



**Laureate Center**  
FOR WEALTH ADVISORS

# The Gathering 2011

For Estate, Business and Wealth Planners

## San Diego, California

Please join us for our seventh annual Gathering for two days of shared insights, education and collegiality. The Gathering is an annual event for all advisors in Estate, Business and Wealth Strategies Planning. In today's busy world, no one person can be an expert in all areas of estate, business, tax, and wealth planning. However, as we gather and work together we can, through collegiality and collaboration, provide the leadership our clients are seeking to offer clarity and direction to their planning needs.

The format of the two-day Gathering is designed to engage all participants in a conversation where audience interaction is as critical as what is communicated from the front of the room. The presenters are each experts in their field who enjoy teaching and who give of themselves and their time. Their unique skills, experience, expertise, and judgment are truly invaluable when blended with the incredible breadth and depth of talents and experience of the audience.

### Returning Keynote Speakers:

Jonathan G. Blattmachr, Esq.  
Michael L. Graham, Esq.  
Robert S. Keebler, CPA, MSP, AEP (Distinguished)  
David K. Cahoone, Esq.

### Moderators:

Joseph J. Strazzeri, Esq., and Stephen J. Mancini, Esq.

### Dates:

Thursday and Friday, February 24th and 25th, 2011

### Participation Fee:

\$420

### Program Location and Accommodations:

San Diego Marriott La Jolla  
4240 La Jolla Village Drive  
La Jolla, California 92037  
Phone: 1-858-587-1414

"The Gathering" Room Rate:  
\$135.00

### To Attend:

Please RSVP at (858) 200-1911 or  
email: [jrh@laureatecenter.com](mailto:jrh@laureatecenter.com)  
For more information on The Gathering please visit our  
website at [www.laureatecenter.com](http://www.laureatecenter.com)



# The Gathering 2011

## Schedule of Events

### Thursday, February 24th, 2011

**8:15 am - 8:30 am** **Welcome and Overview of The 2011 Gathering**  
**David K. Cahoon, Stephen J. Mancini, and Joseph J. Strazzeri**

**8:30 am - 9:30 am** **Looking Back and Looking Ahead: Preparing Your Practice for the Future: Do Not Get Behind the Change Curve** **Jonathan G. Blattmachr, Esq.**

Future of the Practice of Law: This presentation will discuss developments in legal practice over the past 40 years especially as they relate to estate planning. It will then forecast the likely changes that will occur in the next decade. It will discuss changes relating to billing, staffing, outsourcing and, in particular, the use of technology. It will explain why there will be more changes to the practice in the next ten years than have occurred in the past 40 years and will relate these changes also to the need for office space, communications with colleagues and clients and the rapidly developing areas of artificial intelligence. It will discuss the new book by English lawyer Richard Susskind *The End of Lawyers?* If you plan to be in the legal field for at least five years, you cannot afford to miss this presentation. If you do miss it, you will not be practicing in 2016.

**9:30 am - 10:30 am** **Designating Fiduciaries and Trust Protectors - One of the Most Critical Decisions a Client Can Make** **Jonathan G. Blattmachr, Esq.**

Selecting, Designating, Removing, Compensating and Granting Powers to Fiduciaries and Trust Protectors: This presentation will discuss matters relating to the selection, the removal, the compensation and the sharing of powers by fiduciaries such as executors (personal representatives) and trustees. This often is the most important aspect of an estate plan and often too little thought is given to this complex and challenging area. Specifically, it will discuss selection of the best people and institutions for the estate plan, how that selection affects the choice of law relating to the document, taxation of property and the length of time the plan will be in effect. It will make specific recommendations on how to work in these areas efficiently and practically. It will also discuss the role of trust protectors in detail.

**10:30 am - 10:50 am** **Break**

**10:50 am - 11:40 am** **The Act of Decanting: Amending Trusts without Going to Court**  
**Michael L. Graham, Esq.**

Every lawyer faces irrevocable trust agreements which need to be changed, whether as a result of changes in the circumstances, or problematic tax and distribution provisions. The latest trend in this rapidly developing area is "decanting" under a state statute, or pursuant to document authorization, allowing a trustee to exercise its discretion to create a new trust, for one or more of the existing beneficiaries, with new provisions and terms. This presentation will explore the state laws, provide document provisions which can be included in new documents, and consider the issues, risks and rewards.

**11:40 am - 12:30 pm** **Retirement Benefit Planning with Conduit and Accumulation Trusts**  
**Michael L. Graham, Esq.**

Designated Beneficiary status under IRC Code Section k401(a)(9) is the goal for retirement benefits payable to a trustee rather than outright to an individual beneficiary. The consequences of failure to comply involve forcing a short term payout rather than tax free status and payout over a beneficiary's life expectancy. This presentation involves the two ways to accomplish this "DB" status, and gives examples of language which can be used to avoid many of the common mistakes in this area.

**12:30 pm - 2:00 pm** **Lunch**

**2:00 pm - 3:20 pm** **21st Century Business Succession Planning: Using the Appreciative Inquiry Model to Transition Management of a Closely Held Business**  
**Peter Myers, Esq. and Kevin Urbatsch, Esq.**

Kevin and Peter will discuss a dozen tools and techniques for business succession and debunk the "trick pony" notion of business succession. We will go through different types of planning tools from the perspective of the client's unique goals and values, as opposed to assuming the client wants to achieve a particular kind of result based on our own imposition of values and goals on our clients. Clients don't always think like we do. Our focus will be on our own inquiry into what drives the client's believed need for business succession, and how that, in turn, informs our selection of tools and techniques.

**3:20 pm - 3:40 pm** **Break**

**3:40 pm - 5:00 pm** **Estate Planning for S Corporations**  
**Scott Gunderson, Esq. and Vito Lanuti, Esq.**

Many small business owner clients operate their businesses as S corporations. Because of the numerous restrictions on S corporation ownership, planning for these entities can be challenging. We'll look at planning possibilities including irrevocable trusts, GRATs, grantor trusts, QSSTs and ESBTs and offer some suggestions for effectively transferring S corporation shares out of the client's estate.

### Friday, February 25th, 2011

**8:30 am - 10:00 am** **Ins and Outs of the 2010 Estate Administration Conundrum**  
**Robert S. Keebler, CPA, MSP, AEP and David K. Cahoon, Esq.**

How to properly administer 2010 Estates given the choice between applying 2011 law, in all its glory, or to elect 2010 law, with no Estate Tax and the Modified Carryover Basis Regime. A detailed hands-on discussion of the planning opportunities, pitfalls and compliance requirements under this "once-in-a-lifetime situation." Who needs to do what, how and when to best serve the estates of those who died in 2010.

**10:00 am - 10:20 am** **Break**

**10:20 am - 12:00 pm** **What's New in Estate & Wealth Transfer Planning**  
**David K. Cahoon, Esq. and Friends**

Our seventh annual current developments session at the Gathering will focus on the new planning issues and opportunities that will impact our financial advisor, CPA, insurance professional, trust officer and attorney practices. In a lively, highly interactive session we will share those things that are practical and relevant in 2011 and beyond that will bring real value to our clients as we learn together what's new, what we didn't know, and what has changed from what we thought we knew.

**12:00 pm - 1:30 pm** **Lunch**

**1:30 pm - 2:45 pm** **Beneficiary Defective Inheritor's Trust**  
**Richard Abbondanza, Esq. and Marc Selden, Esq.**

When a properly drafted trust is created and funded by a third person for our client's benefit, the trust assets are protected from the client's predators, creditors and divorces. Learn if using a Beneficiary Defective Inheritor's Trust will allow your clients to achieve transfer tax and creditor protection not available through an Intentionally Defective Grantor Trust (IDGT), while providing your clients with control, access to and enjoyment of the trust property. Many professionals are promoting this strategy. Learn the ins and outs.

**2:45 pm - 3:00 pm** **Break**

**3:00 pm - 4:15 pm** **Medi-Cal is Sooooo 2009: Emphasizing Life Care for People With Special Needs** **JC Hodgdon, Elder Care Consultant, and Diedre Braverman, Esq.**

Families with substantial wealth often benefit from education about the protections available through special needs planning; the benefits beyond eligibility for government programs. They may assume special needs trusts are only for qualifying a beneficiary for poverty-level resources like Supplemental Security Income and Medi-Cal. Further, with new Federal health care plans phasing in over the next several years, Medi-Cal eligibility will no longer be the primary motivation for parents at any point in the wealth spectrum to create special needs plans. Life Care Planning, however, remains as important as ever, regardless of the size of the inheritance or the availability of Federal health care coverage. Multi-disciplinary, meaningful, and potent, Life Care Planning is a valuable and satisfying approach to protecting people with special needs.

**4:15pm - 5:00 pm** **Question & Answer Session - Reviewing What We've Learned to Bring it Home to Enhance Our Businesses**  
**David K. Cahoon, Esq.**

