

Drafting to Ensure the Settlor's Intent Is Realized

From the client interview to strategic techniques and anticipating challenges

Clients are relying on you. Your words are what stand between what they want and what will happen. Do you know how to draft your documents to ensure that their wishes are expressed and enforced?

Hear the faculty explain why the client interview is a crucial first step. Having accurately discerned the client's wishes, the faculty discuss best practices in documenting those wishes, both in your client notes and also in their legal documents. Accurately documenting your client's wishes is just the beginning. You also need to advise your clients of the risks that their wishes could be disrupted by unhappy beneficiaries and strategies to combat these challenges.

Agenda

- **The Importance of the Client Interview and Murphy's Law**
 - Determining decisions for unlikely contingencies
- **Know the Default Rules That Will Apply if You Are Silent**
 - Intestacy
 - Rights of spouses
 - Rights of children outside of the marriage
 - Rights of parents
 - Next of kin
 - Who takes if the beneficiary predeceases?
 - "Close relatives" v. others
- **Techniques for Protecting Your Estate Plan from Being Attacked from the Outside**
 - Avoid probate
 - Revocable v. irrevocable trusts
 - Beneficiary designation forms
 - POD/TOD accounts
 - In Terrorem clauses
 - Best practices for avoiding "undue influence" and "incompetency" claims
- **What to Do if Your Client's Estate Plan Is Contested**

Faculty

Karen B. Johnson, Esq., LL.M., *Madge & Johnson, PC, Westford*, Chair

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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 6, 2024
9:30 am–11:30 am
Program # 2250070WBC

REBROADCAST

Thursday, November 21, 2024
12:00 pm–2:00 pm
Program # 2250070RB1

REBROADCAST

Friday, December 6, 2024
9:00 am–11:00 am
Program # 2250070RB2

ON DEMAND WEBCAST

View after Friday, December 6, 2024
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