

TBA ELDER LAW FORUM

July 15, 2022 - Nashville Public Library



Total Credits: 4 General, 1 Dual

Producer: Bryson Eubanks, Kane & Crowell

This venerable favorite offers essential and practical material for elder law attorneys and those interested in the practice area. The program will feature information on conservatorships, special needs trusts, veterans benefits, ethics involving considerations in the Mary Northern case and much more. Don't miss this opportunity to learn from seasoned experts and catch up on the latest developments in the field.

9:30 - 10 a.m. CDT **Registration**

10 a.m. - 11 p.m. **Alternatives to Conservatorships**

In light of the recent emphasis on the downside of conservatorships, a working knowledge of alternatives is helpful to the Elder Law practitioner. This session will examine conservatorship alternatives, the law in other states concerning supportive decision making agreements, and the advantages and limitations of such agreements. Additionally, the session will explore a radically different set of laws for conservatorships by looking at the framework used in Germany.

Cathryn Armistead, Armistead Law Group
Karl Warden, Law Office of Karl D. Warden

11 a.m. - 12 p.m. **Have We Really Saved the Homestead?**

This session will review four common real estate scenarios in elder law from three perspectives; 1) Elder Law, 2) TennCare policy, 3) Real estate attorney. Attendees will gain insight not just to protect the homestead from estate recovery utilizing TennCare policies but also to minimize title issues when the property is one day sold.

Barbara McGinnis, Takacs McGinnis
Bryson Eubanks, Kane & Crowell
Josh Bey, Takacs McGinnis
Todd Sholar, Smith Sholar Milliken

12 - 1 p.m. **Lunch** (Provided for Elder Law Section members)

- 1 - 2 p.m. **Everything You Need to Know About VA Benefits... Almost!**
 The VA is the second largest bureaucracy in the Federal Government that is responsible for the administration of trillions of dollars of benefits for our Veteran community. In order to be successful in this field, you must understand how the VA is structured, what are the key benefits that will impact your client and how to access them, all while in compliance with the VA's rules and regulations. This session will provide you the foundation you need to successfully navigate your clients through this process, and aid them in accessing benefits they are eligible for in a timely fashion.
Chris Johnson, Takacs McGinnis
- 2 - 3 p.m. **Medicaid and Trusts**
 The speakers will teach about six types of trusts that are frequently used for benefits purposes including: self-settled special needs trusts, pooled trusts, third party supplemental needs trusts, asset protection trusts, burial trusts and qualified income trusts. Topics for each trust will include what it is, intersection with benefits programs, taxation, and pitfalls.
Amelia Crotwell, Elder Law of East Tennessee
King Self, Elder Law Memphis
- 3 - 3:15 p.m. **Break**
- 3:15 - 4:15 p.m. **What Can We Learn from the Mary Northern Case?**
 DUAL In 1978, Mary Northern, a 77 year old woman living in a dilapidated house in Nashville, was brought to the hospital with frostbitten feet that became gangrenous. Litigation over whether she should have her feet amputated ensued and received national attention. She died on May 1, 1979, with litigation still raging. Barbara Moss and William Kenner M.D., a forensic psychiatrist will tell the story of Mary Northern. Moss will discuss the ethical rules and conservatorship statutes that have been adopted/enacted since this haunting case and Dr. Kenner will discuss how medical ethics and surrogacy law would deal with the Mary Northern case today.
Barbara Moss, Elder Law Nashville
Dr. William Kenner, Psychiatrist, Child Psychiatrist and Psychoanalyst