



# Wispact Update 2021

Program dates start April 30. Register today!

7 CLE  
1 EPR

# Wispact Update 2021

*Co-produced with Wispact, Inc. and the Elder Law and Special Needs Section of the State Bar of Wisconsin*

## Look out for their welfare

*Wispact Update 2021* shares the latest developments affecting your aging or special needs clients who receive medical assistance or other entitlement benefits. Speakers from around the state and country will provide an important case law update, as well as share meaningful tips related to creating, distributing, and administering special needs trusts (SNTs). They'll discuss:

- Determining the legitimacy of a bill
- Ways to use Achieving a Better Life Experience (ABLE) accounts and SNTs together
- What to keep in mind when preparing clients to open an ABLE account
- And more!

## Who should attend:

- Guardians ad litem for adults
- Estate planning practitioners
- Elder law attorneys
- Probate attorneys
- Family lawyers

## How you'll benefit:

- Get up-to-speed on the latest issues affecting SNTs
- Receive a valuable case law update
- Be able to explain financial tools to your clients
- Know how to address ethical concerns that could impact your practice

## Register now!

## What is Wispact?

**Wisconsin Pooled & Community Trusts, Inc. (Wispact)** provides for the special needs of persons with disabilities without endangering their eligibility for public benefits or placement on waiting lists. These benefits include entitlement programs such as Supplemental Security Income, Medical Assistance, Social Security Disability Insurance, and Medicare. The benefits also include home and community-based services, such as the Community Integration, Options, and Support Programs. Wispact, Inc., a Wisconsin nonprofit corporation, establishes and manages the trusts.

## Faculty

### Program Chairs

**Eric DeGroot** (Also presenting)  
Wispact, Inc., Madison

**Heather A. Wilson**  
Falkowski Law Firm, LLC, West Bend

### Presenters

**Terry L. Campbell**  
Moertl, Wilkins & Campbell, S.C.  
Milwaukee

**Stephen W. Dale**  
The Dale Law Firm, P.C.  
Pacheco, CA

**Peter E. Grosskopf**  
Grosskopf Law Office LLC  
Eau Claire

**Kevin Hayde**  
Wispact, Inc.  
Madison

**Elizabeth A. Heiner**  
Boardman & Clark LLP  
Madison

**Doug Jackson**  
Deputy Director of STABLE Accounts  
Office of the Ohio Treasurer of State  
Dayton, OH

**Patricia E. Kefalas Dudek**  
Patricia E. Kefalas Dudek & Associates  
Farmington Hills, MI

**J. Cort Miller**  
Capital First Trust Company  
Milwaukee

**Bruce A. Tammi**  
Law Office of Bruce A Tammi  
West Allis

**Peter J. Wall**  
Director of Fiduciary Services  
True Link Financial  
Golden, CO

**Carol J. Wessels**  
Wessels Law Office LLC  
Mequon

## scholarships

The Elder Law and Special Needs Section is offering five full scholarships available to section members. View scholarship requirements and the application at [wisbar.org/wispactscholarship](http://wisbar.org/wispactscholarship). The deadline to apply is Friday, April 9. Questions? Please contact Section Coordinator Jane Corkery at [jcorkery@wisbar.org](mailto:jcorkery@wisbar.org).

This program is sponsored by:



# Schedule

## 8:30 AM Welcome and Overview of Wispact

*Kevin Hayde, Executive Director*

## 8:40 AM POMS Update

*Patricia E. Kefalas Dudek*

## 9:30 AM Case Law Update

- Recent regional and national cases involving Special Needs Trusts
- Practice tips

*Peter E. Grosskopf*

## 10:15 AM Break

## 10:30 AM Guiding Trustees Through the Recoupment Process

- An overview of the recoupment process
- Determining the legitimacy of a bill
- Discuss what other states are doing

*Terry L. Campbell, J. Cort Miller, Bruce A. Tammi, Carol J. Wessels*

## 12:00 PM Lunch Break

## 1:00 PM Using ABLE Accounts in Conjunction with Special Needs Trust

- How ABLE accounts and Special Needs Trusts are being used together
- Significance and functionality of SNT to ABLE transfers
- Considerations in selecting an ABLE program to serve clients

*Doug Jackson*

## 1:50 PM The Good, the Bad, and the Unknown of Using ABLE Accounts

- The utility of ABLE accounts in trust administration and planning for people with disabilities
- Evaluate coordination with SNTs administration
- Analyze ABLE Act changes and facets of beneficiary distribution mechanisms as well as public benefits eligibility
- Recent case law

*Stephen W. Dale, Eric DeGroot, Doug Jackson, Peter J. Wall*

## 2:40 PM Break

## 2:55 PM True Link Prepaid Debit Cards

- Demonstration of the client's online dashboard
- Use cases and beneficiary empowerment
- Coordination with SNTs and other fiduciary vehicles

*Peter J. Wall*

## 3:25 PM Ethical Considerations in Representing a Fiduciary

- Identifying the client
- Potential conflicts: co-fiduciaries, beneficiaries, and decedents
- The lawyer as fiduciary
- A good fiduciary gone bad

*Elizabeth A. Heiner*

## 4:15 PM Program Concludes

*Following start time, webcast replay schedule will vary slightly from above listed times.*

## Dates

### Live Webcast

Friday, April 30, 2021

### Webcast Replay

Friday, May 7, 2021  
Thursday, May 13, 2021  
Wednesday, May 19, 2021  
Tuesday, May 25, 2021  
Monday, May 31, 2021  
Wednesday, June 9, 2021  
Thursday, June 17, 2021

## Registration

**Online:** [www.wisbar.org/seminars](http://www.wisbar.org/seminars)

**Phone:** (800) 728-7788

**Fax:** (608) 257-5502

**Mail:** State Bar PINNACLE Registrations  
P.O. Box 7158, Madison, WI  
53707-7158

### State Bar CLE/PINNACLE Passbook

**Registrations:** Passbook Certificates must be received by the State Bar at least one business day prior to the event.

**Registration Cancellations:** Please visit [wisbar.org/cancellation\\_policy](http://wisbar.org/cancellation_policy) for information on PINNACLE registration cancellation policies.

**Course materials for those attending the seminar:** Course materials are provided in PDF format and are downloadable from myStateBar on [wisbar.org](http://wisbar.org) up to two days prior to and 90 days after your seminar.

## Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for up to **7 CLE credits including 1 Ethics and Professional Responsibility credit.**

**Elder Law and Special Needs Section members who attend the April 30 live webcast will receive a \$50 tuition discount.**

*See registration form in this brochure for more information.*

## Book Sale!

### Eckhardt's Workbook for Wisconsin Estate Planners

Save 20% on *Eckhardt's Workbook for Wisconsin Estate Planners*.\*

An estate planning classic, the Workbook provides quick and clear answers to questions about drafting wills, nonprobate transfers, death taxes, revocable trusts, gifts, marital property agreements, buy-sell agreements for closely held businesses, living wills, powers of attorney, and much more.

Use discount code CA3139 when you order online or by calling (800) 728-7788. Plus, all seminar attendees receive a free two-week trial of the *Books UnBound*® version.

Print Book: #AK0047; 930+pp.; 7th ed. 2018-19

Member: ~~\$280~~ \$224 | Nonmember: ~~\$350~~ \$280

*Books UnBound*® Subscription: #AE0047\_SUB

Member: ~~\$190~~ \$152 | Nonmember: ~~\$237.50~~ \$190

\*Discount applies to both print and digital *Books UnBound*® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For *Books UnBound* users, discount may be applied to purchase of individual *Books UnBound* title only and may not be used on purchase of full library.



## Additional Learning Opportunities

### Adult Guardian ad Litem Training 2021

Learn the ins and outs of taking guardian ad litem appointments for adults. Discuss options for guardianships and placement, the rights of the ward, and understand the roles and the players through a helpful case study. **7 CLE/GALAD**

Live Webcast: May 14, 2021

Webcast Replays: May 21, 2021 | May 27, 2021 | June 2, 2021 | June 8, 2021 | June 16, 2021 | June 21, 2021 | June 30, 2021

### Wisconsin Elder and Disability Law Statutes 2021

This annually-updated compilation collects key statutes relating to public benefits, protective services, serious illness, advance directives, trusts and trust fund investments, and other end-of-life planning matters.

Print Book: #AK0429E21; 582+ pp.; 2021; Member: \$72 | Nonmember: \$93

### Elder Law Forms Library

Find forms anytime, anywhere you have an internet connection. Enjoy access to more than 60 documents, including authorizations, checklists, motions, notices, orders, and petitions.

Online subscription: #FSFB6000 | Members only: \$95/year

(Discounts available on multi-user subscriptions.)

## Wispect Update 2021

Priority Code: S 3 9 6 3 B

SEMINAR TUITION Includes Downloadable (PDF) Course Materials	April 30 Live Webcast	Webcast Replays
<input type="checkbox"/> Elder Law and Special Needs Section Member*	<input type="checkbox"/> \$209	<input type="checkbox"/> \$259
<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$259	<input type="checkbox"/> \$259
<input type="checkbox"/> Nonmember	<input type="checkbox"/> \$339	<input type="checkbox"/> \$339
<input type="checkbox"/> Ultimate Pass Subscriber	<input type="checkbox"/> \$0	<input type="checkbox"/> \$0
<input type="checkbox"/> Passbook Certificate User	<input type="checkbox"/> 1 Certificate	<input type="checkbox"/> 1 Certificate

### WEBCAST DATES:

**Live Webcast:** Friday, April 30, 2021  
 **Webcast Replay:** Friday, May 7, 2021  
 **Webcast Replay:** Thursday, May 13, 2021  
 **Webcast Replay:** Wednesday, May 19, 2021

Lawyer \_\_\_\_\_ State Bar Member No. \_\_\_\_\_  
 Nonlawyer \_\_\_\_\_ Profession \_\_\_\_\_

Name \_\_\_\_\_

Firm Name \_\_\_\_\_

Address \_\_\_\_\_

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Card No. \_\_\_\_\_

Signature \_\_\_\_\_

**\*THE \$50 ELDER LAW AND SPECIAL NEEDS (ELSN) SECTION DISCOUNT** applies ONLY to the April 30, 2021 live webcast of *Wispect Update 2021* – NOT webcast replays or CLE OnDemand. Elder Law and Special Needs Section members with Ultimate Passes, other CLE passes, or PINNACLE discounts are not eligible for this discount. The Section may discontinue this discount at any time.

**Mail to:** State Bar PINNACLE Registrations  
P.O. Box 7158  
Madison, WI 53707-7158

Event Code: CA3139 W R R2 R3 R4 R5 R6 R7