

Course Agenda

Part I (50 minutes)

Elder Law Planning Overview

- ❖ What is Elder Law Planning
- ❖ Alive & Well, Incapacitated, Death
- ❖ Who Needs Elder Law Planning?
- ❖ The Planning Pyramid
- ❖ 2 Finger Test
- ❖ 3 Lands

Pre-Planning

- ❖ Managing Incapacity
- ❖ Power of Attorney
- ❖ Guardianship Process
- ❖ Using a Trust
- ❖ Civil Commitment
- ❖ Protecting Against Exploitation

Advance Directives

- ❖ Definitions
- ❖ End Stage Medical Condition
- ❖ Life Sustaining Treatment
- ❖ Types of Advance Directives
- ❖ Who Makes Decisions?
- ❖ Issues

Break

Part II (50 Minutes)

Wills and Trusts

- ❖ How do you own your assets?
- ❖ Comprehensive Plan
- ❖ What is a trust?
- ❖ Key to an Effective Plan
- ❖ Grantor vs. Non-Grantor
- ❖ Revocable Trust
- ❖ Trust Types
- ❖ Irrevocable Grantor Trust
- ❖ Trustee
- ❖ How Trusts Can Avoid Problems
- ❖ Beneficiary Designations
- ❖ Funding the Trust

Part III (50 Minutes)

Care Options

- ❖ Activities of Daily Living
- ❖ Nursing Homes/Cost of Care
- ❖ How to Pay for Care
- ❖ Government Benefits

Special Needs Planning

- ❖ Government Programs
- ❖ Guardianship Review
- ❖ Special Needs Trust
- ❖ Support Trust
- ❖ Living Trust vs. Testamentary Trust
- ❖ Third Party Special Needs Trust
- ❖ Self-Settled Special Needs Trust
- ❖ ABLE Accounts
- ❖ Pooled Trust
- ❖ What Should I Do Next?

Caregiver Support

- ❖ Family Caregivers & Third Parties
- ❖ Caregiver Statistics
- ❖ Caregiver Agreements
- ❖ Expectations of Parties
- ❖ Services
- ❖ Compensation
- ❖ Taxes

Lunch

Part IV (25 Minutes)

Veterans Aid & Attendance Benefits

- ❖ Who's Eligible?
- ❖ Military Service Requirements
- ❖ Care Need Requirements
- ❖ Financial Requirements
- ❖ Maximum Rates
- ❖ Unreimbursed Medical Expenses
- ❖ Transfer of Assets to Qualify
- ❖ Trusts & VA Planning

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Part V (50 Minutes)

Medicaid

- ❖ Definition & Requirements
- ❖ After Qualification
- ❖ Common Exempt Resources
- ❖ Asset Transfers
- ❖ Gifts
- ❖ Look Back Period
- ❖ Penalty Period
- ❖ Community Spouse Resource Allowance
- ❖ Minimum Monthly Maintenance Needs Allowance

Part VI (25 Minutes)

Crisis Planning

- ❖ Medicaid Crisis: Spouse
- ❖ Medicaid Crisis: Single/Widow/Widower
- ❖ Pre-Planning vs. Crisis Planning
- ❖ Crisis Plan for Married Couple

Break

Part VII (50 Minutes)

Death of a Loved One

- ❖ What Survivors Need to Do
- ❖ Organ Donations/Anatomical Gifts
- ❖ Autopsy Rights

Handling Estate Assets & Administration

- ❖ Testate & Intestate
- ❖ Important Issues
- ❖ What Are the Assets?
- ❖ How Assets Are Titled/Beneficiary Designated
- ❖ Is Will valid?
- ❖ Probate of Will
- ❖ Legal Advertising
- ❖ Notice of Estate Administration
- ❖ Distributing Assets
- ❖ Trust Administration
- ❖ Will Contests

Course Agenda

Digital Assets

- ❖ Devices
- ❖ Digital Assets - Examples
- ❖ Pitfalls of Password Sharing
- ❖ Federal Computer Fraud and Abuse
- ❖ Electronic Communications Privacy
- ❖ Exceptions to the ECPA/SCA
- ❖ Court Interpretations of ECPA/SCA
- ❖ Revised Uniform Fiduciary Access to Digital Assets Act
- ❖ RUFADAA Summary
- ❖ This is what we are doing every 60 seconds!
- ❖ Rights
- ❖ Safeguards

Collaboration

Answer to Case Study & Questions

Closing