



# Untying the Knot:

## MPAs for Estate Planning, Business, Family, and Bankruptcy

**Program dates start February 28. Register today!**

**4 CLE**

# Untying the Knot: MPAs for Estate Planning, Business, Family, and Bankruptcy

## What's yours and mine

All marriages come to an end, whether it's through divorce, separation, or the death of a spouse. That's why marital property agreements are a wise move for any couple contemplating marriage. Plus, marital property agreements can serve as essential estate planning tools, individualized to the circumstances of a couple or family.

At ***Untying the Knot: MPAs for Estate Planning, Business, Family, and Bankruptcy***, you'll learn the fundamentals of drafting valid, enforceable marital property agreements. Whether your clients have children from prior relationships, significant assets, or a family business they're seeking to protect, you'll know how to create an estate plan that fits their needs.

## How you'll benefit:

- Draft solid marital property agreements for clients contemplating marriage
- Know the requirements for a valid marital property agreement
- Understand how individual and marital property are treated upon death of a spouse
- Learn how to protect family businesses using marital property agreements
- Examine how marital property agreements are treated in bankruptcy

## Who should attend:

- Family law attorneys
- Estate planning attorneys
- Bankruptcy attorneys
- Family business advisors
- General practitioners

Send your clients down the aisle on the right foot with help from *Untying the Knot: MPAs for Estate Planning, Business, Family, and Bankruptcy*.

**Register now!**

## Registration

**ONLINE:** [wisbar.org/seminars](http://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. For in-person seminars, walk-in registrations using Passbook Certificates are also welcome.

### Registration Cancellations:

Please visit [wisbar.org/cancellations](http://wisbar.org/cancellations) for information on PINNACLE registration cancellation policies.

### Course Materials for Attendees:

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.


### COVID-19 Safety Information:

Complete and current safety guidelines can be found at [wisbar.org/covidsafety](http://wisbar.org/covidsafety).

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# Schedule

## 8:00 AM Registration

## 8:30 AM Using MPAs for Estate Planning Purposes

- Classifying assets
    - ▶ As individual property to prevent unintentional commingling
    - ▶ As individual property to get a double step-up in basis upon the death of one spouse
  - Washington Will provisions for probate avoidance
    - ▶ Transfer assets directly to beneficiaries
    - ▶ Transfer assets to a revocable trust
  - Medicaid planning purposes to avoid estate recovery
    - ▶ Classifying assets as the individual property of the community spouse to avoid estate recovery if the community spouse dies first
    - ▶ Classifying assets as the individual property of the community spouse to avoid estate recovery if the community spouse dies second
- Reg Paul Wydeven*

## 9:20 AM MPAs in Family Law

- Engagement letters
  - Use of preliminary acknowledgments in the agreement
  - Financial disclosure statements
    - ▶ Timing of disclosure
    - ▶ Content of disclosure
    - ▶ Establishing gift/inheritance
    - ▶ Creating/preserving trial evidence
  - Property division
    - ▶ Presumed equitable
    - ▶ Use of expanding awards
    - ▶ Use of percentages, floors and ceilings
  - Bases for non-enforcement
- Anthony J. Menting*

## 10:10 AM Break

## 10:25 AM The Use of MPAs in Family Business Plans

- Provisions in a marital property agreement can prevent a divorce court from reclassifying a family business interest as divisible property
  - Spouse of a family business owner can be bound by the terms of a buy-sell agreement
  - Ways a marital property agreement can protect a spouse against claims of a lender
  - Spouses should amend their marital property agreement if they go into business together
- Gregory M. Monday*

## 11:15 AM MPAs and Treatment in Bankruptcy

- Significance of marital property determinations in bankruptcy
    - ▶ Property of the estate
    - ▶ Exceptions
    - ▶ Plan formulations
  - Tips and tricks
    - ▶ Maximizing exemptions
    - ▶ Protecting assets from creditors holding non dischargeable debts
    - ▶ Means test and budget
- J. David Krekeler*

## 12:05 PM Program Concludes

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

## Faculty

### Program Presenters

**J. David Krekeler**  
Krekeler Law Office  
Madison

**Anthony J. Menting**  
Stafford Rosenbaum LLP  
Madison

**Gregory M. Monday**  
Reinhart Boerner Van Deuren, S.C.  
Madison

**Reg Paul Wydeven**  
McCarty Law LLP  
Appleton

## Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for **4 CLE credits**. It does not qualify for EPR credit.

## Dates Location

### In-Person Seminar – Madison

Tuesday, February 28, 2023  
**State Bar Center**  
5302 Eastpark Blvd.  
Madison, WI  
(608) 257-3838

### Live Webcast

Tuesday, February 28, 2023

### Webcast Replays

Friday, March 10, 2023  
Thursday, March 16, 2023  
Monday, March 27, 2023  
Wednesday, April 5, 2023  
Monday, April 17, 2023  
Thursday, April 27, 2023  
Tuesday, May 9, 2023  
Wednesday, May 24, 2023

**Additional webcast replay dates are available for this program.**

Visit [wisbar.org/seminars](http://wisbar.org/seminars) for more information and to register.

## Book Bonus!

### Marital Property Law & Practice in Wisconsin

Seminar attendees will enjoy a **free two-week trial** of the *Marital Property Law & Practice in Wisconsin* Books UnBound® title and an invitation to **save 20%** on either a one-year subscription to the Books UnBound title or purchase of the print book.\* Your guide to everything from determining property ownership and filing for bankruptcy, to planning estates and giving tax advice, *Marital Property* gives you the answers you need in a user-friendly manner.



\*Attendees will receive information to access the free trial and discount via email after attending the program. 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

### Family Law Ethics: Social Media, Prenuptial Agreements, and Acting as GAL 2022

Get trusted guidance on ethical conundrums in family law matters and understand how to maintain confidentiality in your online interactions. Discover helpful tips on drafting and executing prenuptial agreements and explore ethical concerns specific to guardians ad litem. **3.5 CLE/3.5 EPR**

**Webcast Replay:** Jan. 25, 2023 | Jan. 28, 2023 | Feb. 10, 2023 | Feb. 20, 2023 | Feb. 28, 2023

### Marital Property Classification Handbook

The *Marital Property Classification Handbook* provides clarity on the basic rules of property classification and outlines a simple five-step analysis for proper categorization. The Handbook includes flowcharts to illustrate the five-steps in detail, as well as sample problems and solutions.

**Print Book:** #AK0066; 100+ pp.; 4th ed. 2016-17; **Member:** \$82 | **Nonmember:** \$103  
**Books UnBound® Subscription:** #AE0066\_SUB; **Member:** \$85 | **Nonmember:** \$106

### Family Law Forms Library

Gain access to State Bar-exclusive family law forms and make light work of your paperwork. The *Family Law Forms Library* includes checklists, forms, sample letters and language, and client information sheets, all easily accessible online. Eliminate the guesswork and find the form you need in a snap!

**Online Subscription:** #FSFB8000; **Members Only:** \$149/year  
 (Discounts available on multi-user subscriptions.)

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### IN-PERSON SEMINAR:

Tuesday, Feb. 28, 2023 – Madison

### LIVE WEBCAST:

Tuesday, Feb. 28, 2023

### WEBCAST REPLAYS:

Friday, Mar. 10, 2023

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Wednesday, Apr. 5, 2023

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