, policies, and collective conscience. This presentation will also explore how ableism is embedded in legal practice. It will conclude with suggestions for attorneys about how to commit to an anti-ableist practice.

5:30 p.m. Networking Happy Hour

Thursday, 8/10 (Day 2)

2:00-2:15 p.m. Day 2 Kick-Off

2:15-3:15 p.m. **Cyber Liability: The Good, The Bad & The Ugly** (presented by C. Michael Halfast, CPA)

This session will focus on actionable items you and your firm can take to protect yourself and your clients from the ever changing risks and challenges posed by cyber criminals. Attendees will come away with an increased knowledge of the risks as well as easy to implement action steps to mitigate those risks.

3:15-4:15 p.m. **Dementia and Our Client's Capacity: From a Clinical Point of View** (presented by Dr. Miguel G. Rivera)
Dr. Miguel Rivera, an adult psychiatrist, will discuss how dementia affects capacity. Dr. Rivera will examine the most common types of dementia, features, symptoms, and diagnostics. He will provide a discussion on how dementia affects our clients and their capacity, including their memory, executive function, and metacognition. This section will provide you with clinical information to allow you to better understand your clients, and their needs, at a time when their capacity is diminished due to dementia.

4:15-4:30 p.m. **Networking Break**

4:30-5:30 p.m. **To Gift or Not to Gift: When an Alternative Medicaid Compliant Annuity Strategy Can Benefit Single Clients** (presented by Dale Krause, J.D., LL.M)
Many elder law attorneys are familiar with the Gift and Medicaid Compliant Annuity (MCA) strategy in which the Medicaid applicant divests assets and intentionally creates a penalty period. But did you know there's another option for single clients? Not every client's case facts are appropriate for the Gift/MCA strategy. Plus, this strategy is not available in all states that may have additional regulations restricting its use. In these cases, attorneys need another solution. Join Dale Krause, J.D., President, and CEO of Krause Financial Services, as he explores an alternative spend-down option for single clients: the Standalone MCA plan. Dale will uncover how the plan works and when it is appropriate to use. Plus, he will walk through a case study illustrating the plan in action and how it compares to the traditional Gift/MCA strategy.

Tuesday, 8/15 (Day 3)

2:00-2:15 p.m. Day 3 Kick-Off

2:15-3:15 p.m. **How to Run Your Practice Successfully from Anywhere!** (presented by Audrey Ehrhardt, Esq., CBC)
It is every working attorney's dream today: work less and make more money… all while still maintaining the same level of advocacy and commitment to their clients. What if this could be done? And done well… from the beach? This is the focus of this session where presenter, Audrey Gay Ehrhardt, Esq., CBC, will demonstrate to attendees how to use advancing technology to run their practices from anywhere, at any time. From intaking new clients and getting the work done to gathering the practice data needed to eliminate waste and utilizing key performance indicators (KPIs) to make intentional decisions, this presentation shows attendees just what they need to make a difference in their firms today as well as stay ahead in the legal field that is technologically evolving every day.

3:15-4:15 p.m. **Affordable Housing Issues** (presented by Blaine Brockman, Esq.)
This session will teach you creative solutions for addressing affordable housing issues many of our clients face. We will take an eagle-eye view at public housing benefits, including VA and SNAP.

4:15-4:30 p.m. **Networking Break**

4:30-5:30 p.m. **Elder Law and Disability Planning** (presented by Marielle Hazen, CELA, Fellow and Shari Polur, Esq.)
Legislative, regulatory and policy update of changes elder law and disability planning attorneys need to know. This session will cover SECURE 2.0, the Public Health Emergency unwinding and how to advocate for your clients, the HOTMA final rule, and other hot topics A view from the Hill; what happens inside the beltway and how it impacts outside the beltway.

5:30 p.m. Program Wrap Up