

MEMPHIS



2007 Fall CLE Conference

Wednesday, October 10 – Saturday, October 13, 2007
The Peabody Hotel Memphis
Memphis, Tennessee



WELCOME

Dear Colleagues:

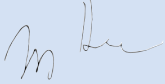
In October, attorneys from throughout the United States will be gathering in Memphis, Tennessee, for the ABA Family Law Section Fall CLE Conference. We would like to invite you, your family, colleagues, and friends to join us as we explore Memphis and learn how to improve our practice of family law.

All attendees are also invited to participate in our committee meeting luncheons, as well as the Family Law Section Council meeting to learn more about our Section.

During this Fall Conference, there will be numerous opportunities for networking and socializing with your fellow attorneys and other participants. Throughout the week there will be breakfasts and receptions. Our main evening event will be at B.B. King's with a band, dancing and great BBQ, followed by an evening of music on Beale Street.

Another highlight will be a luncheon at the National Civil Rights Museum, which is at the Lorraine Motel, where Dr. Martin Luther King was assassinated in 1968. The museum not only honors the memory of Dr. King, but serves as a tribute to all who fought for civil rights in this country. Of course, there will be an organized tour of Graceland for those who wish to honor another "King."

I look forward to seeing you in Memphis.



Gregg M. Herman
Milwaukee, WI
Chair, Section of Family Law

CLE Committee Co-Chairs

Maryann E. Foley
Anchorage, AK

David Hofstein
Philadelphia, PA

Memphis Local Host Committee Co-Chairs :

Amy Amundsen, *Memphis, TN*
Hon. Bernice Donald, *Memphis, TN*

Members:

Margaret Chesney, *Memphis, TN*
Miles Mason, *Memphis, TN*
Jessica May, *Memphis, TN*
Rebecca Miller, *Memphis, TN*
Laura Rogers, *Memphis, TN*

CONFERENCE SPONSORS

The following companies and organizations have made the special rates for the conference and social events possible:

Chinn & Associates PLLC
Crone & Mason LLP
Law Office of Allen Bailey
Law Office of Maryann Foley
Kolodny & Anteau
Rice, Amundsen & Caperton PLLC
Walzer & Melcher LLP
Walther Family Law
Wolf & Akers, LPA

AIRLINE ARRANGEMENTS

Airfare discounts are available through ABA Online Travelocity Business or directly from the airline. To access ABA Online Travel, go to www.abanet.org/travel and click on the Online Travel link at the top of the page. The 24/7 toll-free number for Travelocity Business is 1-866-321-8403. American Airlines can be reached at 1-800-433-1790. Reference discount code 19226 for American Airlines.

NEARBY AIRPORTS & TRANSPORTATION

Memphis International Airport: 13 miles from the Peabody Memphis Hotel or a 15-20 minute drive.

A downtown hotel shuttle is available through TennCo Express Airport Shuttle and can be arranged through the hotel Concierge or by calling 901-345-7962. The downtown shuttle picks up guests at the Union Avenue entrance of The Peabody on an hourly basis. The shuttle costs \$15 one way and \$20 round-trip.

REGISTRATION FEES

The early bird registration fee, postmarked by 9/07/07, is \$425 for ABA Section of Family Law members. This fee covers all CLE Programs, course books *or* CD-ROM, breakfast each day and networking receptions on Wednesday and Thursday evenings.

The non-lawyer spouse/guest registration fee is \$125. Registered guests may attend the morning breakfasts and evening receptions. If you plan on attending any ticketed event you must be registered. **All spouses/guests will be required to wear a name badge to all events. Registration fees for children under 16 are complimentary. However, tickets must be purchased for all children attending ticketed social events.**

ROOM RESERVATIONS & HOTEL INFORMATION

Call the Peabody Memphis Hotel directly at 901-529-4000 or 1-800-PEABODY prior to **Friday, September 7, 2007**, and identify that you are part of the ABA Family Law Fall CLE Conference to receive the discounted rate of \$180 per night.

CLE CREDIT

CLE credit has been requested from MCLE states. Those seeking credit in Pennsylvania and Louisiana must submit a certificate and pay fees to those states. The ABA pays applicable fees in other states. Each state has its own rules and regulations, including its definition of CLE. You may wish to check with your state for confirmation of a program's approval.

CANCELLATION POLICY

To receive a full refund, a written request must be received on or before **September 21, 2007**. No refunds will be issued after that date. Questions about cancellations can be directed to Section staff at 312/988-5145.

CONFERENCE HIGHLIGHTS

GRACELAND

Come experience Elvis and all of his glory at his home, Graceland. As you explore his mansion you will find his personal mementos, numerous awards, authentic clothing and much more. After the mansion tour, you will be able to visit the Car Museum and Lisa Marie, home to Elvis's large collection of antique cars and planes. Transportation and admission included. Tickets: \$35/\$40 after 9/07/07.

BOOK PROGRAM

The Section of Family Law has started a book donation project to give books to children in the communities we visit for our conferences. Please bring one or more new books (elementary level) with you to the meeting where we will be partnering with the Memphis Rotary Club to read and donate books to the children of Memphis.

2007 FALL CLE CO

SCHEDULE OF EVENTS

October 10-13, 2007

The Peabody Hotel

Memphis, Tennessee

Wednesday, October 10, 2007

- 8:00am-5:00pm **Family Advocate Board of Editors Meeting**
- 2:00pm-4:00pm **Section of Family Law Officers Meeting**
- 4:00pm-5:00pm **Section of Family Law Finance Committee Meeting**
- 5:30pm-7:00pm **Registration and Networking Reception**
Please join us on the rooftop of the Peabody Hotel for an evening of hors d'oeuvres and special guests.
- 7:00pm **Dine Arounds**
With tables reserved at some of the best eateries in Memphis, this fun "Dutch treat" event is an excellent opportunity to enjoy dinner at fabulous restaurants while networking with conference attendees. Sign up in the Hospitality Room.
- 9:30pm-11:00pm **Chair's Suite Networking Reception**
Sponsored by the Law Office of Allen Bailey and the Law Office of Maryann Foley

Thursday, October 11, 2007

- 7:00am-2:00pm **Registration and Hospitality**
- 7:00am-7:30am **First-Timers' Breakfast**
Meet and greet Section leaders for an informative overview of the conference and the Section of Family Law.
- 7:00am-9:30am **Networking Breakfast**
Sponsored by Rice, Amundsen & Caperton PLLC
- 7:30am-8:30am **Meeting of the Committee Chairs and Vice-Chairs**
- 8:30am-9:30am **Simultaneous Committee CLE Programs**

Same-Sex Couples and Interstate Recognition: Family Today, Strangers Tomorrow

Alternative Families Committee

Some states permit same-sex couples to enter into comprehensive legal relationships that confer important property and parental rights and responsibilities on the parties to the relationships. Other states are enacting statutory and constitutional provisions limiting recognition of marriages and other legal relationships between same-sex couples. This program will provide guidance and suggestions for counsel representing same-sex couples in this complex and largely unresolved area of law.

- Moderator:** Courtney Joslin, Berkeley, CA
Speakers: Mark Momjian, Esq., Philadelphia, PA
Abby Rubinfeld, Esq., Nashville, TN



Post-Divorce Instructions that Your Client Needs to Know—How to Shape Them Up and Ship Them Out

Law Practice Management and Trial Practice & Techniques Committee

This fast-paced program will present the best ideas for closing a case, including how closing a case can be used as a marketing tool; what information a client needs at the end of a case; storage; retrieval documents and a client check-off list.

- Moderator:** Lori Nelson, Esq., Salt Lake City, UT
Speakers: Mark Chinn, Esq., Jacksonville, MS
Matthew Dyer, Esq., Augusta, ME
Jonathan Levine, Esq., Atlanta, GA
Bonnie Preston, Visalia, CA
Marvin Solomiany, Esq., Atlanta, GA
Mary Vidas, Esq., Philadelphia, PA



Hidden Assets in Military Divorce Cases

Military Law Committee

In many military cases, there are significant savings to be had, and sometimes assets are overlooked, unless you have a "guidebook." This program will be your guidebook on where to find the hidden money, save money for your client, and be the best advocate for the service member in settlement or trial.

- Speakers:** Mark Sullivan, Esq., Raleigh, NC
Kate Somerville, Esq., San Diego, CA

9:30am **Welcome and Opening Announcements**

9:45am-12:15pm **Plenary Session**



It's Not Just About E-mail: What the Family Trial Lawyer Needs to Know About Electronic Evidence Prior to and During a Trial

- Program Producers:** Frederick J. Siegel, Esq., Stamford, CT
Algera Tucker, Esq., Oakland, CA

This session will address the duties of the client and counsel regarding electronic evidence, what to look for during discovery, and related ethical considerations including preventing the spoliation of electronic evidence. This program will discuss trial admissibility issues that arise concerning electronic evidence as well as issues regarding the Federal Electronic Signatures Act.

- Moderator:** Guy Ferro, Esq., New Canaan, CT
Speakers: Michael Hutter, Esq., Albany, NY
Caren Nichol, Esq., Memphis, TN
Jacqueline Valdespino, Esq., Coconut Grove, FL

10:00am-11:00am **Scope & Correlation Committee Meeting**

11:00am-12:00pm **Sponsorship & Fundraising Committee Meeting**

CONFERENCE

12:30pm-1:45pm **Committee Meetings and Working Lunch (Ticketed)**
Whether you are already a member of a committee or would like to learn more about a specific practice area, you are invited to join the Section's committees for lunch. Committee membership is an excellent member benefit, a great way to meet other conference attendees and learn about committee activities. **Alternative Dispute Resolution, Alternative Families, Bankruptcy, Child Custody, Congressional Relations, Elder Law, International Law, Marital Property, Reproductive & Genetic Technologies, Taxation and Technology** will meet today.
Tickets: \$25.

2:00pm-5:15pm **Tour of Graceland**
Tickets: \$35/\$40 after 9/07/07

5:30pm-7:00pm **Networking Reception**

7:00pm **Dine Arouds**
With tables reserved at some of Memphis' best eateries, this fun "Dutch treat" event is an excellent opportunity to enjoy dining at fabulous restaurants while networking with conference attendees. Sign up in the Hospitality Room.

9:30pm-11:00pm **Chair's Suite Networking Reception**
Sponsored by Walzer & Melcher LLP

Friday, October 12, 2007

7:00am-2:00pm **Registration and Hospitality**

7:00am-9:30am **Networking Breakfast**
Sponsored by Walther Family Law and Wolf & Akers LPA

8:00am-9:00am **Simultaneous Committee CLE Programs**

Beyond Basic Child Support: Financial Planning for Children

Child Support Committee

This program will deal with issues of college expenses and other extras including the use of 529 accounts, UGMA accounts, and providing for other needs beyond the basics.

Moderator: Barton Resnicoff, Esq., Great Neck, NY
Speakers: Margaret Chesney, Esq., Memphis, TN
Robert Vance, CPA, CVA, CFP, Memphis, TN

I Worked for It, Nurtured It, Sweated for It: It's Mine!

Marital Property Committee

This program will focus on representation of the small business owner in a divorce, whether the business is a sole proprietorship, sub-chapter S Corp., C Corp., or a "mom and pop" operation. The focus will be on protecting the business and ensuring its continuation, proving and defending hidden income claims, proving the elements of a sub S shareholder's income (real or imaginary) for child support, distributions, or spousal support.

Moderator: Virginia Dugan, Esq., Albuquerque, NM
Speakers: Andrew Soshnick, Esq., Memphis, TN
Carlton Stansbury, Esq., Milwaukee, WI



Law Office Management for Divorce Lawyers or How to Look Out for Those Who Look Out for You

Law Practice Management Committee

This program is a systematic approach to divorce practice management with an emphasis on practical applications. The materials are drawn from *The Complete Guide to Divorce Practice, 3rd Edition*. The program moves from basic practice tips to advanced skills. There will be forms, checklists, and guides that the attendees can use in their practice. This program is recommended for lawyers with a sense of humor.

Moderator: Patricia Garity Smits, Esq., Morristown, NJ
Speaker: Larry Rice, Esq., Memphis, TN

9:15am **Opening Announcements**

9:30am-12:00pm **Plenary Session**



Now I Know That the Retainer Was Set Too Low . . . Handling Difficult Substance Abuse and Mental Health Issues

Program Producers: Amy J. Amundsen, Esq., Memphis, TN
Hon. Edward Kainen, Esq., Las Vegas, NV
Even difficult issues can be easy to handle when opposing counsel is settlement oriented and the parties are reasonable. However, a substance abuse or mental health issue can make any case a nightmare to handle. With insight from substance abuse and mental health professionals, as well as advice from the trenches, this program will address how to recognize, confront and handle these difficult issues, whether they are occurring with the opposing party, your client, or even opposing counsel.

Moderator: Amy J. Amundsen, Esq., Memphis, TN
Speakers: Judge Robert L. Childers, Memphis, TN
Laura Gatrell, Esq., Nashville, TN
Bruce Seidner, Ph. D, Knoxville, TN
W. Terry Sherrill, Esq., Charlotte, NC

10:00am-11:00am **Member Benefit Development Committee Meeting**

11:00am-12:00pm **Diversity Committee Meeting**

12:30pm-1:45pm **National Civil Rights Museum Luncheon (Ticketed)**

Sponsored by Crone & Mason, LLP

Please join the Section at the National Civil Rights Museum for an Awards Luncheon for the Honorable Judge Bernice Donald, a District Judge, US District Court for Western District of Tennessee, Memphis, Tennessee, since 1995. Judge Donald is the first woman to occupy this position in the state of Tennessee. The museum is located at the Lorraine Motel where Dr. Martin Luther King, Jr. was assassinated on April 4, 1968 and also shows key parts of the Civil Rights Movement. Lunch and a tour of the National Civil Rights Museum will be provided.
Tickets: \$40/\$50 after 9/07/07.

2:00pm-5:00pm **Section of Family Law Council Meeting**
All Section of Family Law members are invited to attend the Section's Council Meeting. The meeting will be at the National Civil Rights Museum in the Rose Room.

6:00pm-9:00pm **Dinner at B.B. King's with Live Entertainment Starring Preston Shannon of the B.B. King All Stars**

Sponsored by Chinn & Associates PLLC

Come join the Section this evening at B.B. King's located on the world-famous Beale Street. Enjoy B.B. King's favorite dishes as you listen to the best music of Memphis. Preston Shannon, otherwise known as Mr. Beale Street, will have you dancing in no time with his powerful guitar playing and his soulful voice. Wristbands will be given out as well so you can sample the rest of what Beale Street has to offer without paying the cover. Dinner, drinks and live entertainment included.

Tickets: \$80/\$90 after 9/07/07.

Saturday, October 13, 2007

7:00am-12:00pm **Registration and Hospitality**

7:00am-9:30am **Networking Breakfast**

Sponsored by Kolodny & Anteau

8:00am-11:00am **Publications Development Board Meeting**

8:00am-12:00pm **Family Law Quarterly Board of Editors Meeting**

8:30am-9:30am **Simultaneous Committee CLE Programs**

Child Custody Jurisdiction: Navigating the Statutory Maze

Child Custody Committee

In our mobile society, inter-state child custody issues are an everyday occurrence for the family lawyer. Subject matter jurisdiction in almost all states is determined by the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) and by the Parental Kidnapping Prevention Act. Yet gray areas and anomalies remain. This program will provide a case study and highlight areas of lingering confusion and concern.

Moderator: Barbara Aaby, Esq., Beaverton, OR

Speakers: Patricia Apy, Esq., Red Bank, NJ

Patrick McDaniel, Esq., Albuquerque, NM

The Details of a Domestic Violence Trial

Trial Practice and Techniques Committee

This program will detail the process and evidence necessary in presenting and defending a domestic violence trial between a same-sex couple.

Moderator: Elizabeth Sadowski, Esq., Rochester, MI

Speakers: Lisae Jordan, Esq., Silver Spring, MD

Mike Shaw, Esq., St. George, UT



SECTION OF FAMILY LAW BOOKS AVAILABLE ON THIS TOPIC

While at the conference, please visit the Section of Family Law book table in the Hospitality Room to take advantage of special meeting discounts on Family Law publications. Section of Family Law books can also be purchased online at the ABA Bookstore at www.ababooks.org.



A Financial Primer for the Family Law Attorney

Young Lawyers Division

The bona fides of financial-type assets are complex for even the most experienced matrimonial attorney. We must be able to navigate this environment intelligently and critically. The financial landscape changes daily and the marketing moguls on Wall Street consistently introduce new products and services to satisfy what they perceive to be unmet client needs. Hedge Funds, Exchange Traded Funds (ETFs), Indexed Annuities, and Private Equity are just a few of the complex products that have found their way into client portfolios in the past few years. Other established products, such as bonds, have derivations such that you may think you understand them, but of which you cannot be certain. How are investment fees calculated and charged? How does one calculate rates of return? How accurate are the asset values shown on statements? How are the professionals that work in this field compensated? These and other questions will be addressed at this session, taught by three investment professionals.

Moderator: Frederick J. Siegel, Esq., Stamford, CT

Speakers: David Bergman, Detroit, MI

Robert Bilkie, Jr., CFA, Southfield, MI

Suzanne Killea, CFA, IFA, San Francisco, CA

9:45am-12:15pm

Plenary Session



Program Producers:

Family Law—The Intersection with Federal Law

Lori Colbert, Esq., Anchorage, AK

Rick DeMichele, Esq., Cherry Hill, NJ

This program will provide the family lawyer with tools regarding what to do when presented with a family law case that intersects with federal issues such as bankruptcy, immigration, QDROs and QMESCOs.

Moderator: Jonathan Wolfe, Esq., Livingston, NJ

Speakers: Lynn Susser, Esq., Memphis, TN

Ellen Vergos, Esq., Memphis, TN

Dorothy Wells, Esq., Memphis, TN

10:00am-11:00am

Long Range Planning Committee Meeting

12:30pm-1:45pm

Committee Meetings and Working Lunch (Ticketed)

Whether you are already a member of a committee or would like to learn more about a specific practice area, you are invited to join the Section's committees for lunch. Committee membership is an excellent member benefit, a great way to meet other conference attendees and learn about committee activities. **Alimony, Adoption, Child Support, Domestic Violence, Ethics, Law Practice Management, Military, PARTNERS and Trial Practice and Techniques** will meet today. *Tickets: \$25.*

2:00pm-4:00pm

Council Meeting (if necessary)