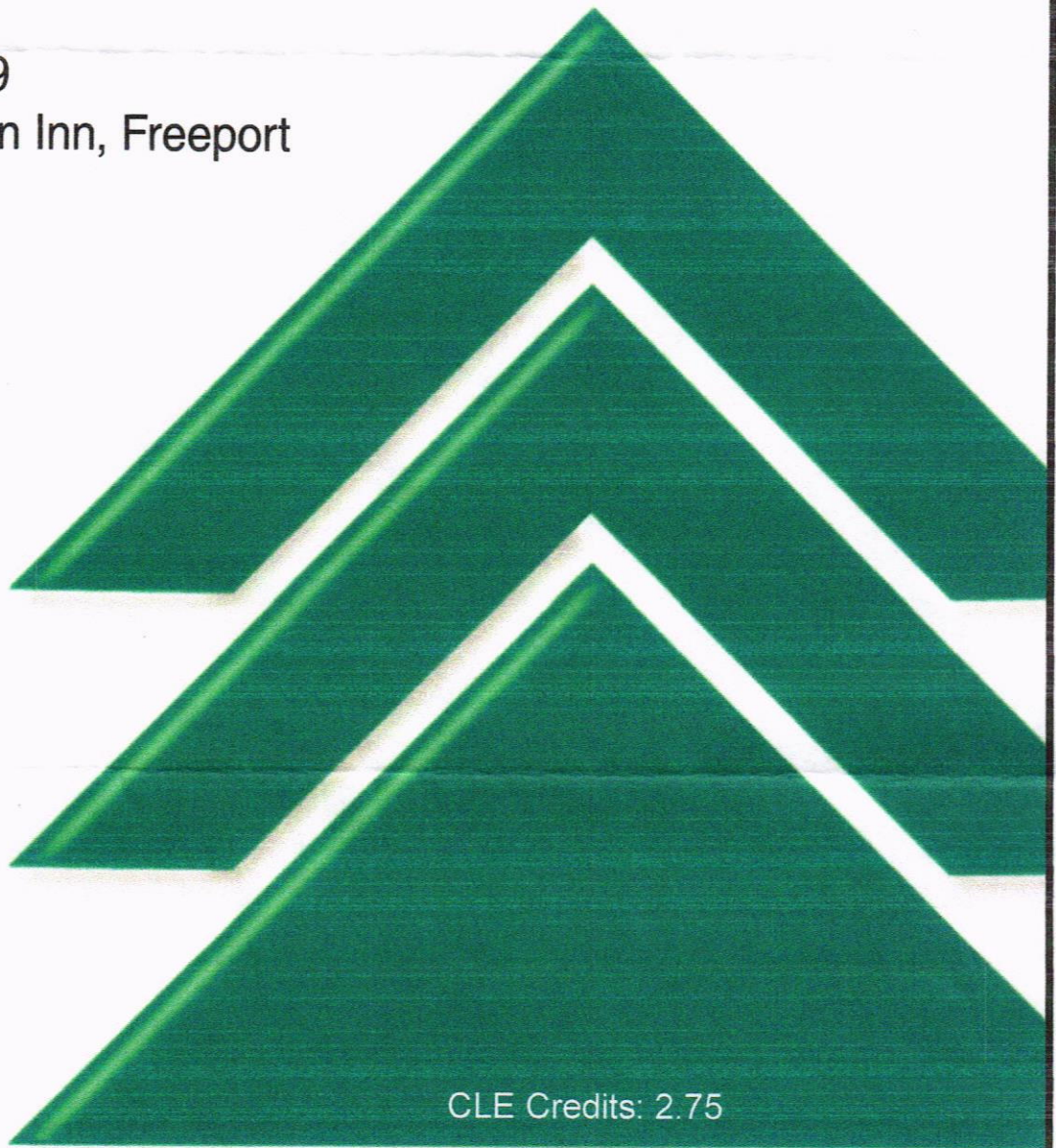


Maine's New Probate Code

Minor Guardianship and Adoption under Maine's Revised Probate Code: Overview, Implementation, and Practice Tips

April 11, 2019
Hilton Garden Inn, Freeport



CLE Credits: 2.75



This program has been approved for practice and procedure credit under Maine's reciprocal admission rule.

Wednesday, April 10 - Registration Closed
CLE Credits: 5.50

Overview of Maine's New Probate Code

The program will cover the most notable changes to Maine's Probate Code in the recodification to Title 18-C that becomes effective 7/1/2019, and Maine's adoption of the Uniform Statutory Rule Against Perpetuities.

Schedule

- 8:30 REGISTRATION
- 9:00 ARTICLES 1 (GENERAL PROVISIONS, DEFINITIONS & JURISDICTION), 2 (INTESTACY, WILLS & DONATIVE TRANSFERS), 3 (PROBATE OF WILLS & ADMINISTRATION), AND 4 (FOREIGN PERSONAL REPRESENTATIVES; ANCILLARY)
- 10:15 BREAK
- 10:30 ARTICLE 6, THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT, AND THE UNIFORM STATUTORY RULE AGAINST PERPETUITIES
- 12:00 LUNCH (INCLUDED)
- 12:45 THE MAINE UNIFORM GUARDIANSHIP, CONSERVATORSHIP & PROTECTIVE PROCEEDINGS ACT – PARTS 1 (GENERAL PROVISIONS), 3 (ADULT GUARDIANSHIP), 4 (CONSERVATORSHIP), AND 5 (OTHER PROTECTIVE ARRANGEMENTS)
- 2:00 BREAK
- 2:15 CONTINUATION OF 12:45 DISCUSSION
- 3:45 PROGRAM ADJOURNS

Faculty

David J. Backer, Esq.
Drummond Woodsum, Portland

Barbara A. Carlin, Esq.
Carlin & Shapiro, Portland

Staci K. Converse, Esq.
Disability Rights Maine, Augusta

Miles C. Hunt, Esq.
Epstein & O'Donovan, Portland

Jeffrey W. Jones, Esq.
Jones Kuriloff & Sargent, Ellsworth

Justin LeBlanc, Esq.
LeBlanc & Young, Portland

The Hon. Richard M. Morton (Ret.)
Franklin County Probate Court

Patricia A. Nelson-Reade, R.N., Esq.
Nelson-Reade Law Office, Portland

Kenleigh A. Nicoletta, Esq.
Brann & Isaacson, Lewiston

Hotel Accommodations: Hilton Garden Inn, Freeport

For those in need of lodging, the Hilton Garden Inn in Freeport offers MSBA registrants a discounted corporate rate starting at \$115.00 per night, plus applicable tax. Call the hotel directly at 207-865-1433 and select #1 for new reservations. You MUST specify you are registering at the corporate rate for the Maine State Bar Association.

Thursday, April 11 - Registration Open
CLE Credits: 2.75

Minor Guardianship and Adoption under Maine's Revised Probate Code: Overview, Implementation, and Practice Tips

This program will provide essential information about substantive changes to Maine's minor guardianship and adoption laws enacted in the new Maine Uniform Probate Code (P.L 2017, Chapter 402). The program includes an overview of the new provisions (including their development and objectives), an update on the implementation of the provisions in the District and Probate courts, practice tips, and an opportunity for Q&A.

Schedule

- 8:30 REGISTRATION
- 9:00 MINOR GUARDIANSHIP
 - Overview of New Provisions
 - Implementation in the Courts
- 10:30 BREAK
- 10:45 ADOPTION
 - Overview of New Provisions
 - Implementation in the Courts
- 12:00 PROGRAM ADJOURNS

GAL Credits
1.75

Faculty

Jane S.E. Clayton, Esq.
Vafiades Brontas & Kominsky, Bangor

The Hon. Amy L. Faircloth
Penobscot County Probate Court

The Hon. E. Mary Kelly
Maine District Court, Portland

Prof. Deirdre M. Smith
University of Maine School of Law, Portland

How to Register for the Live Webcast

You must register for each day of the live webcast.

1. Type **mainebar.org** in your browser.
2. Under **CLE/Education** click **Register for CLE**.
3. Locate this program in the Community Calendar and click on the program to register.

You will access this CLE program through a third-party website, which will require a username and a password. **Please note that your MSBA login credentials will not work on this website.**

You will receive a confirmation via email. Program materials will be uploaded to your registration account when they are available.

If you register for this webcast and are unable to view it on the day of the live presentation, you will receive a link following the webcast and will have three months from the date of the live presentation to view the program. Please note if you view the webcast after the program date, the seminar qualifies for self-study credits.

Credits will be reported by the MSBA according to recorded attendance for the webcast.



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Faculty Biographical Information

Jane Clayton is a partner at Vafiades, Broutas & Kominsky, LLP. Jane focuses her practice on all aspects of Family Law. Admitted to practice in 1988 both in Maine and before the U.S. District Court, District of Maine, Jane is a member of the Maine State and Penobscot County Bar Associations. She is currently a board member of Maine Collaborative Law Alliance and is the Vice Chair of the Grievance Commission. She is also a member of the Family Law Section of the Maine State Bar Association. Jane was previously the Chair of the Fee Arbitration Commission, Chair of the Fee Arbitration Panel IV, Chair of the Penobscot County Law Library Committee, a member of the State Court Library Committee, a Board Member of Equality Maine Foundation, a Board Member of Bangor Area Visiting Nurses/Hospice of Eastern Maine, a Board Member of Pine Tree Legal Assistance and a Board Member of Maine Association of Mediators. Jane was born in Harrisburg, Pennsylvania in 1961, and grew up in the suburbs of Philadelphia. Jane earned a B.A. (with high distinction) in Political Science from the University of Maine in 1983. She received her J.D. from the Villanova University School of Law in 1986. She moved to Maine in 1986 and currently lives in Veazie with her wife and dog, Lily. In her time away from the office she enjoys photography, movies, reading and spending time with family and friends.

Amy Faircloth was born in Brooklyn, New York and received her B.A. in American Studies from Claremont McKenna College in Claremont, California. Judge Faircloth graduated from the University of California, Hastings College of the Law. She has lived in Maine since 1987 and served as a Law Clerk for the Maine Superior Court, Penobscot County. She worked as an associate for Vafiades, Broutas & Kominsky in Bangor for seven years before starting Pelletier & Faircloth with Dawn Pelletier. Effective January 1, 2019 the firm is now known as Pelletier Faircloth & Braccio. Her practice has focused on family law, divorce law, probate matters, education law and special needs issues. She is very proud to be the newly elected judge of Penobscot County Probate Court. Ms. Faircloth is a member of the Penobscot County and Maine State Bar Associations and a past member of the RSU 22 School Board (Hampden, Newburgh, Winterport and Frankfort) and Bangor Humane Society. She is the co-author of *Wicked Good*, a novel about a mother and her 15 year old son with Asperger's syndrome. To help maintain balance, she teaches yoga at Om Land Yoga in Bangor and Brewer.

Mary Kelly is a District Court judge who sits primarily in Portland. Prior to being appointed as a judge, Judge Kelly served as a Family Law Magistrate in York and Cumberland Counties. She has served as an Assistant Attorney General for the State of Maine and as Chief of the Child Support Division in the Office of the Attorney General. She has clerked for the Maine Supreme Court, and has taught law at the University of Maine School of Law and at the National University of Ireland in Galway. She is a member of the Juvenile Justice Advisory Group, and currently chairs the Family Law Advisory Commission.

Deirdre M. Smith is Professor of Law and Director of the Cumberland Legal Aid Clinic at the University of Maine School of Law, where she teaches Evidence and supervises student attorneys in the Law School's clinical legal education program. Her most recent scholarly research has focused on minor guardianship, child protection, and adoption laws. She is a member of the MSBA's Family Law Section. She serves as a consultant to the Maine Family Law Advisory Commission regarding parental rights provisions of the Maine Probate Code. She served as an observer on the Uniform Law Commission's Drafting Committee for the recently adopted Uniform Guardianship Conservatorship and other Protective Arrangements Act. She is also involved with efforts to increase access to justice for low-income litigants and to improve Maine's court systems for family law matters. Prior to joining the Law School faculty in 2004, she was a member of the Trial Services Group of the Portland firm of Drummond Woodsum and a law clerk to Hon. Gene Carter of the U.S. District Court for the District of Maine. She is a graduate of the University of Pennsylvania and the University of Maine School of Law.

Disclaimer: This CLE material is presented for educational purposes only. It is not and does not take the place of legal advice in any specific situation nor is it offered as such by the authors, speakers, the Maine State Bar Association (MSBA), or the MSBA CLE Committee. The material is intended to be timely as of the date written and/or originally presented. Due to the rapidly changing nature of the law, information contained in these materials or presented by the speakers may become outdated. It is the responsibility of any individual using or relying on these materials to confirm their timeliness. Finally, these materials are not intended to establish practice standards or standards of care applicable to an attorney's performance.