

The 2022 Real Property, Probate and Trust Section Midyear Meeting and Conference

WSBA CLE
22704 SKA/WEB



**Friday, June 3, to
Sunday, June 5, 2022**

10.0 CLE credits

L&LP - 9.0
Ethics - 1.0

Tuition:

\$404 - RPPT Section Members
\$429 - Standard/Non-Section Members
\$429 - Join the Section (\$25) and register
at the Section member rate (\$404).

Skamania Lodge

1131 SW Skamania Lodge Way
Stevenson, WA 98648

In-Person and Webcast

*Presented in partnership with the
WSBA Real Property, Probate and Trust Section*

DESCRIPTION:

Join us for the weekend, either in-person or virtually, for the Real Property, Probate and Trust Midyear. We will be live from the beautiful Skamania Resort along the Columbia Gorge as well as broadcasting via the internet. We will have faculty from across the state presenting on timely topics for real property and probate/trust practitioners.

SPECIAL EVENT:

The 8th Annual Fun Run in honor of **Scott A.W. Johnson** will take place on Saturday morning. Information will be posted on the RPPT website and/or listserv.

LODGING INFORMATION:

Accommodations at Skamania are currently based on availability and general inventory. Please mention that you are attending the RPPT Midyear for the best available rates.

COMMITTEE:

Devin McComb - Perkins Coie LLP, Seattle
Nathan Luce - Stoel Rives LLP, Seattle
Paul Firuz - Firuz Jeffrey PLLC, Seattle

**COVID-19
VACCINATION/TESTING
REQUIREMENTS:**

All in-person attendees will be required to provide proof of vaccination from COVID-19 plus a booster shot*; or provide proof of a negative PCR COVID test within the past 72 hours. Verification of the aforementioned will occur at the event. Requirements are subject to change.

*If you are within the waiting periods to receive a booster shot, you would be considered up to date. (Moderna or Pfizer: five months or less after the individual's primary series. Johnson and Johnson: two months or less after the individual's primary series).

Schedule

DAY 1, FRIDAY, JUNE 3, 2022

NOON Check-in • Walk-in Registration • Refreshments

12:55 p.m. Welcome and Introductions by Program Committee

Devin McComb - Perkins Coie LLP, Seattle
Nathan Luce - Stoel Rives LLP, Seattle
Paul Firuz - Firuz Jeffrey PLLC, Seattle

1:00 p.m. Probate and Trust Updates

This session will focus on the last year of important cases and legislation in the areas of estate planning, probate, and trusts.
RoseMary Reed - Stokes Lawrence PS, Seattle

2:00 p.m. Real Property Update

This session will review recent legislation, regulatory matters and court decisions affecting real estate transactions in Washington.

Scott Osborne - Foster Garvey PC, Seattle

3:00 p.m. BREAK

3:15 p.m. Ethics Power Hour: Taking Care of Yourself to Take Care of Your Clients

This session will present a practical application of the rules of professional conduct.

Tiffany Gorton - KHBB Law PLLC, Seattle

4:15 p.m. Complete evaluations • Adjourn

4:30 p.m. Young Lawyers Reception

The 2022 Real Property, Probate and Trust Section Midyear Meeting and Conference
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DAY 2, SATURDAY, JUNE 4, 2022

8:00 a.m. Check-in • Walk-in Registration • Breakfast

8:25 a.m. Welcome and Introductions by Program Committee

Devin McComb – Perkins Coie LLP, Seattle

Nathan Luce – Stoel Rives LLP, Seattle

Paul Firuz – Firuz Jeffrey PLLC, Seattle

8:30 a.m. Uniform Laws / Legislative Update

This session will begin with a history and understanding of uniform acts. We will then examine recent enactments relevant to RPPT practitioners and finally, look ahead to pending changes.

Sen. Jamie Pedersen – 43rd Legislative District, Seattle

9:30 a.m. E-Signing in a Virtual World

An overview of the federal law and Washington law for e-signing including considerations for electronic signing in real estate transactions and in estate planning and probate administration.

Kathleen Burton – Stokes Lawrence, PS, Seattle

Serena Sayani – Stokes Lawrence, PS, Seattle

George Kaai – Miller Nash, LLP, Seattle

Natasha Black – Natasha Black Law, Bellevue

10:30 a.m. BREAK

PROBATE AND TRUST TRACK

10:45 a.m. Accessory to Breaking and Entering the Housing Market: An Estate Planner's Overview of Strategies to Help Clients Help Others Buy Homes

Clients with disposable wealth seem to be increasingly interested in helping others—often children or grandchildren—to purchase homes. The advice they receive from realtors or mortgage brokers on how best to do so may be oriented primarily around closing a home purchase and may not account for the broader implications to the client or the purchaser. This session will offer an estate planner's perspective of the primary strategies a client may employ to help someone purchase a home in Washington—gifts, loans, co-investments, and the use of trusts—and an overview of the practical and tax considerations and pitfalls of those strategies.

Steven Schindler – Perkins Coie LLP, Seattle

11:45 a.m. New Guardianship Statutes

This session will begin with an overview of the newly-enacted UGA. We will then have a discussion of Major Reforms, Impact on CPGs, and close with a summary of the Guardianship/Conservatorship Process Under the UGA.

Miriam Ayoub – Graunke Ayoub Law, Seattle

Michael Longyear – Reed Longyear Malnati Corwin & Burnett, PLLC, Seattle

12:45 p.m. Complete evaluations • Adjourn

REAL PROPERTY TRACK

10:45 a.m. Considerations for Transacting Properties with Contamination and Co-Mingled Plumes

This engaging panel of attorneys and environmental consultants attempts to negotiate the sale of the Scallion Property, which is ripe for redevelopment, but contaminated with a co-mingled plume from the adjacent Shallot Property. Both are located in the coveted South Lake Union neighborhood, where mixed-use developments are popping up like mushrooms. Learn about the due diligence, deal structure, lending, and post-closing issues that should be considered when navigating the sale of impacted properties.

Alexandra Kleeman – Stoel Rives LLP, Seattle

James Graves – Stoel Rives LLP, Seattle

David Ubaldi – Davis Wright Tremaine LLP, Seattle

Mike Ehlebracht – Hart Crowser, Seattle

Ryan Bixby – SoundEarth Strategies, Inc, Seattle

11:45 a.m. Update on 2021 ALTA Forms

In the first major update since 2006, the American Land Title Association (ALTA) updated its title insurance commitment, policy and endorsements forms for use effective July 30, 2021. This session will delve into those changes and provide context and information relevant to practitioners.

Dan MacMillan – Chicago Title, Seattle

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DAY 3, SUNDAY, JUNE 5, 2022

8:30 a.m. Check-in • Walk-in Registration
Morning Refreshments

8:55 a.m. Welcome and Introductions by Program
Committee

Devin McComb – Perkins Coie LLP, Seattle

Nathan Luce – Stoel Rives LLP, Seattle

Paul Firuz – Firuz Jeffrey PLLC, Seattle

PROBATE AND TRUST TRACK

9:00 a.m. Negotiating and Litigating Prenups and Postnups

This presentation will provide a summary of Washington case law regarding the enforceability of prenuptial, postnuptial, and property status agreements, including statutory community property agreements. Additionally, the presentation will provide tips for drafting these agreements, an overview of key issues to discuss with clients, and a discussion of how disputes involving enforceability of these agreements might play out in probate. Finally, the presentation will address the application of Washington law in post-mortem situations where the individuals were unmarried but might have been in a “committed intimate relationship” with one another.

Gail Mautner – Lane Powell PC, Seattle

Paul Ohainle – Lane Powell PC, Seattle

10:00 a.m. Homestead and Family Support Awards: Past, Present, and Future

Understand issues surrounding Homestead and Family Support Awards under RCW 11.54, and why these issues matter to estate planners.

Hans Juhl – Ryan Swanson Cleveland, PLLC, Seattle

11:00 a.m. BREAK

PLENARY SESSION

11:30 a.m. Where RP meets PT

We close out the Midyear with a Practical Look at the Intersection of Real Property and Probate, Trust and Estate Matters in Washington. Hear perspectives from practitioners representing both spaces.

Stephanie Taylor – Randall Danskin PS, Spokane

Devin McComb – Perkins Coie LLP, Seattle

12:30 p.m. Complete evaluations • Adjourn

REAL PROPERTY TRACK

9:00 a.m. Construction Issues in the COVID Era

The construction industry continues to experience volatility due to recent global and local events, including supply chain disruptions, growing inflation, strikes, and war. This presentation will discuss legal consideration in planning for a construction project, including equipment and material price escalation, contingency, allowances, force majeure, and termination.

Colm Nelson – Stoel Rives LLP, Seattle

10:00 a.m. Litigation Pitfalls for Property Owners

The legal obligations and potential liability associated with being a landowner in either a commercial or residential context can be overwhelming, particularly when buildings have been left empty for the past two years or when criminal activity occurs. Attorneys must be ready to provide clients with advice on how to avoid common liability issues and what to do when a lawsuit become inevitable. This session will focus on liability issues facing landowners and current litigation regarding the duty to protect tenants, guests, and trespassers, and preventative measures a landowner can take to secure their premises to avoid becoming a defendant.

Erin Varriano - Williams Kastner, Seattle

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REGISTRATION

Please fill out the registration form and mail to WSBA seven business days prior to the program. To register online, go to www.wsba.org and enter **22704** in the search box. **For your security, do not email or fax credit card information.**

First Name M.I. Last Name

WSBA No. Firm/Company Name

Street Address

City State Zip

Phone Email

If special accommodations are needed, please email cle@wsba.org or call toll-free at 1-800-945-9722.

Please omit my name from the networking list made available to exhibitors and/or attendees.

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.

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Verification Required at Event

- \$404 – RPPT Section Members
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Check enclosed payable to WSBA

Visa MasterCard AmEx

▶
 Card No. **(NO CREDIT CARD INFORMATION VIA EMAIL OR FAX)**

▶
 Cardholder Name (print) Exp. Date

▶
 Authorized Signature

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

MAIL: Washington State Bar Association, 1325 Fourth Ave, Suite 600, Seattle, WA 98101-2539

INTERNET: Register online at www.wsba.org Order products online at www.mywsba.org.

PHONE: 800-945-9722 or 206-443-9722 with credit card and registration/order form in hand.

OFFICE USE ONLY Date Check # Total

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6/3/22 – 6/5/22

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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 or emailed 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.