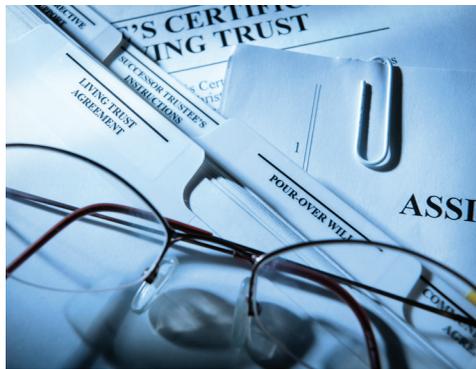


## 15th Annual Trust and Estate Litigation Seminar



Friday, April 20, 2018

Approved for 6.5 CLE credits, (5.5 Law and Legal Procedure and 1.0 Ethics)

\$275 - Standard/Non-Section Members

\$250 - RPPT Section Members (discount applied at checkout)

\$250 - New Members\*

\* Members who have been admitted to practice in Washington for fewer than five years are eligible to receive the new lawyer member pricing on select seminars.

Washington State Bar Association

1325 Fourth Ave, Ste 600  
Seattle, WA 98101

Live **WEBCAST** Option

Presented in partnership with the RPPT Section (Real Property, Probate and Trust Section)

### Description:

Take advantage this opportunity to get an inside perspective on advising your next client through complex trust and estate litigation cases. Hear top-notch presentations by successful practitioners including judges and commissioners who will offer their thoughts and insights learned in hearing probate, trust, and guardianship matters. Other not-to-be-missed sessions include:

- Catch up on the latest case law and statutory changes
- Get a refresher on evidentiary issues which arise in trust and estate disputes including the dead man's statute, hearsay, and authentication of documents

- Ethics lessons from recent Washington state disciplinary proceedings involving estate planning and probate matters
- Undue influence and the Vulnerable Adult Protection Act
- Real estate issues that arise in trust and estate disputes
- Mediation of trust and estate disputes from the perspective of a retired judge and retired court commissioner

### Co-Chairs:

Tiffany Gorton, Kutscher Hereford Bertram Burkart PLLC, Seattle, WA

Ann T. Wilson, Law Offices of Ann T. Wilson, Seattle, WA

## SCHEDULE

**8:00 a.m. Check-in • Walk-in Registration • Coffee and Pastry Service**

**8:25 a.m. Welcome and Introductions by Program Co-Chairs**

**8:30 a.m. Case Law and Legislative Update**

This topic will focus on case law and statutory updates from April 2017 through April 2018. Recent published and unpublished court decisions relevant to a trust and estate litigation practice will be addressed, as well as any legislative changes relevant to this practice area.

Kasey D. Huebner - Mills Meyers Swartling, Seattle, WA

**9:30 a.m. Identification, Proof and Consequences of Financial Exploitation and Undue Influence**

Even before the Vulnerable Adult Protection Act, Washington case law provided guidance on proving undue influence, including the impact of the Deadman's Statute and the rules against hearsay. With amendments to the Slayer's Act, there are new potential consequences of financial exploitation. This presentation will address what a fiduciary or beneficiary can do about suspicious behavior, both during a potential victim's life and after his or her death.

Gail Mautner - Lane Powell PC, Seattle, WA

**10:30 a.m. BREAK**

**10:45 a.m. Psychology of Settlement and Mediation**

Only a tiny percentage of trust and estate cases go to trial but clients may expend a great deal of energy and costs preparing for a trial, the results of which will satisfy no one. Common psychological fallacies such as reactive devaluation, confirmation bias, and the "endowment effect" may interfere with timely settlement. A good mediator is cognizant of those fallacies and will work to remediate these problems.

Judge Kimberley Prochnau, JAMS, Seattle, WA

Comm. Eric Watness - JAMS, Seattle, WA

**11:45 a.m. LUNCH on your own**

**12:45 p.m. What Not to Do: Real Life Ethical Violations in Trust & Estate Practices**

In this session, we will explore real life examples of attorneys practicing in the trust and estate field in Washington who have been suspended or disbarred as a result of their actions. We will look at the counts filed against them by the Bar Association and analyze the applicable Rules of Professional Conduct. This session is likely to be one of the most interesting ethics hours you have ever attended at a CLE.

Karolyn Ann Hicks - Stokes Lawrence PS, Seattle, WA

**1:45 p.m. Evidentiary Issues With Emphasis on Deadman's Statute**

This hour will cover the primary evidentiary impediment in trust and estate litigation: the "Deadman's Statute." The rule itself as well as exceptions to the rule will be reviewed, as will leading cases dealing with inclusion or exclusion of evidence under RCW 5.60.030.

A. Paul Firuz - Kutscher Hereford Bertram Burkart PLLC, Seattle, WA

Hans P. Juhl - Ryan Swanson & Cleveland PLLC, Seattle, WA

**2:45 p.m. BREAK**

**3:00 p.m. Views From the Bench**

Comm. Henry H. Judson III - King County Superior Court, Seattle, WA

Judge Ken Schubert - King County Superior Court, Seattle, WA

**4:00 p.m. TEDRA Disputes and Real Estate**

A brief introduction to the Real Property issues impacted by TEDRA litigation. Including but not limited to insurance related concerns, debt and mortgage issue and title transfers and dispositions.

Stephanie Taylor - Randall Danskin PS, Spokane, WA

**4:30 p.m. Adjourn**

**REGISTRATION**

Please fill out the registration form and mail or fax to WSBA.  
To register online, go to [www.wsba.org/seminars](http://www.wsba.org/seminars) and enter **18498** in the search box.

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_

WSBA No. \_\_\_\_\_ Firm/Company Name: \_\_\_\_\_

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Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

If special accommodations are needed, please email [cle@wsba.org](mailto:cle@wsba.org) or call toll-free at 1-800-945-WSBA.

**PAYMENT INFORMATION**

**Please note:** Our service provider will charge you a separate, non-refundable transaction fee of 2.5% on all bank card transactions. There is no transaction fee if you mail in your check.

**#18498SEA, attend in Seattle, 4/20/18**

**#18498WEB, attend via webcast, 4/20/18**

**\$275 - Standard/Non-Section Member**

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**\$250 - RPPT Section Member**

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**Internet:** Register online at [www.wsba.org/seminars](http://www.wsba.org/seminars) • Order products online at [www.mywsba.org](http://www.mywsba.org).

**Phone:** 800-945-WSBA or 206-443-WSBA with credit card and registration/order form in hand.

**Fax:** 206-727-8324 Include credit card information

**PAYMENT POLICIES**

**PAYMENT:** Individual registrants must use a separate form, however, payment may be made with a single check or credit card for multiple parties.

**NOTE:** Please keep a copy of this flier for your records.

**REFUNDS:** Registration fees may be refunded, less \$25 for handling, for written cancellations postmarked, emailed, or faxed by 5 p.m., up to 3 business days before the seminar. No refunds after that date, but you will receive the coursebook. Canceled registrations may not be transferred to other seminars. You may send a substitute (e.g., someone from your firm) in lieu of canceling.

**Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.**

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