THE PROBATE PROCESS FROM START TO FINISH

Take all the steps necessary to successfully probate your client's estate!

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ONE-DAY SEMINAR

Boston, Massachusetts

July 21, 2010

FACULTY

David J. Correira
Correira & Iacono LLP

Bryan S. MacCormack
MacCormack Law Firm, PC

Lisa M. Rico
Gilmore, Rees & Carlson P.C.,

CONTINUING EDUCATION

Financial Planners - 8.0

Enrolled Agent - 8.0

IACET - 0.70

CPE for Accountants/NASBA - 8.0

PACE - 8.0

See inside for details!

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SEMINAR OUTLINE

I. TAKING THE FIRST STEP: FILING AN ESTATE IN PROBATE COURT

8:30 - 9:15, Bryan S. MacCormack

A. Small Estate - What it is and How to File
B. Regular Estate
C. The Estate Timetable - What You Need to Do
D. Proving the Will
E. Challenging the Will

II. UNDERSTANDING THE ROLE OF THE PERSONAL REPRESENTATIVE IN PROBATE

9:15 - 10:00, Lisa M. Rico

A. Duties of the Personal Representative
B. Misconduct and/or Removal
C. Compensation Guidelines
D. Special Administration Issues

III. MANAGING THE INVENTORY

10:15 - 11:00, Bryan S. MacCormack

A. Statutory Requirements and How They Affect Your Case
B. Notice to Creditors, Beneficiaries and State Agencies - What is Required
C. Collecting, Maintaining and Managing Assets
D. Inventory Problems

IV. ADMINISTERING THE ESTATE EFFECTIVELY

11:00 - 11:45, Lisa M. Rico

A. How to Respond to Creditors' Claims
B. Insolvency
C. Managing the Estate Cash Responsibly
D. Disclaimers
E. Partial Distributions

V. MAINTAINING AN ETHICAL BALANCE IN PROBATE PRACTICE

12:45 - 1:45, David J. Correira

A. Performing Competent Legal Services
B. Identifying the Client
C. Avoiding Conflicts of Interest
D. Distinguishing Between Privileged and Non-Privileged Communication
E. Establishing Reasonable Attorneys' Fees

VI. NEW RULES AND THE UNIFORM PROBATE CODE

1:45 - 2:30, David J. Correira

A. Guardianship & Conservatorship
B. Estate Administration

VII. UNCOVERING THE LAWS OF INTESTACY AND HOW THEY MAY APPLY

2:45 - 3:15, Lisa M. Rico

VIII. LITIGATING THE CASE IN PROBATE COURT

3:15 - 4:00, David J. Correira

A. Explanation of Rules of Probate Procedure
B. Declaratory Judgment
C. How to Conduct Discovery
D. What to do on Appeal

IX. PUTTING THE CASE TO REST: CLOSING THE ESTATE

4:00 - 4:40, Bryan S. MacCormack

A. Final Accounting
B. Distribution of Estate to Beneficiaries
C. Discharge of Fiduciary
D. Tax Returns - What Needs to be Filed and When

*If needed, the above agenda may be changed to best accommodate all of our attendees.

SEMINAR OVERVIEW

ABOUT THIS SEMINAR

Take the steps necessary to successfully probate your client's estate!

So your client wants you to handle a probate case - do you know where to start? Do you know the proper procedures to use, as well as the law? At this seminar, our experienced faculty will give you detailed, step-by-step information to confidently and ably navigate the system. Gain the confidence you need to reach a favorable outcome for your client when litigating in probate court. ***Enroll today!***

7 BENEFITS OF ATTENDING

- Implement a complete estate timetable in order to know what needs to be done - and when.
- Effectively guide the executor and the administrator through their various duties.
- Avoid problems arising from creditors' claims and insolvency with our powerful strategies.
- Examine new rules on the Uniform Probate Code.
- Forestall disagreements between beneficiaries: adhere to the guidelines of precedence in case of intestacy.
- Get results for your client! Explore successful strategies for litigating in probate court.
- Follow thorough closing procedures so accounting is complete before distribution takes place.

WHO SHOULD ATTEND

This **basic level seminar** will provide those who have limited probate experience with tips on successfully handling a probate case. This comprehensive seminar will benefit:

- Attorneys
- Accountants
- Financial planners
- Paralegals
- Trust Officers
- Estate Planners

CREDIT INFORMATION

The specific continuing education credit(s) listed are for attending the live seminar. The credits may or may not apply for the audio version of this seminar. Please check with your credit board for details. For additional questions regarding continuing education credits, please contact us at **866-240-1890**.

Accountants - This is a basic level program presented in a group live setting. This course will:
- Explain practical procedures for advising the executor and the administrator
- Create a clear plan for effective collection, maintenance and management of the probate assets to prevent confusion
- Explain how to avoid ethical problems that arise in probate cases, such as conflict of interest
No advanced preparation or prerequisites are required. Field(s) of Study -- Regulatory Ethics; Administrative Practice.

Financial Planners - 8.0 - This program has been accepted by the CFP Board and qualifies for 8.0 hours of CE credit for CFP Certificants. CFP™, CERTIFIED FINANCIAL PLANNER™ and CFP with flame logo are certification marks owned by the Certified Financial Planner Board of Standards, Inc. These marks are awarded to individuals who successfully complete the CFP Board's initial and ongoing certification requirements.

Enrolled Agent - 8.0 - We have entered into an agreement with the Office of Director of Practice, Internal Revenue Service, to meet the requirements of 31 Code of Federal Regulations, section 10.6(g), covering maintenance of attendance records, retention of program outlines, qualifications of instructors, and length of class hours. This agreement does not constitute an endorsement by the Director of Practice as to the quality of the program or its contribution to the professional competence of the enrolled individual. Sponsor #60.

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PACE - 8.0 - This seminar qualifies for 8.0 PACE (Professional Achievement in Continuing Education) credit hours for CLU, CASL and/or ChFC.

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Video webcasts offer attendees the opportunity to gain continuing education training through streaming audio and video.

You will also be able to view and print the reference manual, and submit questions electronically for live responses! Check out some of these upcoming video webcasts!

April 28	Effective Medicaid and Long-Term Care Strategies (53710ER)
May 4	Complex Bankruptcy Issues (52521ER)
May 5	The Anatomy of Title Insurance (52511ER)
May 12	Employment Law: Working Through Common Issues (52517ER)
May 13	Dealing With Troubled Real Estate Loans (52522ER)
May 18	Fundamentals of Elder Law (52510ER)

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April 29	Business Succession and Exit Strategies (52995ER)
May 3	Business Valuation: Methods and Approaches (53342ER)
May 5	Core Topics in Medicaid and Estate Recovery (53002ER)
May 11	Understanding Estate Administration Tax Procedures (53016ER)
May 13	Using Business Entities to Shield Assets (53094ER)
May 18	Tax Consequences of Divorce (53005ER)

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BOOKSTORE

To order any of the audio and reference materials below, please order online or call **800-930-6182**. For more topics, visit us online — **www.nbi-sems.com**

manual — $99 cd and manual — $199 **Note:** *Prices may vary by topic when looking online.*

TOP 10 ESTATE PLANNING TECHNIQUES
© October 2009 - 353 Pages (FP50094)
By: Daniel B. Capobianco, Michelle B. Carron, John Michael Discenza, Kelly J. Guarino, Lawrence G. Hoyle, Franklin R. Longenecker IV, Bellenden Rand Hutcheson and Maureen C. Tobin.

REAL PROPERTY FORECLOSURE: A STEP-BY-STEP WORKSHOP
© August 2009 - 203 Pages (FP50317)
By: Neil J. Berman, Walter H. Porr Jr. and Edward Rainen.

SCHOOL LAW IN MASSACHUSETTS
© October 2009 - 167 Pages (FP50489)
By: David M. Connelly, Diana S. Gondek, Maureen MacFarlane and Mary Ellen Sowyrda.

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OUR DISTINGUISHED FACULTY

DAVID J. CORREIRA is managing partner of Correira & Iacono LLP, a full service trusts and estates firm with offices in Boston and Swansea, Massachusetts; Newport and Providence, Rhode Island; and Naples, Florida. He is a nationally recognized estates and trusts lawyer with more than two decades of experience litigating conservatorships, wills, estates and trusts, and guardianship cases. Mr. Correira has appeared pro hac vice in several states to handle such litigation. He has consulted with colleagues overseas on international succession and tax matters and U.S. domicile, specifically for clients in Brazil, Canada, China, Egypt, Florida, Germany, Switzerland and the United Kingdom. Mr. Correira has been consulted by lawyers across the country on various issues related to trusts and estates. He is admitted in Massachusetts and Rhode Island. Mr. Correira has been active in numerous community groups and civic affairs, and has been a member of the Professional Advisory Committee of the Rhode Island Foundation and is Chairman of the Professional Advisory Committee of the University of Rhode Island Foundation. He is a past president of the Bristol County Estate Planning Council, and a member of the Boston Estate Planning Council, the Norfolk & Plymouth Estate Planning Council, the Rhode Island Estate Planning Council, the Planned Giving Council of Rhode Island, Taxation and Probate sections of the Massachusetts Bar Association, and the Real Property and Trust Section of the American Bar Association. Mr. Correira is widely published on various areas of estate taxes, probate administration and disability planning and has authored many articles for Estate Planning, the leading practitioner journal. He has written two chapters for the *Estate & Personal Financial Planners Series* issued by West Law Publishing and has been recognized nationally as an innovator in the use of technology in the practice of law. Mr. Correira is a frequent speaker for the American, Massachusetts and Rhode Island bar associations, and several continuing legal education organizations, including the National Academy of Elder Law Attorneys and Massachusetts Continuing Legal Education Inc. The latter organization has published his articles in its *Best of MCLE Journal*. Mr. Correira earned his B.A. degree from Bridgewater State College in Massachusetts, his Master of Public Administration degree from the University of Rhode Island, and his J.D. degree from the New England School of Law in Boston. He has completed advanced studies through the American Law Institute, Philadelphia, Harvard Law School, Cambridge, Boston University Law School in the Graduate Tax Program, the University of Miami School of Law Institute in estate planning, Stetson College of Law and New York University's Tax Institute. Mr. Correira is an active member of the advanced legal studies faculty at Suffolk University Law School and is an adjunct faculty member at the New England School of Law in Boston. He has been rated as one of the top five estate planning lawyers in Southern New England by a regional publication and is listed in "Super Lawyers." Earlier in Mr. Correira career, he served as legal and legislative counsel for several utilities. He was previously a partner in the Florida based national law firm Holland & Knight LLP, resident in the Boston and Providence offices.

BRYAN S. MacCORMACK is the principal of MacCormack Law Firm, PC in Boston. Mr. MacCormack has been an attorney for more than 14 years and focuses his practice in the areas of estate planning, Medicaid planning, probate and trust administration, business succession planning, and asset protection. He has presented seminars to financial advisors, accountants, landlords, and other professional groups. Mr. MacCormack has authored many articles related to his practice, and has been published in Massachusetts Lawyers Weekly and Banker & Tradesman. He is admitted to practice law in Massachusetts, New Hampshire, Florida and the District of Columbia. Mr. MacCormack earned a Bachelor of Business Administration degree from the University of Massachusetts at Amherst, his J.D. degree from Thomas M. Cooley Law School, and his Master of Tax Law degree (LL.M.) from Boston University School of Law.

LISA M. RICO is an attorney at the Wellesley law firm of Gilmore, Rees & Carlson P.C., where she focuses on estate planning probate and tax law. Ms. Rico's practice includes estate, gift, generation-skipping transfer and income tax planning for high net worth individuals, estate and trust administration, and the representation of nonprofit organizations and charitable trusts. She also provides tax advice to partnerships and other pass through entities. Ms. Rico is co-chair of the Massachusetts Bar Association's Taxation Law Section, and a member of the American and Boston bar associations. She also is a member of the Boston Estate Planning Council. Ms. Rico earned her B.A. degree, magna cum laude, from Western New England College, her J.D. degree, sum laude, from Western New England College School of Law and her LL.M. degree from New York University School of Law.

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JULY 21

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SCHEDULE

REGISTRATION TIME 8:00 — 8:30 am
SEMINAR TIME 8:30 am — 4:40 pm
Complimentary snacks and refreshments are provided. Lunch is on your own.

TUITION

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$339 for each additional registrant
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