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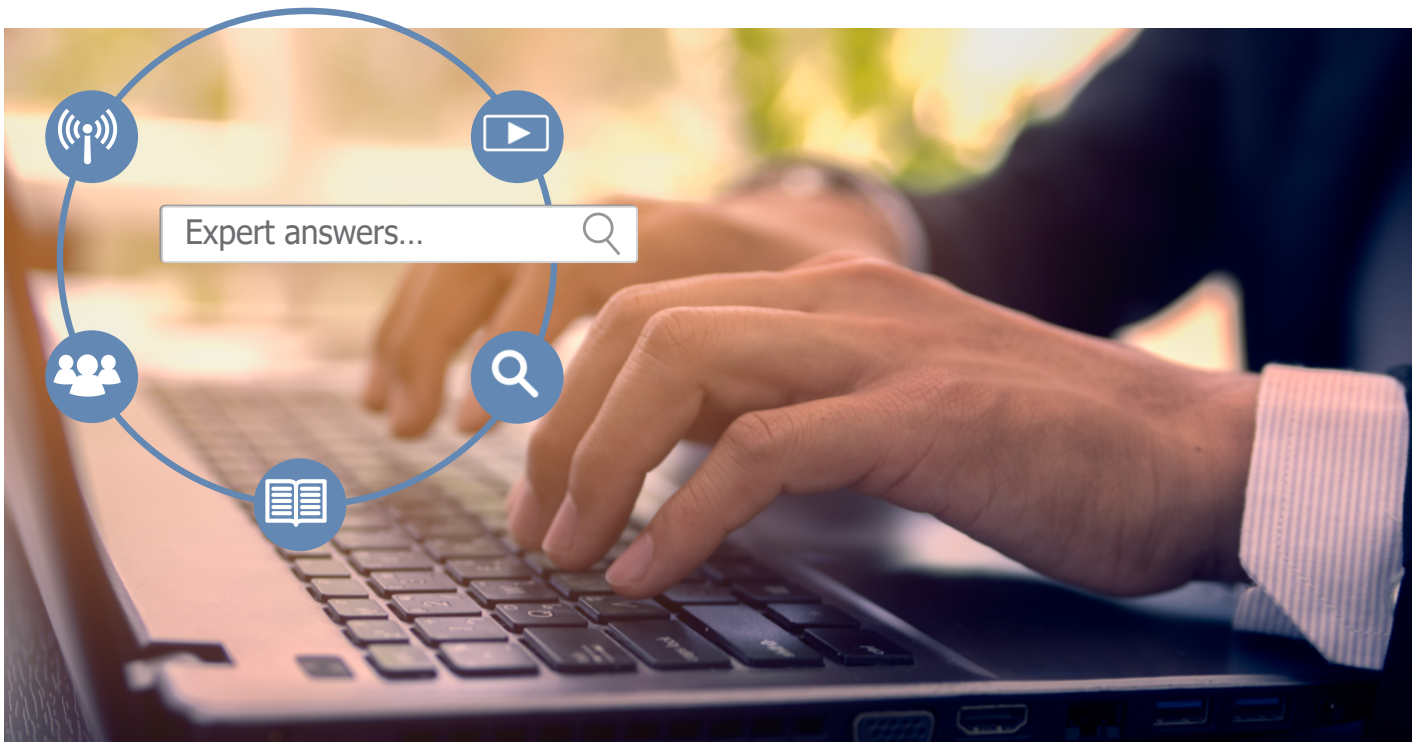
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25th Annual New England Bankruptcy Law Conference 2024

Cutting-edge judicial panel and bankruptcy practice updates

Agenda

- **Business Liquidation—ABC's v. Chapter 7 v. Creditor Composition:** Your client wants to close the business but there are assets to liquidate and creditors to pay; your client is also worried about personal guaranties. This panel identifies the ethical and legal challenges and imparts best practices for success.
- **Chapter 13 or Subchapter V? Advising Individuals Operating as a Small Business:** With the enactment of the Small Business Reorganization Act in 2019, individuals who operate as sole proprietors suddenly have an alternative to Chapter 13 to restructure their debts. But is Subchapter V the right choice? Learn the differences between Chapter 13 and Subchapter V, including case timelines, disclosure requirements, plan confirmation, and discharge. The speaker also reviews the different roles played by the Chapter 13 and Subchapter V trustees and their role post-confirmation. Both chapters of the Bankruptcy Code offer unique tools: the key is finding the right fit for the debtor.
- **Corporate Reorganization—Obtaining an Impaired Accepting Class with Multiple Related Debtors:** With the increase in related party filings, multiple debtors will typically be seeking confirmation of a joint plan of reorganization. Must each debtor obtain the consent of an impaired class or will one impaired class be sufficient to meet applicable confirmation standards?
- **New England Judicial Panel:** Hon. Peter G. Cary, Chief Judge, *U.S. Bankruptcy Court, Portland, ME*; Hon. Heather Zubke Cooper, *U.S. Bankruptcy Court, Burlington, VT*; Hon. Michael A. Fagone, *U.S. Bankruptcy Court, Bangor, ME*; Hon. Julie A. Manning, *U.S. Bankruptcy Court, Bridgeport, CT*; Hon. Ann M. Nevins, Chief Judge, *U.S. Bankruptcy Court, New Haven, CT*; Hon. Christopher J. Panos, *U.S. Bankruptcy Court, Worcester, MA*
- **Commercial Lender Liability Post-COVID:** With the increasing risk of default in the new interest rate climate, borrowers and lenders alike need to be aware of lender liability issues. When does a lender's conduct veer into the realm of lender liability, and what should a borrower consider when a lender's actions result in damages to the business? The panel reviews key cases in the development of commercial lender liability and provides practical tips for lenders and borrowers alike.
- **Keeping Your Parents' Home & Other Homestead Issues:** Explore recent changes and issues concerning the Massachusetts homestead exemption, including the November 2022 amendments to the statute, the required formalities for a valid homestead exemption, and strategies to maximize the exemption and protect equity in a hot real estate market. In addition, consider whether a non-mortgagor can use Chapter 13 to cure a mortgage and preserve the family home.
- **Everything Intercreditor & Subordination:** This panel examines common provisions in intercreditor and subordination agreements. They discuss ways to protect senior and junior lenders and share insights regarding the enforceability of agreeing to waive certain rights under the Bankruptcy Code.

Faculty

Jennifer V. Doran, Esq., *Hinckley Allen LLP, Boston*, Cochair; Donald R. Lassman, Esq., *Law Office of Donald R. Lassman, Needham*, Cochair; David A. Mawhinney, Esq., *Standing Chapter 13 Trustee (Central and Western Divisions)*, Cochair; Andrea M. O'Connor, Esq., *Fitzgerald Law, PC, East Longmeadow*, Cochair; Matthew K. Beatman, Esq., *Zeisler & Zeisler, PC, Bridgeport, CT*; Ryan M. Borden, Esq., *Ford & McPartlin PA, Portsmouth, NH*; Steven J. Boyajian, Esq., *Robinson+Cole LLP, Providence, RI*; Kellie W. Fisher, Esq., *Drummond Woodsum, Portland, ME*; Matthew M. Hamel, Esq., *Ravosa Law Offices, PC, Boston*; Jonathan Hixon, Esq., *Hackett Feinberg PC, Boston*; Carlos E. Loredó, Esq., *Nicholson, PC, Cambridge*; Leah A. O'Farrell, Esq., *Murphy & King, PC, Boston*; Adam R. Prescott, Esq., *Bernstein, Shur, Sawyer & Nelson PA, Portland, ME*; Tanya Sambatakos, Esq., *Molleur Law Office, Biddeford, ME*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, February 8, 2024
12:00 pm–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240011P01

LIVE WEBCAST

Thursday, February 8, 2024
12:00 pm–5:00 pm
Program # 2240011WBC

REBROADCAST

Friday, February 23, 2024
9:00 am–2:00 pm
Program # 2240011RB1

REBROADCAST

Monday, March 4, 2024
12:00 pm–5:00 pm
Program # 2240011RB2

ON DEMAND WEBCAST

View after Monday, March 4, 2024
Program Number: 2240011WBA

Tuition *(includes written materials)*

- \$295
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Materials

Bankruptcy Practice in Massachusetts, ebook, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for in-person registrants
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Advising on Operational & Legal Landmines Small Nonprofits Frequently Encounter

Providing counsel that supports thriving, resilient nonprofits within the current context

This program explores common legal and operational challenges faced by small nonprofits, particularly charities—in the areas of governance, stewardship of charitable assets, tax and fundraising compliance, employment law and workforce management—and uses practical examples to illustrate effective ways of addressing these challenges. The panelists have filled roles within nonprofit organizations in both legal and operational capacities and currently represent nonprofits as outside counsel. They share their real-world insights from these multiple perspectives.

Agenda

- Protecting Nonprofit Board Members from Personal Liability
- Delineating Between Board and Staff Roles and Responsibilities
- Overseeing Charitable Assets, Particularly Restricted Funds
- Ensuring Compliance with Key Tax and Fundraising Requirements
- Addressing Current Workplace Challenges and Expectations for Nonprofit Employers
- Managing Unpaid Workers: Interns and Volunteers
- Properly Classifying Workers as Employees v. Independent Contractors and Exempt v. Nonexempt
- “Ask the Experts” Q&A Session

Faculty

Eleanor A. Evans, Esq., *Hemenway & Barnes LLP, Boston*, Chair
Christopher B. Logue, Esq., *Hurwit & Associates, Newton*
Alyssa Rayman-Read, Esq., *Hurwit & Associates, Newton*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 29, 2023
2:00 pm–5:00 pm
Program # 2240013WBC

REBROADCAST

Thursday, December 14, 2023
1:00 pm–4:00 pm
Program # 2240013RB1

REBROADCAST

Friday, December 22, 2023
9:00 am–12:00 pm
Program # 2240013RB2

ON DEMAND WEBCAST

View after Friday, December 22, 2023
Program # 2240013WBA

Tuition *(includes written materials)*

- \$245
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Materials

Massachusetts Nonprofit Organizations ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Arbitration of Technology & IP Disputes

Empowering litigators and transactional attorneys to harness the power of arbitration to obtain speedy, cost-effective resolution of technology and IP disputes

Arbitration is increasingly used to resolve business disputes involving technology and intellectual property; there are many potential advantages to arbitrating rather than pursuing resolution in court litigation. Understanding the potential opportunities and pitfalls of arbitration, and how to harness its benefits, empowers litigators and transactional attorneys with additional ways to effectively help their clients address challenging technology and intellectual property business disputes. This new program brings together practitioners with deep experience in commercial arbitration involving technology/IP, both domestic and international.

Agenda

- Selecting a Dispute Resolution Approach for Technology/IP Agreements
- Crafting an Arbitration Clause for Technology/IP Disputes
- Selecting Arbitrators with Specialized Knowledge
- Confidentiality of Arbitration Proceedings
- Harnessing Arbitration Procedures to Obtain a Speedy, Cost-Effective Resolution
- Different Approaches to Discovery
- Obtaining Injunctive Relief (Provisional Remedies)
- How the Role of Experts Differs in Arbitration
- Enforcing Arbitration Awards
- Unique Aspects of International Arbitration
- “Ask the Experts” Q&A Session

Faculty

Louise Leduc Kennedy, Esq., *West Hill Technology Counsel, Inc., Beverly, Cochair*
Kent D.B. Sinclair, Esq., CIPP/US, *Sinclair Law LLC, Beverly, Cochair*
Dennis Kwok, Esq., *Elliott Kwok Levine & Jaroslaw LLP, New York, NY*
Christopher Llop, *Vice President, Analysis Group, Inc., Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, November 6, 2023
2:00 pm–5:00 pm
Program # 2240015WBC

REBROADCAST

Tuesday, November 21, 2023
9:00 am–12:00 pm
Program # 2240015RB1

REBROADCAST

Wednesday, November 29, 2023
1:00 pm–4:00 pm
Program # 2240015RB2

ON DEMAND WEBCAST

View after Wednesday, November 29, 2023
Program # 2240015WBA

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Materials

Intellectual Property Practice ebook, plus speaker materials

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Corporate Practice: MCLE BasicsPlus!®

Common tasks, practical advice and how to avoid traps for the unwary

Agenda

- **Choice of Entity**
Discussion of the basic forms in which businesses are organized and the factors that should be taken into account in choosing the appropriate form of organization for a particular business, including tax treatment
- **Venture Capital and Other Forms of Equity Financing**
Analysis of basic legal and strategic issues in connection with venture capital financing and similar private placements, including federal and state securities law
- **Credit Facilities and Loan Documentation**
Introduction to various forms of credit facilities and basics of loan documentation, with a focus on defined terms, covenants, representations, warranties, and events of default
- **Overview of Registration and Reporting Requirements of the Federal Securities Laws**
Explanation of the role of the junior securities lawyer in public company financing and reporting, including using the SEC's integrated disclosure system for registration, periodic reporting, and proxy statements, and practical applications of Rule 144 and Section 16
- **Mergers and Acquisitions**
Discussion of basic considerations in structuring an acquisition; When and why to use a letter of intent; Conducting acquisition due diligence; Overview of an acquisition agreement, including representations, warranties, covenants, conditions, and indemnification provisions
- **Understanding Capital Structures**
Analysis of the basic types of debt and equity securities issued by a corporation and the substantive attributes of each type of security, ways to vary those attributes, and capital structures of certain transactions

Faculty

Peter M. Rosenblum, Esq., *Foley Hoag LLP, Boston, Chair*
Essence R. McGill Arzu, Esq., *The Arzu Law Group LLC, Somerville*
Joseph S. Berman, Esq., *General Counsel, Office of the General Counsel, Massachusetts Board of Bar Overseers, Boston*
F. Brendan Burke, Esq., *Foley Hoag LLP, Boston*
Megan Foscaldi, Esq., *Locke Lord LLP, Boston*
Kevin Lin, Esq., *Foley Hoag LLP, Boston*
Andrew Kane Norkiewicz, Esq., *Choate Hall & Stewart LLP, Boston*
Milap Patel, Esq., *Ropes & Gray LLP, Boston*
Nicholas V. Romanos, Esq., *Foley Hoag LLP, Boston*
Sean M. Small, Esq., *Choate Hall & Stewart LLP, Boston*
Daniela Spanos, Esq., *Choate Hall & Stewart LLP, Boston*



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Dates & Location

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LIVE WEBCAST

Monday, October 23, &
Tuesday, October 24, 2023
9:30 am–4:30 pm
Program # 2240010WBC

REBROADCAST

Tuesday, November 7, &
Wednesday, November 8, 2023
9:30 am–4:30 pm
Program # 2240010RB1

REBROADCAST

Wednesday, November 15, &
Thursday, November 16, 2023
9:30 am–4:30 pm
Program # 2240010RB2

ON DEMAND WEBCAST

View after Thursday, November 16, 2023
Program # 2240010WBA

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Materials

- E-materials link emailed upon registration
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CLE Credits

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Deconstructing & Negotiating Buy-Sell Agreements

When buy-sell agreements are necessary and key points to address

Buy-sell agreements are key foundational documents in any business venture. Whether the entity is a limited liability company, partnership, or corporation, a well drafted buy-sell agreement can fill in the statutory gaps and provide a roadmap for unforeseen events.

A properly drafted buy-sell agreement lets the business owners know, in advance, what will happen if one of them dies, becomes disabled, divorces, files for bankruptcy, or has their employment terminated. Specific instructions are provided on how to value the company in such an event in order to minimize disputes over the buyout terms. These agreements are also invaluable in connection with a sale of a company, where tag-along and drag-along provisions can make sure the majority can complete a transaction and the minority are well protected.

This program gives those new to the practice and those seeking a refresher an understanding of the key issues involved in drafting a buy-sell Agreement.

Agenda

- Reasons to Enter into a Buy-Sell Agreement and the Issues That Should Be Addressed
- Three Types of Buy-Sell Agreements
- Necessary Steps to Authorize the Buy-Sell Agreement
- Key Provisions such as Redemption, Drag Along, Tag Along and Right of First Refusal
- Voting Rights for Major Decisions
- Withdrawal and Retirement
- Options in Case of Death, Disability, Divorce, Bankruptcy and Other Events
- Life Insurance to Fund a Buy-Out upon Death
- Five Key Takeaways
- “Ask the Experts” Q&A Session

Faculty

John D. Colucci, Esq., CPA, *McLane Middleton, Professional Association, Woburn, Chair*
Megan E. Daily, Esq., *ArentFox Schiff LLP, Washington, DC*
Hannah Greenough Linke, Esq., *Glowsky & Glowsky, LLC, Beverly*



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Dates & Location

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LIVE WEBCAST

Thursday, October 12, 2023
2:00 pm–5:00 pm
Program # 2240012WBC

REBROADCAST

Friday, October 27, 2023
9:00 am–12:00 pm
Program # 2240012RB1

REBROADCAST

Monday, November 6, 2023
1:00 pm–4:00 pm
Program # 2240012RB2

ON DEMAND WEBCAST

View after Monday, November 6, 2023
Program # 2240012WBA

Tuition *(includes written materials)*

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Materials

Buying and Selling a Privately Owned Business in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

Ethical Issues & Solutions in Business Law

Using real-world hypotheticals to illustrate how to avoid traps for the unwary

Both in-house and outside counsel face unique ethical issues when advising their corporate clients on the myriad legal issues corporations encounter daily. This new webcast highlights common issues counsel are called upon to address and related ethical considerations. The panelists use hypothetical legal scenarios to illustrate steps counsel should take to avoid such things as an inadvertent waiver of the attorney-client privilege, the unauthorized practice of law, and improperly discharging counsel's duty of competence—among other things.

Agenda

- Protecting the Attorney-Client Relationship
- Scope of the Attorney-Client Privilege and Avoiding Waiver
- Whistleblowers
- The Unauthorized Practice of Law
- Duty of Competence

Faculty

Jennifer L. Markowski, Esq., *Freeman Mathis & Gary LLP, Boston*, Chair
Barton E. Centauro, Esq., *TalentBurst, Inc., Natick*
Martin J. Newhouse, Esq., *New England Legal Foundation, Boston*
Michael J. Rossi, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, September 28, 2023
4:00 pm–5:00 pm
Program # 2240125WBC

REBROADCAST

Friday, October 13, 2023
9:00 am–10:00 am
Program # 2240125RB1

REBROADCAST

Monday, October 23, 2023
12:00 pm–1:00 pm
Program # 2240125RB2

ON DEMAND WEBCAST

View after Monday, October 23, 2023
Program # 2240125WBA

Tuition *(includes written materials)*

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Health & Hospital Law: MCLE BasicsPlus!®

Fundamentals of health care law in the post-health reform era

The health care industry has just come out of the most dramatic and challenging events in modern times—the COVID-19 pandemic and Public Health Emergency (PHE). This event drove both rapid and shifting regulations and waivers, and also a number of critical advances in the delivery of care. But throughout the PHE, health care lawyers continued needing to also maintain existing care delivery, payment and research/development systems.

Health law remains both relatively recent in origins and also extremely dynamic. Regulators, plans, and providers have been evaluating changes to the health care delivery system—all while business, patient care, regulation, and oversight continue. Health lawyers need a broad understanding of both the industry and recent developments, to be effective for clients. Get an introduction to Massachusetts and federal health care law—including the core issues and latest developments. Learn the acronyms, players, general concepts, and important laws and policies. Sessions are valuable to experienced health care attorneys seeking an update and to lawyers new to health law practice. Lawyers representing health care providers, insurers and health plans, patients, governmental agencies, and employers purchasing health coverage for employees all benefit from attending.

Agenda

- **Orientation and How the Financial Systems in Health Care Operate**
 - Important concepts and major trends and their application to different provider settings and health law topics; Payment and reimbursement overview; Ethical issues lawyers confront
- **Industry Focused Modules**
 - Hospitals; Physicians and other practitioners; Post-acute care providers; Managed care organizations
- **Issue Focused Modules**
 - Telemedicine; Determination of Need; Health care fraud and abuse; Clinical research; Health information privacy; Massachusetts confidentiality laws and federal HIPAA privacy rule requirements; Overview of federal and state confidentiality laws regarding patient information; Federal health care enforcement initiatives

Faculty

Lawrence W. Vernaglia, Esq., *Foley & Lardner LLP, Boston*, Chair; Joshua L. Abrams, Esq., *Mass General Brigham, Somerville*; Dianne J. Bourque, Esq., *Mintz Levin Cohn Ferris Glowsky and Popeo, PC, Boston*; Christopher J. Browning, Esq., *Nixon Peabody LLP, Providence, RI*; David J. Derusha, Esq., *Assistant United States Attorney, District of Massachusetts, Boston*; Brian K. French, Esq., *Nixon Peabody LLP, Boston*; Emily Kretchmer, Esq., *Krokidas & Bluestein LLP, Boston*; William M. Mandell, Esq., *Pierce & Mandell, PC, Boston*; Cassandra L. Paolillo, Esq., *Mintz Levin Cohn Ferris Glowsky and Popeo, PC, Boston*; David S. Schumacher, Esq., *Hooper, Lundy & Bookman, PC, Boston*; David S. Szabo, Esq., *Locke Lord LLP, Boston*; Toby R. Unger, Esq., *Chief, Medicaid Fraud Division, Office of the Attorney General, Commonwealth of Massachusetts*; Adria E. Warren, Esq., *Foley & Lardner LLP, Boston*; Benjamin Wilson, Esq., *Ropes & Gray LLP, Boston*



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Dates & Location

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LIVE WEBCAST

Thursday, October 19, &
Friday, October 20, 2023
9:30 am–4:30 pm
Program # 2240009WBC

REBROADCAST

Monday, November 6, &
Tuesday, November 7, 2023
9:30 am–4:30 pm
Program # 2240009RB1

REBROADCAST

Tuesday, November 14, &
Wednesday, November 15, 2023
9:30 am–4:30 pm
Program # 2240009RB2

ON DEMAND WEBCAST

View after Wednesday, November 15, 2023
Program # 2240009WBA

Tuition *(includes written materials)*

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Materials

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CLE Credits

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IP Law in the Metaverse

Creation and transfer of rights including by Web3 (blockchain) technologies

“The metaverse” is envisioned as a single, shared, immersive, persistent, 3D virtual space where humans experience life in ways they could not in the physical world. At the present, the term “metaverse” is often used to refer to virtual worlds, including massively multiplayer online games and a social network platform in which real-time, real-world business transactions are conducted by users represented through digital avatars and voices. These current offerings do not yet fulfill the metaverse vision of interoperable virtual worlds, where users can move between different systems while taking their identity and virtual property with them. Whether a “true” metaverse will be sustained in the future, enormous value is already being created and transacted in “proto-metaverses” involving intellectual property and related rights. Users in existing virtual worlds, such as real-world simulation Second Life, have been able to buy, sell, and trade digital entities such as avatars, digital fashion, tools, commodities, and virtual real estate for virtual and real-world currency. However, the service provider generally (through terms of use) is the holder of real-world rights over its virtual world.

Widely proposed for enabling transactions across virtual worlds are Web3 technologies, based on blockchain ledgers that disseminate transaction data via peer-to-peer networks as a subset of the Internet. Involving billions of dollars in commerce, Web3 technologies include digital assets such as cryptocurrencies (fungible tokens) and non-fungible tokens (NFTs) that authenticate ownership of other assets, ranging from digital art to rights in tangible art to interests in corporate entities or in real property. These tokens are minted and traded on various blockchains and coordinated in bridges with other blockchains and exchanges for real, “fiat” currency. The persistence (immutability) of and decentralized interaction with these blockchains make them models for effecting and recording transactions between interconnected virtual worlds.

As the boundaries between virtual and physical realities blur, the question of who owns what in the digital realm becomes paramount. It involves consideration of traditional intellectual property rights such as copyrights, patents, and trademarks, but also other proprietary claims arising from contract rights and privacy rights under data protection laws. It also includes consideration of the interplay of these interests with various components and layers of Web3 transactions. Our panel of experts discusses these and other issues associated with IP considerations in the metaverse.

Agenda

- The Features That Define the Metaverse and Web3, and How the Technology Differs from Prior Virtual Worlds, E-commerce and Popular Generalizations
- Basic Mechanisms of Digital Transactions and Data Transfers Between Relevant Systems and How Value Is Created and Transacted in Current “Metaverses” and Web3, Such as Minting of Content Based NFTs and Smart Contract Payment of Licensing Royalties
- Legal Framework, Business Challenges, and Opportunities for Holders of Traditional Intellectual Property Rights Presented by the Metaverse and Web3, Including Considerations Around Brand Use, User (and AI) Generated Content, and Data Privacy Laws
- Examine Current Litigations Surrounding Copyright and Trademark Rights Tied to Digital Content and the Unique Challenges Presented by the Metaverse and Web3
- Investigate the Potential for, and Current State of, Interoperability and Persistent Identity within the Metaverse Framework, and How It Impacts the Application and Enforcement of Intellectual Property Laws

Faculty

Stephen Y. Chow, Esq., CIPP/US, *Stephen Y. Chow, PC, Boston*; Jenna F. Karadbil, Esq., *Law Office of Jenna F. Karadbil, PC, New York, NY*; Scott M. Kelly, Esq., *Banner Witcoff, Washington, D.C.*; Joshua H. Lida, Esq., *Twig, Trade & Tribunal, Ft. Lauderdale, FL*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, February 7, 2024
2:00 pm–5:00 pm
Program # 2240006WBC

REBROADCAST

Thursday, February 22, 2024
1:00 pm–4:00 pm
Program # 2240006RB1

REBROADCAST

Friday, March 1, 2024
9:00 am–12:00 noon
Program # 2240006RB2

ON DEMAND WEBCAST

View after Friday, March 1, 2024
Program # 2240006WBA

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Materials

- E-materials link emailed upon registration
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CLE Credits

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Negotiating the Supply Chain for Life Sciences Companies

Key approaches to reaching agreements that work

This new program offers an overview of the basic structure and key considerations in drafting, negotiating, and managing manufacturing and supply agreements. As with all commercial contracts, success in the business relationship turns on having a solid understanding of the client's industry, product, long-term goals, sensitivities, and requirements. Identifying and navigating the elements that are most critical to the client, and the efficiency of its supply chain, are necessities for lawyers drafting and negotiating these agreements.

Agenda

- **Evolution of a Supply Chain**
 - Development stage: Process development, validation, and IP ownership
 - Commercial supply: Predictability of quality, pricing, and delivery
- **Strategic Perspective**
 - Why a new product may be boxed into an inefficient supply chain
 - Upstream: Global supply chain considerations
 - Geographic footprint
 - Regulatory considerations
 - Environmental, social, and governance matters (ESG)
 - Duality of supply
- **Downstream: Licensees**
 - Managing against diverse product demands
 - Keeping the keys to the castle (API / trade secrets)
 - Leveraging licensees to negotiate supply arrangements
- **Key Commercial Supply Terms: Understanding the Deal from All Sides**
 - What do the parties want? (Core needs, sensitivities, and strengths)
 - Basics: Forecasting; cancellation; INCOTERMS; warranties
 - High sensitivity topics: Annual minimums; product claims; indemnification
 - Sticking the landing: Termination; bankruptcy; assignment
 - Intellectual property protection
- **“Ask the Experts” Q&A Session**

Faculty

Michelle B. Limaj, Esq., *Ardelyx, Inc., Waltham*, Chair
Hannah H. England, Esq., *Ropes & Gray LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, February 5, 2024
2:00 pm–5:00 pm
Program # 2240017WBC

REBROADCAST

Tuesday, February 20, 2024
9:00 am–12:00 pm
Program # 2240017RB1

REBROADCAST

Wednesday, February 28, 2024
1:00 pm–4:00 pm
Program # 2240017RB2

ON DEMAND WEBCAST

View after Wednesday, February 28, 2024
Program # 2240017WBA

Tuition *(includes written materials)*

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Materials

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New Corporate Transparency Act

Understanding the final regulations and reporting obligations

The federal Corporate Transparency Act (CTA) provides for new federal reporting obligations for many privately held corporations, limited liability companies, and other entities. The CTA will require entities subject to the Act to report to the U.S. Treasury Department's Financial Crimes Enforcement Network (FinCEN) certain information about their individual beneficial owners and the individual applicants involved in forming such entities. Under recently enacted final regulations, these new reporting requirements take effect January 1, 2024. Newly formed entities as well as entities in existence on January 1, 2024, are subject to the new reporting requirements.

Agenda

- What Is a "Reporting Company" Subject to the CTA?
- What Entities Are Exempt from Reporting?
- What Information Regarding Beneficial Owners and Company Applicants Must Be Reported?
- Who Are the "Beneficial Owners" of a Reporting Company, Whose Information Must Be Reported to FinCEN?
- Deadlines for Reporting and Updating Reports
- "Ask the Experts" Q&A Session

Faculty

David A. Parke, Esq., *Bulkley, Richardson and Gelinis, LLP, Springfield, Chair*

Marissa N. Soto-Ortiz, Esq., *Director-Corporations Division & Legal Counsel, Office of the Secretary of the Commonwealth, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, October 2, 2023
12:00 noon–1:00 pm
Program # 2240014WBC

REBROADCAST

Wednesday, October 18, 2023
9:00 am–10:00 am
Program # 2240014RB1

REBROADCAST

Thursday, October 26, 2023
3:00 pm–4:00 pm
Program # 2240014RB2

ON DEMAND WEBCAST

View after Thursday, October 26, 2023
Program # 2240014WBA

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- **Representing Nonprofits: MCLE BasicsPlus!®:** Introduction to nonprofit world; Obtaining and maintaining tax exempt status; Nonprofit board and membership operations; Key governance issues; Attorney General oversight
- **Understanding 501(c)(3) Tax Exemption of Nonprofits:** Differences between the terms “charity”, “nonprofit”, and “501(c)(3)”; Benefits of 501(c)(3) status; How an organization receives and maintains its 501(c)(3) status; How 501(c)(3) status limits what a charity can do; Role the Massachusetts Attorney General plays with respect to charities; When the consent of the Attorney General or a court is required before a Massachusetts charity may engage in a transaction; What sorts of nonprofits may be subject to these rules
- **Legal Rules Governing Investment & Use of Endowment Funds:** Scope of the endowment world; Endowment structures; Types of endowments: Quasi-term, restricted, unrestricted; UPMIFA—Uniform Prudent Management of Institutional Funds Act; UPIA—Uniform Prudent Investor Act; Gift acceptance policies; Spending policies; Modification and release of restrictions; Key taxation and accounting issues; Investment policies; Working with investment committees; Delegation of investment management; Socially responsible, ESG, and impact investing; Alternatives to endowments
- **Serving on Nonprofit Boards:** Overview of tax-exemption and governing documents; Functions of a nonprofit board; Officer functions; Diversity considerations; Why nonprofits want lawyers on the board; What to do when things go wrong; Tools available for board members
- **Fiduciary Duties, Responsibilities, Ethics & Liabilities of Nonprofit Board Members:** Fiduciary duties and legal obligations of a nonprofit corporation’s board of directors; Ethical issues for attorney board members; Board v. management: roles, responsibilities and practical guidance; What a board president, vice president, treasurer or secretary actually does; Danger of board inertia; Nonprofit education and improvement initiatives
- **Nonprofits in Distress:** Endowments and donor-restricted funds; Affiliations and mergers; Board responsibilities and maintaining employee compensation

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Dates & Location

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REBROADCAST

Tuesday, October 3, 2023
9:00 am–3:00 pm
Wednesday, October 4, 2023
9:00 am–3:00 pm
Thursday, October 5, 2023
9:00 am–1:00 pm
Program # 2240020RB1

REBROADCAST

Monday, November 6, 2023
9:00 am–3:00 pm
Tuesday, November 7, 2023
9:00 am–3:00 pm
Wednesday, November 8, 2023
9:00 am–1:00 pm
Program # 2240020RB2

REBROADCAST

Wednesday, December 6, 2023
9:00 am–3:00 pm
Thursday, December 7, 2023
9:00 am–3:00 pm
Friday, December 8, 2023
9:00 am–1:00 pm
Program # 2240020RBC

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Materials

Massachusetts Nonprofit Organizations ebook and *Guidebook for Boards of Directors of Massachusetts Nonprofits* ebook, plus speaker materials

- E-materials link, transcripts & recordings emailed upon registration

CLE Credits

Earn up to 16 CLE credits

Restructurings & Workouts for Business Lawyers

Understand the process and key points of negotiating a workout and restructuring inside and outside of Bankruptcy Court

As businesses emerge from the pandemic and interest rates rise, some obligations become impossible to meet. Business lawyers must be familiar with how to negotiate a workout of these obligations and, if necessary, effectuate a restructuring of a business, formally or informally. From the immediate issues to tackle for a newly financially distressed client, through how to survive in Bankruptcy Court and confirm a plan and the deadlines to expect, including dealing with the special issues in a landlord/tenant relationship, knowing how to effectuate a workout or restructuring is essential. This program gives business lawyers an understanding of the process and key points of negotiation inside and outside bankruptcy.

Agenda

- Triage for Financially Distressed Companies
- Documenting a Workout Solution
- Pre-Bankruptcy Strategies and Alternatives
- Ending the Negotiation
- How Debtor's Counsel Prepares for Chapter 11
- Surviving the First Month in Chapter 11
- Confirming a Bankruptcy Plan
- Emerging from Bankruptcy after Confirmation or Sale
- Issues for Landlords in Workouts and Bankruptcy
- "Ask the Experts" Q&A Session

Faculty

Adam J. Ruttenberg, Esq., *Beacon Law Group LLC, Needham*, Chair
Justin A. Kesselman, Esq., *ArentFox Schiff LLP, Boston*
Macken Toussaint, Esq., *Riemer & Braunstein LLP, Boston*
Amy A. Zuccarello, Esq., *Sullivan & Worcester LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 26, 2023
9:30 am–12:30 pm
Program # 2240016WBC

REBROADCAST

Friday, November 17, 2023
9:00 am–12:00 pm
Program # 2240016RB1

REBROADCAST

Monday, November 27, 2023
2:00 pm–5:00 pm
Program # 2240016RB2

ON DEMAND WEBCAST

View after Monday, November 27, 2023
Program # 2240016WBA

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Materials

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Start-Up Securities Issues

Common financing options and the associated legal obligations, including federal and state securities laws and regulations

Start-up companies are a vital component of the American economy, contributing to job creation, innovation, and economic growth. Their disruptive nature and ability to challenge long-established industries and business models make them key drivers of change and progress contributing to a dynamic, competitive economy.

Start-ups require capital to fund their research, product development, operations, and growth. Funding is typically secured by offering securities to investors which represent ownership, debt, or the right to a portion of the profits or assets of the company. These investors are interested in earning a return on their investment, supporting innovative ideas, establishing a key strategic relationship, or helping a friend or family member. Investors may include venture capital firms, institutional investors, industry participants, angel investors, or other individual investors.

These offerings must comply with federal and state securities laws and regulations. It is important for lawyers who advise start-ups to understand the typical financing options for these companies, when they are used, and the associated legal obligations to ensure compliance and avoid potential adverse legal, financial, and reputational consequences for the issuers. Get the foundation you need to help you counsel start-up companies.

Agenda

- Understanding the Entrepreneur's Goals and Outlook, the Context of the Financing, the "End-Game," and Potential Investor Pool
- Legal and Regulatory Framework of the Securities Laws
- Common Private Placement Exemptions and Mechanics: Accredited v. Unaccredited Investors, General Solicitation and Advertising, Disclosures and the Anti-Fraud Requirements
- Dealing with Common Pitfalls Such as Finders, Unaccredited Investors, and Employees Who Have Been Promised Equity
- Typical Start-Up Financing Tools Such as Issuances of Common and Preferred Equity, Debt, Convertible Debt, and SAFES
- "Ask the Experts" Q&A Session

Faculty

Peter I. Dunn, Esq., *Casner & Edwards LLP, Boston*, Chair
Ramey D. Sylvester, Esq., *McLane Middleton, Manchester, NH*
Michael B. Tule, Esq., *McLane Middleton, Manchester, NH*

Dates & Location

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LIVE WEBCAST

Wednesday, September 27, 2023
11:00 am–1:00 pm
Program # 2240019WBC

REBROADCAST

Thursday, October 5, 2023
3:00 pm–5:00 pm
Program # 2240019RB1

REBROADCAST

Friday, October 13, 2023
9:00 am–11:00 am
Program # 2240019RB2

ON DEMAND WEBCAST

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Tax Issues in Choice of Entity & Succession Planning

Revolutionize your business tax strategies and succession preparation

Navigating the complex world of taxes and business structures is essential for attorneys serving entrepreneurs and business owners. Join us online to explore the critical considerations and strategies involved in advising clients for their business and planning for its long-term success.

Our expert speakers shed light on the intricacies of tax planning, entity selection, and succession planning, helping estate planners and other attorneys understand how these aspects directly impact clients' business's financial health. They delve into various tax implications associated with different entity types, such as sole proprietorships, partnerships, corporations, and limited liability companies, highlighting their respective advantages and disadvantages.

Additionally, the presentation explains the importance of succession planning and the potential tax challenges that arise during the transfer of ownership and leadership. Our knowledgeable speakers share insights on effective strategies attorneys can take to minimize tax burdens and ensure a smooth transition for clients, whether clients are passing their business to the next generation, selling it to a third party, or planning for retirement.

Gain valuable knowledge and practical tips to advise clients to optimize their business structures from a tax perspective, minimize tax liabilities, and create a robust succession plan. Whether you're an attorney practicing trusts and estates, corporate law, or tax law, this program prepares you to help clients meet their long-term goals and secure the financial future of their business.

Don't miss this opportunity to enhance your understanding of tax issues in choice of entity and succession planning. Register now and join us for an insightful discussion that can revolutionize your business tax strategies and succession preparedness.

Agenda

- Importance of Succession Planning and the Potential Tax Challenges That Arise During the Transfer of Ownership and Leadership
- Tax Implications Associated with Different Entity Types: Sole Proprietorships, Partnerships, Corporations, and Limited Liability Companies, Including Their Respective Advantages and Disadvantages
- Strategies to Minimize Tax Burdens and Ensure a Smooth Transition for Clients, Including Clients Passing Their Business to the Next Generation, Selling to a Third Party, or Planning for Retirement
- "Ask the Experts" Q&A Session

Faculty

Lisa M. Cukier, Esq., *Burns & Levinson LLP, Boston, Chair*; Rodney A. Bedow, Esq., *Burns & Levinson LLP, Boston*; Nikolaus S. Schuttauf, Esq., *Day Pitney LLP, Boston*; Debra Rahmin Silberstein, Esq., *Burns & Levinson LLP, Andover*



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Dates & Location

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LIVE WEBCAST

Monday, October 30, 2023
3:00 pm–5:00 pm
Program # 2240018WBC

REBROADCAST

Tuesday, November 7, 2023
1:00 pm–3:00 pm
Program # 2240018RB1

REBROADCAST

Wednesday, November 15, 2023
9:00 am–11:00 am
Program # 2240018RB2

ON DEMAND WEBCAST

View after Wednesday, November 15, 2023
Program # 2240018WBA

Tuition *(includes written materials)*

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Materials

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- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

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9th Annual Appellate Practice Conference 2023

What's new? AI, state constitutional claims, judges, rule changes, and more!

The premier yearly event for appellate practitioners, MCLE's *9th Annual Appellate Practice Conference 2023*, features a full-day, concentrated focus on the appellate process covering many of the exciting changes happening in appellate practice, including new judges, the use of artificial intelligence in briefing, the ever-increasing importance of state constitutional claims, and more!

Hear from the newest appellate judges in Massachusetts about their backgrounds and advice for practitioners appearing before them. And hear from state and federal appellate court clerks about recent developments in each court's procedures and some of their practical tips for litigants.

Justices Kafker and Neyman, along with First Assistant Attorney General Patrick Moore, provide practical advice on the importance of including state constitutional arguments, where available, in briefs. Advocates and judges discuss emerging artificial intelligence tools, like ChatGPT, and the potential benefits and perils of using them for brief writing.

And to help practitioners stay up to date on the state and federal appellate rules, members of the SJC's Standing Committee on the Rules of Appellate Procedure discuss recent rule changes.

This *Conference* is essential for new and experienced appellate litigators to strengthen their skills, hear from the judiciary, learn from experts, and network with colleagues. Take advantage of this opportunity to become a more effective appellate lawyer.

Agenda

- What's New at the First Circuit: Remarks from Chief Judge David J. Barron
- Who's New on the Bench: Getting to Know the Newest Massachusetts Appellate Judges
- What's New in the Clerks' Offices: Updates from the State and Federal Appellate Court Clerks
- What's New at the Appeals Court: Remarks from Chief Justice Mark Green
- New Appellate Rule Changes and What May Be on the Horizon
- Using ChatGPT and Other New AI Tools in Appellate Practice: Risks, Rewards, and Potential Regulation
- The Increasing Importance of State Constitutional Law in Appellate Practice

Faculty

Jessica Early, Esq., *Holland & Knight LLP, Boston*, Cochair; Gabriel Thornton, Esq., *Office of the Attorney General, Criminal Bureau/ Appeals Division, Boston*, Cochair; Hon. David J. Barron, *Chief Judge, U.S. Court of Appeals for the First Circuit, Boston*; Hon. Scott L. Kafker, *Associate Justice, Supreme Judicial Court, Commonwealth of Massachusetts*; Hon. Dalila Arguez Wendlandt, *Associate Justice, Supreme Judicial Court, Commonwealth of Massachusetts*; Hon. Gabrielle R. Wolohojian, *Associate Justice, Appeals Court, Commonwealth of Massachusetts*; Hon. Eric Neyman, *Associate Justice, Appeals Court, Commonwealth of Massachusetts*; Hon. Christopher P. Hodgins, *Associate Justice, Appeals Court, Commonwealth of Massachusetts*; Hon. Paul Hart Smyth, *Associate Justice, Appeals Court, Commonwealth of Massachusetts*; Anastasia A. Dubrovsky, Esq., *Chief Deputy Clerk, U.S. Court of Appeals for the First Circuit, Boston*; Francis V. Kenneally, Esq., *Clerk for the Commonwealth, Supreme Judicial Court, Commonwealth of Massachusetts*; Maura S. Doyle, Esq., *Clerk, Supreme Judicial Court, Commonwealth of Massachusetts*; Joseph F. Stanton, Esq., *Clerk, Appeals Court, Commonwealth of Massachusetts*; M. Patrick Moore, Jr., Esq., *First Assistant Attorney General, Attorney General's Office, Commonwealth of Massachusetts*; Payal Salsburg, Esq., *Laredo & Smith LLP, Boston*; Jacob W. Schneider, Esq., *Holland & Knight LLP, Boston*; Nicholas D. Stellakis, Esq., *Hunton Andrews Kurth LLP, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Tuesday, October 31, 2023
9:30 am–3:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240102P01

LIVE WEBCAST

Tuesday, October 31, 2023
9:30 am–3:30 pm
Program # 2240102WBC

REBROADCAST

Wednesday, November 15, 2023
9:30 am–3:30 pm
Program # 2240102RB1

REBROADCAST

Thursday, November 27, 2023
9:30 am–3:30 pm
Program # 2240102RB2

ON DEMAND WEBCAST

View after Thursday, November 27, 2023
Program #: 2240102WBA

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Agenda

- **Year-in-Review: A Dialogue on the Top 10 Cases**
- **Business Litigation Session Judicial Panel**
- **Best Practices for Streamlining Litigation**
 - **Cost as a prime factor in business litigation**
 - **Practices for making litigation less cumbersome:** Limitations on discovery; Phasing of discovery; Participation in the BLS Discovery Project; Judicial assessment of case under Superior Court Rule 20; Waiver of jury trial; Waiver of detailed findings in a bench trial
 - **Court assistance in settlement discussions:** Mediation by a U.S. magistrate judge; Mandatory mediation in the First Circuit; Mediation by retired judges in state court
 - **Benefits of the streamlined lawsuit over arbitration:** Availability of summary judgment to resolve or narrow issues; Interrogatories and third-party discovery; Lack of arbitration costs; Appellate rights
 - **Streamlining as a strategy for client satisfaction**
- **New Federal Rules on Post-Employment Restrictions**
 - **Confidentiality and Non-Disparagement:** Sections 7 and 8 of the National Labor Relations Act; Prior NLRB decisions regarding confidentiality and non-disparagement provisions; Impact of *McLaren* decision; Penalties for potential non-compliance; Potential impact of *McLaren* on current and future employee separation agreements; Enforcement of existing agreements; Drafting agreements to comply with the decision; Status of legal challenges to *McLaren*
 - **Non-Competition:** Background on non-competition agreements; Section 5 of the Federal Trade Commission Act; Federal Trade Commission's proposed rule banning non-competes; Status of legal challenges to the proposed new rule
- **Federal Judicial Panel**

Faculty

Michael D. Brier, Esq., *Gesmer Updegrave LLP, Boston*, Cochair; Sara J. Shanahan, Esq., *Sherin and Lodgen LLP, Boston*, Cochair; Gregory S. Bombard, Esq., *Greenberg Traurig LLP, Boston*; David I. Brody, Esq., *Sherin and Lodgen LLP, Boston*; Lisa A. Stephanian Burton, Esq., *Ogletree, Deakins, Nash, Smoak & Stewart, PC, Boston*; Hon. Donald L. Cabell, *U.S. District Court, District of Massachusetts, Boston*; Hon. Judith G. Dein, *U.S. Magistrate Judge, U.S. District Court, District of Massachusetts, Boston*; Andrew R. Dennington, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*; Lisa C. Goodheart, Esq., *Fitch Law Partners LLP, Boston*; Hon. Nathaniel M. Gorton, *U.S. District Judge, U.S. District Court, District of Massachusetts, Boston*; Hon. Helene Kazanjian, *Superior Court, Commonwealth of Massachusetts*; Hon. Peter B. Krupp, *Superior Court, Commonwealth of Massachusetts*; Hon. Michael D. Ricciuti, *Superior Court, Commonwealth of Massachusetts*; Hon. Katherine A. Robertson, *U.S. Magistrate Judge, U.S. District Court, District of Massachusetts, Springfield*; Hon. Kenneth W. Salinger, *Superior Court, Commonwealth of Massachusetts*; Hon. F. Dennis Saylor IV, *Chief Judge, U.S. District Court, District of Massachusetts, Boston*; Daniel P. Tighe, Esq., *Donnelly, Conroy & Gelhaar LLP, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Friday, February 9, 2024
12:00 pm–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240105P01

LIVE WEBCAST

Friday, February 9, 2024
12:00 pm–5:00 pm
Program # 2240105WBC

REBROADCAST

Monday, February 26, 2024
11:00 am–4:00 pm
Program # 2240105RB1

REBROADCAST

Tuesday, March 5, 2024
9:00 am–2:00 pm
Program # 2240105RB2

ON DEMAND WEBCAST

View after Tuesday, March 5, 2024
Program # 2240105WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Sponsor Members
- \$137.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 5 CLE credits

Drafting Settlement Agreements & Releases

A settlement is only as good as the agreement codifying it

This program unites specialists from an array of backgrounds to discuss how they negotiate, develop, and draft settlement agreements and releases in their diverse practice areas. The program identifies: strategies for effective negotiations, including creative settlement options; essential provisions to include in any draft settlement or release; recent case law and statutory changes; and other critical topics.

Agenda

- Personal Injury Settlement Agreements and Releases
- Commercial Litigation Settlement Agreements and Releases
- Products Liability and Toxic Torts Settlement Agreements and Releases
- Family Law Settlement Agreements and Releases
- “Ask the Experts” Q&A Session

Faculty

Vincent N. DePalo, Esq., *Smith Duggan Buell & Rufo LLP, Boston*, Chair

Rachel J. Eisenhaure, Esq., *Kenney & Sams, PC, Southborough*

Timothy J. Keough, Esq., *White and Williams LLP, Boston*

Elizabeth S. March, Esq., *Wilson, Marino & Bonnevie, PC, Newton*

Alec S. Pine, Esq., *Butters Brazilian LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, November 6, 2023

2:00 pm–5:00 pm

Program # 2240001WBC

REBROADCAST

Tuesday, November 21, 2023

9:30 am–12:30 pm

Program # 2240001RB1

REBROADCAST

Wednesday, November 29, 2023

2:00 pm–5:00 pm

Program # 2240001RB2

ON DEMAND WEBCAST

View after Wednesday, November 29, 2023

Program # 2240001WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

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- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



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How to Dismantle the Opposition's Expert Report & Challenge Admissibility of Expert Opinions

Expertly fighting the expert

An expert's testimony can be the key to winning or losing at trial. Whether the expert's opinion pertains to guilt, innocence, liability, causation, or damages, an expert's testimony is often a crucial piece of evidence. There are, however, important steps that must be taken before and during a trial to qualify an expert and/or challenge a report or opinion.

This program explores the procedures for qualifying and disqualifying an expert witness and what to do if an opposing expert makes it to the stand.

After the initial lectures, demonstrations include three cross-examinations of experts from varying fields: blood stain pattern analysis, accident reconstruction, and medical expert witness testimony. At the conclusion of the demonstrations, you hear the view from the bench and have the opportunity to ask questions from the attorneys and experts alike.

Agenda

- Expert Discovery and Disclosure
- Challenging the Admissibility of an Expert's Opinion—*Daubert-Lanigan* Analysis v. the *Frye* Standard
- Pre-Trial Issues—Motions in *Limine*, G.L. c. 233, § 79G, etc.
- Cross-Examination Demonstrations
- View from the Bench
- "Ask the Experts" Q&A Session

Faculty

Christine M. Martin, Esq., *MBTA Legal Department, Boston*, Chair

Charles Henry Fasoldt, Esq., *C. Henry Fasoldt, Attorney At Law, Boston*

Kenneth F. Martin, *Retired Massachusetts State Police Detective Lieutenant; Forensic Analyst, Bevel, Gardener, and Associates, Inc., Edmond, OK*

Maureen Mulligan, Esq., *Superior Court, Commonwealth of Massachusetts*

Dr. Leslie Shaff, Esq. MD/JD, *Attorney and Anesthesiologist, Newton*

Megan Shaughnessy, Esq., *Shaughnessy Law Group LLC, Quincy*

David R. Walsh, Esq., *Kiernan Trebach LLP, Providence, RI*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, January 23, 2024
9:30 am–12:30 pm
Program # 2240108WBC

REBROADCAST

Wednesday, February 7, 2024
9:00 am–12:00 pm
Program # 2240108RB1

REBROADCAST

Thursday, February 15, 2024
2:00 pm–5:00 pm
Program # 2240108RB2

ON DEMAND WEBCAST

View after Thursday, February 15, 2024
Program # 2240108WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Expert Witnesses ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

How to Win Insurance Claim Negotiations

Strategies to optimize preparation and be successful in your negotiations

In a successful negotiation, everyone wins. Thoughtful and measured negotiation skills are important to maintain whether you are a seasoned professional or new to the table. These skills can serve many purposes towards achieving the optimal outcome for your client while avoiding the cost and burden of litigation. To be an excellent negotiator, it is important to understand that preparation means more than just knowing your case. The negotiation process can be used to collect evidence, understand your opponent's motivation, assess a realistic position, and, ultimately, gain the leverage you need to achieve a mutually agreeable outcome that meets your client's expectations. Please join our expert panel as we examine best practices and strategies towards this end.

Agenda

- Pearls of Successful Claim Negotiations
- Pitfalls to Avoid
- Developing Trust and Building Rapport with the Insurance Claims Professional
- Importance of Selecting and Leveraging Support from a Seasoned Mediator
- Managing a Difficult Client and Expectations and/or Opposing Counsel
- Real Life Case Study—Fostering Meaningful Discussions at the Table to Move Towards Effective Resolution
- “Ask the Experts” Q&A Session

Faculty

Allyson N. Hammerstedt, Esq., *Zizik, Powers, O'Connell, Spaulding & Lamontagne, PC, Providence, Chair*

Mary A. Azzarito, Esq., *Adler, Cohen, Harvey, Wakeman & Guekguezian LLP, Boston*

Hon. Bonnie H. MacLeod, *Superior Court, Commonwealth of Massachusetts (Ret.); JAMS, Boston*

Paul L. Tetzl, Esq., *Tetzl Law LLC, Boston*

Jenna R. Trott, Esq., *Vice President, Claims Attorney, Gallagher Bassett, Providence, RI*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, February 14, 2024
2:00 pm–5:00 pm
Program # 2240109WBC

REBROADCAST

Thursday, February 29, 2024
2:00 pm–5:00 pm
Program # 2240109RB1

REBROADCAST

Friday, March 8, 2024
9:30 am–12:30 pm
Program # 2240109RB2

ON DEMAND WEBCAST

View after Friday, March 8, 2024
Program # 2240109WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
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Materials

Massachusetts Liability Insurance Manual ebook, plus speaker materials

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CLE Credits

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Identifying & Handling Vexatious Litigation

Strategies for warding off the hex of the vexed

While dealing with a difficult opposing party is not uncommon, at what point does a party's conduct cross the line from arguably zealous advocacy to vexatious litigation? The cost to both an opposing party and the court of meritless litigation brought for the purpose of harassment, delay, and/or imposing unreasonable burden is real and significant. Identifying and efficiently disposing of such litigation, however, is far from clear-cut. Join our panel for a discussion of how to spot vexatious litigation and what can be done if you become the target of a vexatious litigant.

Agenda

- Defining and Identifying Vexatious Litigation
- Tools and Remedies Available Under Massachusetts Law to Deal with a Vexatious Litigant
- Approaches to Dealing with Vexatious Litigation Used in Other States
- Case Studies
- "Ask the Experts" Q&A Session

Faculty

Emily C. Shanahan, Esq., *Tarlow, Breed, Hart & Rodgers, PC, Boston*, Chair
Colleen C. Cook, Esq., *Smolak & Vaughan LLP, North Andover*
Benjamin M. Stern, Esq., *Nutter McClennen & Fish LLP, Boston*
Justin J. Wolosz, Esq., *Choate Hall & Stewart LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 25, 2023
2:00 pm–4:00 pm
Program # 2240111WBC

REBROADCAST

Thursday, November 9, 2023
12:00 pm–2:00 pm
Program # 2240111RB1

REBROADCAST

Friday, November 17, 2023
10:00 am–12:00 pm
Program # 2240111RB2

ON DEMAND WEBCAST

View after Friday, November 17, 2023
Program # 2240111WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

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Massachusetts Receivers, Special Masters & Other Court Appointed Fiduciaries

A practice guide to the equitable remedy of receivership

Establishing liability is often just a step along the way. Fashioning a suitable remedy is what gets you where you need to end up. Whether the case involves liquidation of a debtor, recovery of fraudulently transferred assets, a deadlocked corporation, desegregation of a school system, or review of classified documents possessed by a former president, an equitable remedy in the form of a court-appointed receiver (or other fiduciary) may be the best way to accomplish your goals.

Join our expert as we examine how to obtain court appointment of a receiver, draft an order tailored to the needs of the case, and keep the administration of the case in line with your client's objectives.

Agenda

- General Review of Principles of Equity Applicable to Receiverships
- Guide to Getting a Receiver Appointed and Fashioning an Order with Appropriate Powers and Duties
- How the Process of Administering a Receivership Works
- Practice Considerations Including Selection of a Receiver, Requests for Instructions, Customary Procedures, Asset Sales, Costs, and Concluding the Case
- "Ask the Expert" Q&A Session

Faculty

John C. Ottenberg, Esq., *Ottenberg & Dunkless, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, December 7, 2023
2:00 pm–5:00 pm
Program # 2240005WBC

REBROADCAST

Friday, December 22, 2023
9:30 am–12:30 pm
Program # 2240005RB1

REBROADCAST

Tuesday, January 2, 2024
2:00 pm–5:00 pm
Program # 2240005RB2

ON DEMAND WEBCAST

View after Tuesday, January 2, 2024
Program # 2240005WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Receivers, Special Masters, and Court Appointed Fiduciaries ebook, plus speaker materials

- E-materials link emailed upon registration
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Moving for & Opposing Motions for Summary Judgment

How to build and defend your case

The ability to successfully navigate a motion for summary judgment—in which a party argues that all or part of a case should be decided without the need for a trial—is a critical skillset in a litigator’s toolbox. For a moving party, a motion for summary judgment may be their last chance to stave off a potentially time-consuming, expensive, or risky trial. For a non-moving party, a well-briefed opposition to a motion for summary judgment can ensure that your client has their day in court.

Join our experts as we examine the best way to prepare your case for a successful motion for summary judgment or to defend against a motion for summary judgment, strategic considerations with regards to dispositive motion practice, and what to expect when arguing for or against a motion for summary judgment in court.

Agenda

- Overview of Summary Judgment Motion Practice in Massachusetts State and Federal Court
- Strategic Considerations in the Discovery Phase That Will Help You Move for or Defend Against a Motion for Summary Judgment
- Tips for Drafting a Strong Motion for Summary Judgment or Opposition
- Strategies at Oral Argument
- “Ask the Experts” Q&A Session

Faculty

Alexandra L. Pichette, Esq., *Morgan, Brown & Joy LLP, Boston*, Chair
Ryan Walid Jaziri, Esq., *Morgan, Brown & Joy LLP, Boston*
Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Newton*
Jonathan D. Persky, Esq., *Constangy, Brooks, Smith & Prophete LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, February 28, 2024
10:00 am–12:00 pm
Program # 2240113WBC

REBROADCAST

Thursday, March 14, 2024
2:00 pm–4:00 pm
Program # 2240113RB1

REBROADCAST

Friday, March 22, 2024
12:00 pm–2:00 pm
Program # 2240113RB2

ON DEMAND WEBCAST

View after Friday, March 22, 2024
Program # 2240113WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
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Materials

- E-materials link emailed upon registration
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CLE Credits

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Obtaining, Preserving & Authenticating Digital Evidence

Bytes, briefs, and brilliant minds: mastering digital evidence

This comprehensive program is designed to equip legal professionals with the knowledge and skills necessary to navigate the complex world of digital evidence. In today's digital age, the collection and preservation of electronic evidence plays a crucial role in many legal proceedings.

Discovery is often the longest period of a lawsuit and typically comes with challenges and roadblocks—some foreseen and some unexpected. Given the various communication platforms available, it is rare for a case to solely involve paper copies of documents. Instead, parties routinely seek information stored in emails, electronic messaging systems, cell phones, and other electronic devices. In some cases, the parties need to develop an electronically stored information (ESI) protocol to govern the format of the documents produced and to confer over the scope of electronic discovery. The failure to preserve electronic evidence can have drastic consequences.

This essential program focuses on best practices for preserving, searching for, and authenticating electronic discovery. Attend to enhance your expertise in handling digital evidence and ensure its successful presentation in litigation.

Agenda

- Importance of Litigation Hold Letters
- Collecting Electronically Stored Information
- Formulating ESI Protocols
- Consequences for Failing to Preserve Evidence
- Authenticating Digital Evidence
- “Ask the Experts” Q&A Session

Faculty

Elizabeth L. Gardon, Esq., *Todd & Weld LLP, Boston*

Alycia Kennedy, Esq., *Todd & Weld LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, December 14, 2023
10:00 am–12:00 pm
Program # 2240110WBC

REBROADCAST

Friday, December 29, 2023
12:00 pm–2:00 pm
Program # 2240110RB1

REBROADCAST

Monday, January 8, 2024
2:00 pm–4:00 pm
Program # 2240110RB2

ON DEMAND WEBCAST

View after Monday, January 8, 2024
Program # 2240110WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts E-Discovery and Evidence: Preservation Through Trial ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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On Trial with Judge Kazanjian

An intensive, comprehensive thirteen-week course in the law of trial technique

On Trial with Judge Kazanjian is an unparalleled learning opportunity for the attorney who is preparing for or currently engaged in trial practice. Judge H el ene Kazanjian of the Massachusetts Superior Court guides practitioners toward confident, practical mastery of trial technique and the law of trial evidence. Taking this course gives you a deep knowledge of the skills and experience required for trial practice—insight that can only come from an in-depth, expert examination of the actual trial process.

In addition to a careful discussion of trial technique and tips, each weekly meeting includes an hour-long observation of actual trials in progress. Participants have the opportunity to discuss and observe first-hand motion practice, impanelment of juries, arguments concerning directed verdicts, closing arguments, and the judge’s charge. As the program proceeds through active discussion in the judge’s lobby and clinical courtroom observation, enrollment is limited to ensure the greatest degree of individual participation.

Agenda

- Theory of Relevance; Logical and Legal Relevance; Burdens and Standards of Proof; Prima Facie Case; Burdens of Production and Persuasion
- Trial Preparation; Interrogatory and Deposition Practice; Video Depositions; Physical Examinations, Requests for Entry on Land, and Requests for Admission; Litigation Support Services; Preparation of Charts, Summaries, and Demonstrative Aids; Preparation of the Trial Book
- Motion Practice; Forum Shopping; Presumptions and Judicial Notice
- Trial Procedures; Jury Impanelment; Objections and Making the Record; Motions for Directed Verdicts; Requests for Jury Instructions and Findings and Rulings; Time Limits; Role of Courtroom Clerks and How They Can Help You
- Courtroom Techniques; Direct and Cross-Examination; Impeachment and Grounds for It
- Arguments at Trial; Opening Statement; Timing; Closing Argument; Argument in Rebuttal
- Theory of the Rule Against Hearsay
- Experts and the Law of Expert Testimony
- Evidentiary Foundations; Submission and Use of Tangible Evidence
- “Ask the Judge” Q&A Session

Instructor

HON. H EL ENE KAZANJIAN is an associate justice of the Massachusetts Superior Court. She was appointed to the bench by Governor Charlie Baker on April 21, 2016. Judge Kazanjian earned a bachelor’s degree in political science from Stanford University in 1982. She then completed a J.D. at Boston University School of Law in 1986. After graduating from law school, Judge Kazanjian began her legal career as a law clerk for Hon. William G. Young of the U.S. District Court for the District of Massachusetts. The following year, she entered into private practice, working as a civil litigation association at Goodwin, Procter & Hoar. Judge Kazanjian worked in the U.S. Attorney’s Office in Washington, D.C. from 1991–1994, and the U.S. Attorney’s Office in Maine from 1994–2010. From 2010 until she was sworn in as a Superior Court judge, Judge Kazanjian served as chief of the Trial Division at the Massachusetts Attorney General’s Office. Judge Kazanjian has also taught evidence and trial practice at Boston College Law School and New England Law | Boston.

Dates & Location

Register at www.mcle.org

ORIENTATION

Tuesday, September 5, 2023
4:30 pm–6:00 pm

WEEKLY MEETINGS

Tuesday, September 12 & 19, 2023
8:30 am–10:30 am
Tuesday, September 26, 2023
1:00 pm–3:00 pm
Thursday, October 5, 2023
1:00 pm–3:00 pm
Tuesday, October 10, 2023
8:30 am–10:30 am
Tuesday, October 31, 2023
8:30 am–10:30 am
Tuesday, November 7, 14, & 28, 2023
8:30 am–10:30 am
Tuesday, December 5 & 12, 2023
8:30 am–10:30 am

FINAL MEETING

Tuesday, December 19, 2023
4:30 pm–6:00 pm

Suffolk County Superior Court
Judge Kazanjian’s Lobby
Courtroom 1309—13th Floor,
3 Pemberton Square, Boston, MA

Program # 2240101P01

Tuition *(includes written materials)*

- \$1,495
- \$1,345.50 MCLE Sponsor Members
- \$747.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, and Law Students

This limited-enrollment program is not included in the MCLE OnlinePass.

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Superior Court Civil Practice Manual, plus speaker materials

- Complimentary print book for all registrants

CLE Credits

Earn up to 25 CLE credits

Out-of-State Subpoenas & Interstate Discovery

A step-by-step guide

Obtaining out-of-state discovery for Massachusetts state court cases can be a cumbersome and expensive process. Despite the costs involved, securing deposition testimony or documents from third-party witnesses in foreign states may be necessary. Counsel must understand the steps needed to obtain deposition testimony from individuals outside of Massachusetts because they will not be subject to a state court trial subpoena. Do not wait until discovery has closed; learn the steps to obtain out-of-state discovery for actions pending in the Commonwealth.

Agenda

- Obtaining Out-of-State Deposition Testimony of Non-Party Witnesses
- Understanding Forms Required to Secure Testimony and Documents
- Taking Depositions in Massachusetts in Out-of-State Cases
- Status of Efforts to Adopt the Uniform Interstate Depositions and Discovery Act
- Practical Guidance on Serving as Local Counsel Asked to Obtain Discovery in Out-of-State Cases

Faculty

J. Nathan Cole, Esq., *Kenney & Sams, PC, Boston*

Brittany M. Darcy, Esq., *Kenney & Sams, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 12, 2023
10:00 am–11:00 am
Program # 2240107WBC

REBROADCAST

Friday, October 27, 2023
12:00 pm–1:00 pm
Program # 2240107RB1

REBROADCAST

Monday, November 6, 2023
2:00 pm–3:00 pm
Program # 2240107RB2

ON DEMAND WEBCAST

View after Monday, November 6, 2023
Program #: 2240107WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Discovery Practice ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1 CLE credit



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Pozner on Cross

Using the Chapter Method® to win!

It's not your strong opening argument. It's not your skillful direct. It's not how many of your impassioned objections the judge sustains. It's not your confident demeanor. It's not even how you tie your theory of the case together with a dazzling closing statement bow.

What wins your trial is your cross.

Cross-examination is the single most important element of a trial well-conducted. When you learn to do it right, Larry Pozner says, you accomplish four critical goals: (1) you amp up the witness's voice to relate each fact of your story to the jury; (2) you break that story down into clear, veridical "chapters"—factual building blocks that trigger and channel jury cognitions; (3) you construct logical, semantic links between your opening and closing—links necessary for the jury to resonate with your theory of the case; and (4) you use witness emotion—like anxiety—to reconstruct fading memories, compel honesty, eliminate distortions, close down paths to irrational outcomes, and empower your jury to reach a clear decision.

Pozner shares signature techniques well-grounded in current thinking about the neuroscience of decision, memory, and emotion. He trains you on three tactical rules of cross-examination that have made his bestselling book, *Cross-Examination: Science and Techniques* (3rd ed., LexisNexis), a wildly popular guide for courtroom lawyers. He explains how leading questions can moderate witness behavior on the stand; how simple sentence construction, fact-ordering, and the paintbrush of mental imagery can make a witness malleable; and how simple, logic-based facts can build memorable narrative, channel judge and jury cognition, and drive the engine of inference to your advantage.

Pozner calls his technique "The Chapter Method® of Cross-Examination." Learn it just once, and you can use it with spectacular results for the rest of your career. This entertaining training offers you sample "chapters" and powerful sample scripts that you can tailor to your own facts. Let Pozner teach you how to derail your opponent and impeach the key witness—even the most evasive, memory-challenged or talkative one—in just a matter of minutes.

Instructor

Larry Pozner is a nationally recognized trial lawyer, lecturer, and author out of Denver, CO. Larry's lectures are built around the newest tools for understanding how to motivate jurors to award us the verdict we seek, the advanced techniques of cross that can immediately result in an advantage in trial, and how we can all become quicker at crafting the cross-examinations that win cases.

Larry began his career in the Colorado Public Defender system. He later formed a criminal defense firm, and a subsequent firm handling both plaintiff and defense sides of document-intensive civil matters for businesses large and small, but if we are being blunt, mostly large. For many years Larry defended the Denver Broncos franchise in trials including the lawsuit challenging Pat Bowlen's purchase of the team. Larry won, which is why he could remain in Colorado. Larry is a past-President of the National Association of Criminal Defense Lawyers. He is listed in *Best Lawyers in America* for Bet-the-Company litigation, and in Criminal Defense, both White Collar and Non-White Collar crimes. He has lectured in 48 states, throughout Canada, and strangely, Brazil. As a teacher at the University of Denver College of Law he was voted Best Professor. But that may have been due to his "nobody flunks" policy.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, September 29, 2023
9:30 am–4:30 pm
Program # 2240103WBC

REBROADCAST

Monday, October 16, 2023
9:30 am–4:30 pm
Program # 2240103RB1

REBROADCAST

Tuesday, October 24, 2023
9:30 am–4:30 pm
Program # 2240103RB2

Only available on these days! This program will not be available on demand.

Tuition *(includes written materials)*

- \$320
- \$288 MCLE Sponsor Members
- \$160 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration

CLE Credits

Earn up to 6 CLE credits

Practice Management Toolkit for Civil Litigators: Briefings & eBook Bundle

8 webcast programs + 1 value-added eBook = enhanced practice

Do you wish you could make your litigation practice more efficient and rewarding? This curated bundle of 12 hours of fast-paced webcast programming paired with MCLE's flagship employment law e-publication sets you on the path to do that.

Webcast Briefings

- **What All Law Firm Managers Need to Know About Employment Law:** External legal forces informing internal policy; Hiring; Pay equity; Wage and hour considerations; Performance management; Work-from-home implications; Leaves of absence; Massachusetts earned sick time; Reasonable accommodations
- **Protecting Client & Firm Data in the Era of Pervasive Information Piracy:** How security requirements are changing for law firms and implications for securing clients' information; Multi-layered approach to cyber security; How cyber security fits into a firm's risk profile; Managing other data risks
- **Guarding Your Practice & Clients Against Ransomware Attacks:** Threat landscapes; Why law offices are targets and ransomware is so effective; Risk assessment report and management; Safeguards against ransomware; Policies; Training; Cyber liability and cybercrime insurance; First 24-48 hours post-attack
- **Cybersecurity Insurance:** Scope of different cybersecurity insurance policies; Typical exclusions; Effective measures for mitigating cybersecurity risk profiles
- **Outsourcing Administrative Aspects of Your Small Firm Practice:** Determining if outsourcing is a good idea for your practice; Tasks that can be outsourced; Ethical considerations; How to pick an agency that works for you
- **Operating a Remote Law Practice with Ease & Efficiency:** Automate client intake; Technology for positive client experiences in a decentralized firm; Cost-effective collaboration tools; Cybersecurity best practices; Electronic payment
- **How to Grow Your Practice Through Referrals:** Referral marketing; Networking in the community and professionally; 'Elevator pitches'; Referral groups; Asking for referrals; Creating and nurturing referral relationships
- **Finding & Building Meaning in Your Law Practice:** There is no peace of mind without sufficient revenue; Organize your space and project manage your work; Visible leadership matters; Changing the way we work: Fusing remote work with being in the office; Technology tension; Physical and mental well-being

Unparalleled Expertise—Speakers & Authors

- Top-notch Guidance—from the Best in the Practice
- Practical Insight You Can Trust



Subscribe to the MCLE OnlinePass® for instant access to this program and everything else MCLE offers online. Learn more at www.mcle.org

Dates & Location

Register at www.mcle.org

REBROADCAST

Monday, December 4, 2023
9:00 am–3:00 pm
Tuesday, December 5, 2023
9:00 am–3:00 pm
Program # 2240129RB1

REBROADCAST

Tuesday, January 9, 2024
9:00 am–3:00 pm
Wednesday, January 10, 2024
9:00 am–3:00 pm
Program # 2240129RB2

REBROADCAST

Wednesday, February 14, 2024
9:00 am–3:00 pm
Thursday, February 15, 2024
9:00 am–3:00 pm
Program # 2240129RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Employment Law ebook, plus speaker materials

- E-materials link, transcripts & recordings emailed upon registration

CLE Credits

Earn up to 12 CLE credits

Strategic Management of Multi-Practice Area & Multi-Court Law Practices

Skillfully handling multiple areas of law

The legal profession is one of the most complex and dynamic fields. While just one legal field may present a variety of legal issues, a law practice involving *multiple* areas of law and *multiple* courts can be even more challenging to manage and operate.

While a law firm may specialize in one area of law, most lawyers find themselves unable to practice exclusively within the small niche they think they'll be in. Inevitably, family attorneys find they need to work in trust and estates law, trust and estates attorneys find they need to work within tax law, and tax attorneys find they need to work with corporate law . . . and the list goes on!

The diversity of these practice areas within one law firm creates challenges in terms of staffing, marketing, and management of the firm. Diversity of practice areas creates challenges of court coordination, overlapping or competing interests, and client management.

Join our expert panelists—the best in their multi-practice fields—to discuss their strategies for recruiting and retaining talented attorneys with diverse skill sets, developing targeted marketing strategies, and effectively managing their teams to overcome any other challenges that arise.

Ultimately, the success of a multi-practice law firm depends on its ability to meet the diverse needs of its clients and provide exceptional legal services across multiple practice areas.

Agenda

- The Need to Practice in Multiple Fields
- Staffing, Marketing, and Management Challenges
- Court Coordination, Overlapping and Competing Interests, and Client Management
- Recruitment and Retention

Faculty

Lisa M. Cukier, Esq., *Burns & Levinson LLP, Boston*, Chair
Howard M. Cooper, Esq., *Todd & Weld LLP, Boston*
Marsha V. Kazarosian, Esq., *Kazarosian Costello LLP, Haverhill*
Andrew C. Meyer, Jr., Esq., *Lubin & Meyer, PC, Boston*
Carol A. Starkey, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*



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for instant access to this program and everything else MCLE offers online. Learn more at www.mcle.org

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 8, 2023
2:00 pm–5:00 pm
Program # 2240002WBC

REBROADCAST

Monday, November 27, 2023
10:00 am–1:00 pm
Program # 2240002RB1

REBROADCAST

Tuesday, December 5, 2023
2:00 pm–5:00 pm
Program # 2240002RB2

ON DEMAND WEBCAST

View after Tuesday, December 5, 2023
Program # 2240002WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

Superior Court Judicial Colloquy 2023

A conversation with the bench

Even in this era of the vanishing trial, there remains a need for exceptional advocates and trial lawyers. Once, young lawyers learned their craft by apprenticing for senior lawyers and trying smaller cases on their own. Today, however, trials have become rare and expensive propositions. Up-and-coming trial lawyers now need to find new and creative ways to acquire the knowledge and skill required to be ready for the courtroom. Get the benefit of hearing dozens of tips and anecdotes from experienced judges who have spent thousands of hours in the courtroom hearing motions and cases; this is an invaluable opportunity no matter what your experience level!

Join our moderator, veteran trial attorney Jennifer Mikels, and learn what this panel of Superior Court judges want practitioners to know about courtroom practice and trial advocacy. The panel format allows the judges to offer their insights on a variety of topics, while also hearing and responding to their colleagues. Don't miss this opportunity to gain invaluable insight into the judicial perspective and be better prepared the next time you walk into Superior Court!

Agenda

- Effective Presentation of Discovery Disputes
- Effective Trial Briefs, Findings of Fact, and Conclusions of Law
- Themes and Theories of the Case
- How to Argue the Law at Trial
- Opening Statements
- Dispositive Motion Practice
- Direct Examinations
- Effective Use of Expert Witnesses at Trial / Effective Presentation of Complicated Expert Testimony
- Effective Use of Trial Exhibits and Demonstrative Evidence
- Effective Use of Technology in the Courtroom
- Cross Examination
- Trial Evidence and Objections
- Closing Arguments
- Jury Instructions and Special Verdict Forms
- Things You Wish More Lawyers Did in the Courtroom

Faculty

Jennifer L. Mikels, Esq., *Goulston & Storrs, PC, Boston, Chair*
Hon. Michael K. Callan, *Superior Court, Commonwealth of Massachusetts*
Hon. Katie Cook Rayburn, *Superior Court, Commonwealth of Massachusetts*
Hon. Kenneth W. Salinger, *Superior Court, Business Litigation Session, Commonwealth of Massachusetts*
Hon. Debra A. Squires-Lee, *Superior Court, Commonwealth of Massachusetts*
Hon. Daniel M. Wrenn, *Superior Court, Commonwealth of Massachusetts*



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Learn more at www.mcle.org

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 5, 2023
2:00 pm–5:00 pm
Program # 2240104WBC

REBROADCAST

Friday, October 20, 2023
9:30 am–12:30 pm
Program # 2240104RB1

REBROADCAST

Monday, October 30, 2023
2:00 pm–5:00 pm
Program # 2240104RB2

ON DEMAND WEBCAST

View after Monday, October 30, 2023
Program # 2240104WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Superior Court Civil Practice Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

Taking Depositions Interactive Workshop 2023

Play the role of counsel as well as witness in mock exercises

MCLE's two-day *Taking Depositions Interactive Workshop* is a unique opportunity for attorneys with little or no experience in handling depositions to learn how to prepare for, take, and defend depositions and to use deposition testimony at trial, and for more experienced attorneys to improve their deposition skills.

Throughout two days of “on-your-feet” participation, you play the role of counsel and witness in mock exercises. During the exercises, you take a portion of the deposition of the opposing party's witness, defend your own witness, and take the deposition of experts. Your performance is immediately critiqued by faculty in small groups. In addition, the faculty participates in panel discussions and demonstrates effective techniques for explaining the process of a deposition to the witness, taking a deposition, dealing with a difficult opposing counsel or witness, introducing deposition testimony at trial, and using prior inconsistent deposition testimony for impeachment.

Tips and pointers for every step

- Prepare a Witness to Testify
- Make Effective Use of Stenographers
- Start a Deposition: Stipulations and Opening Statements
- Ask Background Questions
- Question Witnesses Regarding Conversations and Events
- Use Documents During an Examination and Lay the Foundation for a Document's Admissibility at Trial
- Qualifying Digital Evidence at a Deposition
- Deal with Difficult Lawyers and Witnesses
- Depose Experts
- Make Objections and React to Those of Opposing Counsel
- Use an Instruction Not to Answer
- Make Motions to Compel Further Answers
- End the Deposition
- Offer Deposition Testimony at Trial
- Impeach a Witness by Prior Inconsistent Testimony at Trial

Faculty

Christa A. Arcos, Esq., *Arcos Law Office, Stoneham*, Cochair; Benjamin D. Stevenson, Esq., *Stevenson, McKenna & Callanan LLP, Boston*, Cochair; Harold O. Beede, Esq., *Dalton & Finegold LLP, Amesbury*; A. Hether Cahill, Esq., *Burns & Levinson LLP, Boston*; Christopher A. Callanan, Esq., *Callanan Law LLP, Boston*; Megan Castro, CSR, RPR, *Boston*; Edward C. Cooley, Esq., *Giarrusso, Norton, Cooley & McGlone, PC, North Quincy*; Joseph T. Desmond, Esq., *Law Office of Joseph T. Desmond, Hingham*; Jeanine E. Goodwin, Esq., *McCarthy Bouley & Barry, PC, Waltham*; Karen Guthrie, Esq., *Law Office of Karen Thome Guthrie, PC, Andover*; Patrick J. Heffernan, Esq., *Dalton & Finegold LLP, Andover*; Charles P. Kindregan III, Esq., *Beacon Law Group LLC, Boston*; Bryna S. Klevan, Esq., *Klevan Law Office, Newton Center*; Hon. Peter M. Lauriat, *Superior Court, Commonwealth of Massachusetts (Ret.)*, *JAMS, Boston*; Helen G. Litsas, Esq., *Law Office of Helen G. Litsas, Arlington*; David H. London, Esq., *US Securities & Exchange Commission, Boston*; Lisa McDonald, CSR, RPR, RMR, CRR, *McDonald Court Reporting, Stoneham*; Andrew C. Oatway, Esq., *Morisi & Oatway, PC, Quincy*; Russell X. Pollock, Esq., *Bergstresser & Pollock, PC, Boston*; Lisa Oliver White, Esq., *Murphy & Riley, PC, Boston*

Dates & Location

Register at www.mcle.org

BOSTON

Thursday, October 19, &
Friday, October 20, 2023
8:30 am–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240007P01

Tuition *(includes written materials)*

- \$595
- \$535.50 MCLE Sponsor Members
- \$297.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students

This limited-enrollment program is not included in the MCLE OnlinePass.

To apply for a need-based scholarship, email scholarships@mcle.org.

Special materials and preparation

You receive workshop materials, including simulation exercises, approximately one week prior to the workshop so that you may prepare. Pre-workshop preparation ensures that you maximize the learning experience for yourself and for other registrants. In addition, attendees receive two excellent resources to use when preparing and conducting depositions.

Each registrant receives

- *Effective Deposition Strategies and Techniques*, a portable reference guide to assist you in preparing an outline, asking questions, and responding to objections, as well as defending a deposition.
- *Selected Cases on Deposition Sanctions*, a compilation of judicial rulings on improper deposition conduct which attorneys can refer to when dealing with an obstreperous opponent.
- *Massachusetts Deposition Practice Manual*

Registration notes

Space is limited and is available on a first come, first served basis. Cancellations may only be refunded, minus a \$100 processing fee, if we are able to fill your seat.

CLE Credits

Earn up to 12 CLE credits
Including up to 0.5 ethics credit

Taking Remote Depositions Interactive Workshop 2023

Play the role of counsel in mock exercises

MCLE's *Taking Remote Depositions Interactive Workshop* is a unique opportunity for both experienced attorneys and those with little or no experience in handling depositions to learn how to prepare for, take, and defend depositions remotely.

In this "interactive" program, you play the role of counsel in mock exercises that require you to use advanced Zoom features and your performance is immediately critiqued by faculty in small groups. You have the opportunity to upload and share documents that are marked as deposition exhibits. You also annotate documents with the assistance of stenographers who have experience in reporting remote depositions via Zoom.

Pre-workshop preparation is required for this fast-paced program and ensures that you maximize the learning experience for yourself and for other registrants.

Special workshop materials and preparation

You receive workshop materials, including simulation exercises, approximately one week prior to the workshop so that you may prepare. The agenda does not allow for any student preparation on the day of the seminar. Students should plan to spend approximately two hours in advance of the workshop reviewing the materials and preparing deposition questions.

Tips and pointers for key steps

- Starting a Deposition—Stipulations and Planning for Remote Depositions
- Questioning Witnesses Remotely Using Documents
- Making Effective Use of Stenographers
- Deposing a Witness on Social Media and e-Documents
- Marking Documents in Remote Depositions with the Assistance of a Stenographer
- Annotating Documents in a Remote Deposition and Marking Chalks
- Making Objections and Reacting to Those of Opposing Counsel

Registration is limited! Sign up today!

Faculty

Christa A. Arcos, Esq., *Arcos Law Office, Stoneham*, Chair; Harold O. Beede, Esq., *Dalton & Finegold LLP, Amesbury*; Christopher A. Callanan, Esq., *Callanan Law LLP, Boston*; Edward C. Cooley, Esq., *Giarrusso, Norton, Cooley & McGlone, PC, North Quincy*; Karen Guthrie, Esq., *Law Office of Karen Thome Guthrie, PC, Andover*; Bryna S. Klevan, Esq., *Klevan Law Office, Newton Center*; Hon. Peter M. Lauriat, *Superior Court, Commonwealth of Massachusetts (Ret.)*, *JAMS, Boston*; Helen G. Litsas, Esq., *Law Office of Helen G. Litsas, Arlington*; Lisa McDonald, CSR, RPR, RMR, CRR, *McDonald Court Reporting, Stoneham*; H. Luke Mitcheson, Esq., *Morgan & Morgan, PA, Waltham*; Andrew C. Oatway, Esq., *Morisi & Oatway, PC, Quincy*; Benjamin D. Stevenson, Esq., *Stevenson, McKenna & Callanan LLP, Boston*; Kathryn R. Sweeney, FAPR, RMR, CRR, *Newton*

Date & Location

Register at www.mcle.org

LIVE VIA ZOOM

Friday, November 3, 2023

8:30 am–1:45 pm

Program Number: 2240008P01

This workshop will be held online via Zoom. Due to MCLE's website infrastructure, there is no specific Zoom option to select. Instead, when you visit mcle.org, choose the in-person program option to, in fact, register for the Zoom session. Prior to the program, you will receive an email with login information and instructions for the virtual session.

This limited enrollment program is not included in the MCLE OnlinePass.

Tuition

- \$295
- \$265.50 MCLE Sponsor Members
- \$147.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, and Law Students
- **Exclusive \$50 discount for *Taking Depositions Interactive Workshop 2023* attendees!**

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

The materials for this program will be shipped to you one week before the program date. Please contact Customer Service to confirm that the address you have listed is the address where you would like the program materials shipped.

CLE Credits

Earn up to 5 CLE credits

Valuing, Justifying & Minimizing Damages in Civil Litigation

A discussion about injury cases and their value from both sides

In our civil justice system, the plaintiff's remedy for their injuries from alleged negligence is money. But how is it determined that in one case an injury is worth \$5.00 and the next it is worth \$10.00? In personal injury, medical malpractice, and wrongful death litigation, understanding how and what to focus on when resolving a lawsuit at the pre-suit, litigation, mediation, and jury trial stages is an essential skill for any civil practitioner. Join our faculty to hear about how they argue both sides of the central issue in so many cases—monetary damages.

Agenda

- Evaluating a Case from Day One Through the Verdict—Plaintiff and Defendant
- Maximizing v. Minimizing Line-Item Damages: Life Care Plans, Future Medical Care, Lost Wages, Medical Bills, and Loss of Earning Capacity
- Pain and Suffering: What Does That Mean? Loss of Enjoyment of Life, Loss of Quality of Life, Loss of Consortium
 - How to value the invaluable and argue both sides
 - Things that move the needle: Liability affects value
- Talking to a Jury About Money
- “Ask the Experts” Q&A Session

Faculty

Matthieu J. Parenteau, Esq., *Sweeney Merrigan Law LLP, Boston*, Chair
Peter M. Merrigan, Esq., *Sweeney Merrigan Law LLP, Boston*
Glen A. Tagliamonte, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 26, 2023
2:00 pm–4:00 pm
Program # 2240106WBC

REBROADCAST

Monday, November 13, 2023
12:00 pm–2:00 pm
Program # 2240106RB1

REBROADCAST

Tuesday, November 21, 2023
10:00 am–12:00 pm
Program # 2240106RB2

ON DEMAND WEBCAST

View after Tuesday, November 21, 2023
Program # 2240106WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Damages, Interest, and Attorney Fees in Massachusetts Litigation ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



Subscribe to the MCLE OnlinePass®

for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Voir Dire Toolbox

You have a right to a fair and impartial jury—learn how to ensure that voir dire gets you there

In 2016, the Legislature passed G.L. c. 234A, §67D, establishing a right to attorney-conducted voir dire in Superior Court jury trials. Practice under the statute and resulting Superior Court Rules has varied among judges and evolved slowly due to interruptions caused by the COVID-19 pandemic, leading to differences in jury selection procedures.

Jury selection is a critical part of a trial. Asking questions intended to help you select a fair and impartial jury is essential, yet the courts and Massachusetts practitioners are relatively inexperienced with attorney-conducted voir dire.

Join our experienced trial attorneys as we examine the brief history and current trends in Massachusetts jury selection practice. The expert faculty reviews what we are trying to accomplish with voir dire and where we need to go from here.

Agenda

- Differences Between Jury Selection Procedures
- Voir Dire Goals—What Are We Trying to Accomplish?
- Legal and Practical Dos and Don'ts
- Common Arguments for and Against Panel Voir Dire
- “Ask the Experts” Q&A Session

Faculty

J. Michael Conley, Esq., *Kenney & Conley, PC, Braintree*, Chair
Sarah B. Christie, Esq., *Hassett & Donnelly, PC, Worcester*
Cathryn L. Crowley, Esq., *Carney, Rezendes & Crowley, LLC, Quincy*
Matthew J. Holmes, Esq., *Morrison Mahoney LLP, Boston*
John T. Martin, Esq., *Keches Law Group, Milton*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, November 30, 2023
10:00 am–12:00 pm
Program # 2240112WBC

REBROADCAST

Friday, December 15, 2023
12:00 pm–2:00 pm
Program # 2240112RB1

REBROADCAST

Tuesday, December 26, 2023
2:00 pm–4:00 pm
Program # 2240112RB2

ON DEMAND WEBCAST

View after Tuesday, December 26, 2023
Program # 2240112WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



Subscribe to the MCLE OnlinePass[®]

for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

25 Critical Cases Every Criminal Lawyer Must Know

The essential foundation you need to know what is trending

This isn't just *Miranda v. Arizona* and *Terry v. Ohio*; we know you went to law school. If, however, you practice in District or Superior Court in Massachusetts, these are the cases with which you must be familiar. In every practice, the ability to anticipate and comprehend the important legal issues of the day is grounded in an understanding of foundational cases and an appreciation of trending authority. Join MCLE's all-star faculty for a summary and analysis of Massachusetts criminal case law that you must be fluent in to practice successfully in the Commonwealth. These cases cover a variety of topics governing your practice—from pretrial matters through sentencing hearings. This roundtable-style program provides direct access to the expert panelists in a highly focused setting.

The seminar is designed to benefit prosecutors and defense attorneys alike, and participants leave with a balanced understanding of those cases that are the foundation of any criminal lawyer's practice. Learn how these cases shape the law—and how to use them in your practice.

Agenda

- Probable Cause/Charging
- Bail Conditions of Release
- Discovery
- Suppression Issues
- Trial Issues, Including Jury Selection and Evidentiary Issues
- Probation
- "Ask the Experts" Q&A Session

Faculty

J. Anne Iglehart, Esq., *Iglehart & Porges, Boston*, Chair

Lynn S. Feigenbaum, Esq., *Suffolk District Attorney's Office, Commonwealth of Massachusetts*

Claudia Lagos, Esq., *Scully and Lagos, Boston*

Amanda M. Sheehan, Esq., *Plymouth District Attorney's Office, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, September 28, 2023

2:00 pm–5:00 pm

Program # 2240115WBC

REBROADCAST

Friday, October 13, 2023

9:30 am–12:30 pm

Program # 2240115RB1

REBROADCAST

Monday, October 23, 2023

2:00 pm–5:00 pm

Program # 2240115RB2

ON DEMAND WEBCAST

View after Monday, October 23, 2023

Program # 2240115WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Criminal Law Sourcebook & Citor ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



Subscribe to the MCLE OnlinePass[®]

for instant access to this program and everything else MCLE offers online.

Learn more at www.mcle.org

Arraignment Options & Issues in Juvenile Court

The most common, rare, and unpredictable issues addressed on the first court date

This program helps practitioners understand the variety of options, issues and motions that arise during an arraignment in Juvenile Court. The faculty addresses nuanced issues related to charges, diversion options, and 58A/58B bail requests & conditions of release for juveniles. Practitioners improve their ability to prepare ahead for an arraignment of a juvenile, and learn the substantive case law & statutes that apply.

Agenda

- Obtain an Overview of an Arraignment Hearing in Juvenile Court
- Learn How to Address Unpredictable Issues that may Arise at Arraignments for Juveniles and Dually-Involved Youth
- Understand the Several Types of Motions that may be Presented at the Arraignment
- Address *Humberto H.*, *Wallace W.* and Other Leading Cases
- Distinguish the Difference for a Youthful Offender Arraignment

Faculty

Migdalia I. Nalls, Esq., *Committee for Public Counsel Services, Roxbury, Chair*
Hon. Peter M. Coyne, *Suffolk County Juvenile Court, Commonwealth of Massachusetts*
Rafael A. Feliciano Cumbas, Jr., Esq., *Committee for Public Counsel Services, Roxbury*
Andrew M. Glenn, Esq., *Suffolk County District Attorney's Office, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 29, 2023
2:00 pm–4:00 pm
Program # 2240123WBC

REBROADCAST

Thursday, December 14, 2023
12:00 pm–2:00 pm
Program # 2240123RB1

REBROADCAST

Friday, December 22, 2023
10:00 am–12:00 pm
Program # 2240123RB2

ON DEMAND WEBCAST

View after Friday, December 22, 2023
Program # 2240123WBA

Tuition *(includes written materials)*

- \$125
- \$112.50 MCLE Sponsor Members
- \$62.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



Subscribe to the MCLE OnlinePass[®]

for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Challenges & Landmines in Using Pole Cameras & Wiretapping

What happens when you can see and hear everything?

With increasing frequency, surveillance footage from pole cameras and wiretaps are a significant component of the investigation, discovery practice, and motion and trial stages of criminal cases in Massachusetts. This engaging, comprehensive program is designed to equip lawyers with the necessary knowledge and skills to navigate the complex world of electronic surveillance and its legal implications.

Join our panel as we examine new and emerging caselaw, discovery practices, suppression issues, and evidentiary challenges regarding its introduction as evidence at trials.

Agenda

- Caselaw Review and Update
- Technology and Analysis of Pole Camera Footage and Wiretaps
- Search Warrants
- Suppression Issues
- Evidentiary Challenges at Trial
- “Ask the Experts” Q&A Session

Faculty

Meredith Reeves, Esq., *Committee for Public Counsel Services, Salem, Chair*
Hon. Jeffrey T. Karp, *Superior Court, Commonwealth of Massachusetts*
Eduardo A. Masferrer, Esq., *Masferrer and Associates, PC, Boston*
Christina P. Ronan, Esq., *Attorney General’s Office, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, November 2, 2023
2:00 pm–4:00 pm
Program # 2240121WBC

REBROADCAST

Friday, November 17, 2023
9:30 am–11:30 am
Program # 2240121RB1

REBROADCAST

Monday, November 27, 2023
2:00 pm–4:00 pm
Program # 2240121RB2

ON DEMAND WEBCAST

View after Monday, November 27, 2023
Program # 2240121WBA

Tuition *(includes written materials)*

- \$125
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Materials

- E-materials link emailed upon registration
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CLE Credits

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Crafting Killer Criminal Motions

Nuts and bolts of motion practice along with strategic insights and the view from the bench

Motion practice is crucial and can make a huge difference in the outcome of your case. Whether you file a motion for a bill of particulars, or a motion to suppress, it can be the defining factor in whether you win or lose a trial, or whether you even need to go to trial. As criminal practitioners, it is important to think strategically about how we craft motions, and the long-term goals. Identifying the theory of the case should begin at arraignment, and our motions should assist in advancing our theory of the case. We should craft every motion in good faith, with the mindset of winning. We know that not all motions are successful, but they can lay a foundation for building a strong defense for our clients, developing a legal strategy, and preserving issues for appeal.

Get insight into the nuts and bolts of motion practice, practical strategic information from experienced criminal lawyers, and the view from the bench.

Agenda

- **Procedural Aspects of Filing Different Motions**
 - Timely filing
 - When you need to file an affidavit
 - Is a memorandum required?
- **Practical Advice from Practitioners**
 - Knowing your facts and the law
 - Anatomy of a killer criminal motion
 - Review of sample motions
- **View from the Bench**
 - What makes a good motion?
 - Do's and don'ts of criminal motions for newer practitioners
 - Understanding the issues from both sides
- **“Ask the Experts” Q&A Session**

Faculty

Alicia A. McNeil, Esq., *McNeil Law, Wakefield, Chair*

Jennifer C. Capone, Esq., *Law Office of Jennifer Capone, North Andover*

Katharine Naples-Mitchell, Esq., *Program Director, John F. Kennedy School of Government, Harvard University, Cambridge*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, November 16, 2023
2:00 pm–5:00 pm
Program # 2240114WBC

REBROADCAST

Friday, December 1, 2023
9:00 am–12:00 pm
Program # 2240114RB1

REBROADCAST

Monday, December 11, 2023
2:00 pm–5:00 pm
Program # 2240114RB2

ON DEMAND WEBCAST

View after Monday, December 11, 2023
Program # 2240114WBA

Tuition *(includes written materials)*

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Materials

Massachusetts District Court Criminal Defense Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Crafting the Criminal Defense Theory & Telling the Story

Maximize your efficacy from first meeting to verdict

Maximize your efficacy with prosecutors, judges, and the jury to secure the best possible outcomes for your clients by focusing on your client's "story" and your defense theory. Learn from a skilled panel of criminal defense litigators how to imbue representation of your client with your client's story. Gain insight on how to craft your theory of the defense to guide your advocacy starting with your first meeting with your client and through the verdict or other resolution.

Agenda

- Learning (Throughout the Representation) Your Client's Perspective on the Case, Their Personal Background, and What They Have Planned for Themselves Going Forward
- Talking with the Prosecutor About the Case: How Do They See Things? How Do You See Things? Strategizing to Bring Them Around
- Educating Your Judges: From Bail to Motions and Trial
- Talking with the Jury about Your Client, Their Story, and the Weaknesses of the Prosecution's Case: Jury Selection, Openings and Closings, and Fact and Expert Witnesses
- "Ask the Experts" Q&A Session

Faculty

Inga S. Bernstein, Esq., *Zalkind, Duncan & Bernstein LLP, Boston, Chair*

Rafael A. Feliciano Cumbas, Jr., Esq., *Committee for Public Counsel Services, Roxbury*

Sarah Laughlin, MSW, *Committee for Public Counsel Services, Boston*

Cristina M. Rodrigues, Esq., *Committee for Public Counsel Services, Boston District Court Unit, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, December 6, 2023

2:00 pm–4:00 pm

Program # 2240116WBC

REBROADCAST

Thursday, December 21, 2023

9:00 am–11:00 am

Program # 2240116RB1

REBROADCAST

Friday, December 29, 2023

2:00 pm–4:00 pm

Program # 2240116RB2

ON DEMAND WEBCAST

View after Friday, December 29, 2023

Program # 2240116WBA

Tuition *(includes written materials)*

- \$125
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Materials

Massachusetts District Court Criminal Defense Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Criminal Lawyer's Data Harvesting Lab: Gathering & Contesting

License plate readers, geofencing, cellular site location and DNA

Understanding data, using data, and defending against data-driven evidence are cornerstones to modern criminal practice. Learn about the mechanisms of automatic license plate readers, the webs of geofencing, and the data behind the newest DNA technologies. Get up-to-date on the latest information about cellular site location information and cellular data.

Our diverse and talented panel of criminal defense attorneys offers practical tips for harvesting and using data to your strategic advantage and defending against data-derived incriminating evidence. Come away from this training with the skills needed to incorporate data and positively challenge data in your cases.

Agenda

- Automatic License Plate Reader Technology
- Geofencing Data
- Cellular Site Location Information
- Latest DNA Technology—Probabilistic Genotyping and Genetic Genealogy
- "Ask the Experts" Q&A Session

Faculty

Lynda L. Dantas, Esq., *Committee for Public Counsel Services, Lowell, Cochair*
Jason T. Green, Esq., *Committee for Public Counsel Services, Brockton, Cochair*
Ira L. Gant, Esq., *Committee for Public Counsel Services, Somerville*
Nina S. Lewin, Esq., *Chelmsford*
Paul Lonardo-Roy, Esq., *Committee for Public Counsel Services, Brockton*
Kyle A. Wibby, Esq., *Committee for Public Counsel Services, Hyannis*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 24, 2023
2:00 pm–5:00 pm
Program # 2240117WBC

REBROADCAST

Wednesday, November 8, 2023
9:00 am–12:00 pm
Program # 2240117RB1

REBROADCAST

Thursday, November 16, 2023
2:00 pm–5:00 pm
Program # 2240117RB2

ON DEMAND WEBCAST

View after Thursday, November 16, 2023
Program # 2240117WBA

Tuition *(includes written materials)*

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Materials

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Dissecting Gun Laws After *Bruen* & Biden's Bipartisan Safer Communities Act

Reconciling the practical effects of the groundbreaking changes to gun laws in 2022

The year 2022 produced massive changes related to gun laws in the United States; President Biden signed into law the Bipartisan Safer Communities Act (BSCA), legislation that implemented changes to the mental health system, school safety programs, and gun safety laws, which include more extensive background checks for gun purchasers under age 21, and clarification of Federal Firearms License requirements, among other gun related changes.

Also in 2022, the U.S. Supreme Court decided *New York State Rifle & Pistol Association, Inc. v. Bruen*, a case that ruled that New York's required showing of a "proper cause" to purchase a firearm was unconstitutional and that the ability to carry a gun in public was a constitutional right.

Join our experts as they examine the real-time effects of these developments in practice, and discuss if, and how, these seemingly conflicting rules can coexist together.

Agenda

- How Guns Are Currently Sold and Purchased in the United States, Including Licensing Requirements
- How the BSCA Affects Laws Related to Gun Purchases and Ownership, Including Background Checks, Federal Firearms Licenses (Dealer Licenses), Red Flag Laws, and Mental Health
- The Ways *Bruen* Changes States' Involvement in Firearms Regulations and Licensure
- The Practical Difficulties of Applying the BSCA and *Bruen* Simultaneously
- Common Misconceptions About Gun Laws
- "Ask the Experts" Q&A Session

Faculty

Julie M. Tolek, Esq., *Southborough*, Chair
Hon. Michael D. Brennan, *Taunton District Court, Commonwealth of Massachusetts*
Jason A. Guida, Esq., *Law Office of Jason A. Guida, Esq., Saugus*
Michael Sallesse, Chief of Police, *Town of Stow, Stow Police Department*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, January 25, 2024
2:00 pm–4:00 pm
Program # 2240120WBC

REBROADCAST

Friday, February 9, 2024
10:00 am–12:00 pm
Program # 2240120RB1

REBROADCAST

Tuesday, February 20, 2024
2:00 pm–4:00 pm
Program # 2240120RB2

ON DEMAND WEBCAST

View after Tuesday, February 20, 2024
Program # 2240120WBA

Tuition *(includes written materials)*

- \$125
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Materials

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- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Mock Trial of an Assault & Battery Case in District Court

Hear the evidence, be the jury, discuss the strategy

While most criminal cases are resolved via plea bargain, it is imperative to understand the ins-and-outs of the District Court trial session. This seminar explains the major aspects of a trial from motions *in limine* to closings. The panel of trial attorneys and a District Court Judge guides you through the case while you serve as jury.

Unlike the jury, however, you have the opportunity to ask questions after the verdict! Case theory, witness preparation, and strategy are all open for discussion. Find out how experienced trial attorneys prepare their case for trial, from the day of arraignment.

Agenda

- Motions *in Limine*
- Opening Statements
- Direct and Cross of a Police Witness
- Direct and Cross of a Civilian Witness
- Closing Arguments
- Judicial Opinion
- Witness Preparation
- Preserving the Record
- “Ask the Experts” Q&A Session

Faculty

Erin Murphy, Esq., *Suffolk District Attorney's Office, Commonwealth of Massachusetts*, Chair
Hon. Michele M. Armour, *Attleboro District Court, Commonwealth of Massachusetts*
Moya R. Gibson, Esq., *Moya R. Gibson Attorney at Law, Dorchester*
Ashley E. Polin, Esq., *Suffolk District Attorney's Office, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, November 7, 2023
2:00 pm–5:00 pm
Program # 2240118WBC

REBROADCAST

Monday, November 27, 2023
2:00 pm–5:00 pm
Program # 2240118RB1

REBROADCAST

Tuesday, December 5, 2023
9:30 am–12:30 pm
Program # 2240118RB2

ON DEMAND WEBCAST

View after Tuesday, December 5, 2023
Program # 2240118WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Superior Court Criminal Practice Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



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Racial Profiling: Litigating *Long* Hearings

Avoiding the traps when building your case

The Supreme Judicial Court's ruling in *Commonwealth v. Long* is lengthy and complicated. We know that police may not target drivers for traffic stops, citations, and further investigation because of their race—but what does that mean in practice, and how do you convince a judge to grant your motion to suppress?

Our experts delve into the variety of records that exist to gather the data you need, how to obtain these records, break down what the court said (and did not say!) in *Long*, and provide experience-based practice tips for how to handle an opposing expert from the Commonwealth.

Join our faculty as we break down the process and advise on how to avoid stumbling blocks.

Agenda

- Using Your Expert in Discovery
- Data: Beware!
- Crossing the Officer to Build Your Case
- Combatting the Commonwealth's Attacks—Including Opposing Experts
- "Ask the Experts" Q&A Session

Faculty

Anne-Marie G. Hakstian, Ph.D, *Salem State University, Salem*

Eileen L. Morrison, Esq., *Committee for Public Counsel Services, Lowell*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 18, 2023
4:00 pm–5:00 pm
Program # 2240139WBC

REBROADCAST

Thursday, November 2, 2023
10:00 am–11:00 am
Program # 2240139RB1

REBROADCAST

Monday, November 13, 2023
12:00 pm–1:00 pm
Program # 2240139RB2

ON DEMAND WEBCAST

View after Monday, November 13, 2023
Program # 2240139WBA

Tuition *(includes written materials)*

- \$125
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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Searching for & Proving Brady-Giglio Violations, Including Past Police Misconduct

Getting police misconduct records

This program provides you with the necessary knowledge to handle police misconduct litigation. The program delves into the rules governing access to police misconduct records and case law that governs the process.

The faculty provides practical guidance on analyzing and utilizing the obtained information, explaining what you should be receiving and how best to use it to strengthen your client's case.

Join our experts for this engaging program on the law and procedure on how to request records of police misconduct, request court orders for such records, and how to use them at trial.

Agenda

- FOIA Requests
- Rule 14 and Rule 17
- Arguments Under *Wanis*, *McFarlane*, and *Brady-Giglio*
- What You Should Receive
- How to Use It

Faculty

Adrian Angus, Esq., *Committee for Public Counsel Services, Worcester*, Chair
Connor M. Barusch, Esq., *Committee for Public Counsel Services, Boston*
John A. Sadek, Esq., *Committee for Public Counsel Services, Worcester*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, February 5, 2024
2:00 pm–4:00 pm
Program # 2240122WBC

REBROADCAST

Tuesday, February 20, 2024
10:00 am–12:00 pm
Program # 2240122RB1

REBROADCAST

Wednesday, February 28, 2024
12:00 pm–2:00 pm
Program # 2240122RB2

ON DEMAND WEBCAST

View after Wednesday, February 28, 2024
Program # 2240122WBA

Tuition *(includes written materials)*

- \$125
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- \$62.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

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CLE Credits

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Sentencing, Probation & Parole

Leveraging an understanding of post-disposition issues in sentencing arguments

Designed to acquaint practitioners of all levels with sentencing advocacy in both the District/Municipal Courts and Superior Courts, this program highlights understanding post-disposition issues that clients may face on probation, parole, or while serving a sentence.

Judges and experienced practitioners offer advice on how to prepare and make effective sentencing arguments, as well as crafting thoughtful recommendations on disposition. The expert panel offers tips on pre-disposition sentencing discussions, the Massachusetts Sentencing Guidelines, and what factors are appropriate for a judge to consider in determining a sanction.

A representative from the Massachusetts Probation Service discusses the probation officer's role at sentencing and how to leverage new programs and services in sentencing arguments, including an understanding of compliance credits. Highly experienced attorneys who work in the corrections system discuss the execution of sentences, particularly the computation of sentences, sentence deductions, parole eligibility, and jail credits. Finally, the chair of the Massachusetts Parole Board discusses parole decisionmaking, the legal standard for parole, factors that make a candidate suitable, aspects of parole supervision, programming innovations, graduated sanctions, parole revocation hearings, medical parole, release to supervision, parole compliance credits, and the Parole Board's role in the pardon, commutation, and termination process.

Don't miss a chance to hear from an expert panel that includes judges, practitioners, and classification specialists!

Agenda

- Sentencing Arguments 101
- Factors that Go into Sentencing
- Sentencing Guidelines
- Probation's Role at Sentencing
- Compliance Credits
- Execution of the Sentence
- Parole Process
- Pardons and Commutations
- "Ask the Experts" Q&A Session

Faculty

Nina L. Pomponio, Esq., *Massachusetts Probation Service, Commonwealth of Massachusetts*, Chair; Charles W. Anderson, Jr., Esq., *Department of Correction, Commonwealth of Massachusetts*; Lee J. Gartenberg, Esq., *Middlesex Sheriff's Office, Woburn*; Tina M. Hurley, *Chair, Massachusetts Parole Board, Commonwealth of Massachusetts*; Hon. Laurie MacLeod, *Greenfield District Court, Commonwealth of Massachusetts*; Hon. Laurence D. Pierce, *Middlesex Superior Court, Commonwealth of Massachusetts, Woburn*; Hon. Jonathan R. Tynes, *Boston Municipal Court, Commonwealth of Massachusetts, Boston*; Fabiola White, Esq., *Massachusetts Probation Services, Boston*; Hon. Therese M. Wright *Regional Administrative Justice, District Court, Commonwealth of Massachusetts, West Wareham*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 11, 2023
2:00 pm–5:00 pm
Program # 2240119WBC

REBROADCAST

Thursday, October 26, 2023
2:00 pm–5:00 pm
Program # 2240119RB1

REBROADCAST

Friday, November 3, 2023
9:30 am–12:30 pm
Program # 2240119RB1

ON DEMAND WEBCAST

View after Friday, November 3, 2023
Program # 2240119WBA

Tuition *(includes written materials)*

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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

24th Annual Workers' Compensation Law Conference 2023

Essential updates, practical tips and insight from D.I.A. Judges

MCLE's 24th Annual Workers' Compensation Law Conference 2023, offered again in person and online, features experienced practitioners in the workers' compensation field who, together with judges from the Department of Industrial Accidents and other professionals, provide practitioners with essential, comprehensive information on the most important topics and issues affecting this dynamic practice area. Learn about recent cases and legislation pertaining to workers' compensation law and its practice and choose from a variety of workshop sessions including preparing and presenting lump sum settlements under current regulations, dealing with realistic Section 1(7A) issues, effectively enhancing benefits, and dealing with Sections 27, 27A and 28 claims. Hear an update on the national workers' compensation scene. Get critical insights during the featured discussion, "60 Tips in 60 Minutes," which provides "food for thought" for today's virtual world, featuring veteran attorneys and judges who share their tips on day-to-day practice. As in the past, Senior Judge Omar Hernández provides an update on the state of affairs at the D.I.A. post-pandemic.

Agenda

- Recent Case Law and Legislative Update
- National Workers' Compensation Update
- Featured Discussion: 60 Tips in 60 Minutes—Food for Thought for Practitioners in Today's Virtual World
- D.I.A. Update 2023
- Breakout Session I (*choose one*)
 - Properly Preparing and Presenting Lump Sum Settlements Under Current Regulations and Guidelines
 - Effectively Dealing with Realistic Section 1(7A) Issues
- Breakout Session II (*choose one*)
 - Benefit Enhancers
 - Effectively Pursuing and/or Defending Sections 27, 27A, and 28 Claims in Light of Recent Decisions
- **ALL-TOGETHER-NOW** Networking Reception
 - Featuring *MCLE's Signature Cocktail & Mocktail*
 - Auto-Drawing for **FREE** 1-Year Subscription to the MCLE OnlinePass®

Faculty

Joseph F. Agnelli, Jr., Esq., *Agnelli Law Offices, PC, Worcester*; Cochair; Joseph F. Agnelli III, Esq., *Agnelli Law Offices, PC, Worcester*; Cochair; Hon. John J. Barrett III, *D.I.A., Commonwealth of Massachusetts*; Hon. Lauren M. Bergheimer, *D.I.A., Commonwealth of Massachusetts*; Charles R. Casartello, Jr., Esq., *Pellegrini, Seeley, Ryan & Blakesley, PC, Springfield*; Alicia M. DelSignore, Esq., *Loughran & Corbett, Watertown*; Hon. Timothy V. Dooling, *D.I.A., Commonwealth of Massachusetts*; Joseph J. Durant, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*; Hon. Karen S. Fabiszewski, *D.I.A., Commonwealth of Massachusetts*; Hon. Bernard W. Fabricant, *D.I.A., Commonwealth of Massachusetts*; Ann Marie Freeley, Esq., *CFP Law Group, Boston*; Judith B. Gray, Esq., *Keches Law Group, PC, Bridgewater*; Shelley M. Harvey, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*; Hon. Omar Hernández, *D.I.A., Commonwealth of Massachusetts*; Pauline A. Jauquet, Esq., *Salem*; Hon. Catherine Watson Koziol, *D.I.A., Commonwealth of Massachusetts*; Hon. Roger S. Lewenberg, *D.I.A., Commonwealth of Massachusetts (Ret.)*; Hon. Martin J. Long, *D.I.A., Commonwealth of Massachusetts*; Hon. Dennis M. Maher, *D.I.A., Commonwealth of Massachusetts*; David Maille, Esq., *Eden Rafferty, Worcester*; Robert S. Martin, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*; Susan G. McDonald, Esq., *Pierce, Pierce & Napolitano, Salem*; Bernard J. Mulholland, Esq., *Ford, Mulholland & Moran, PC, Brockton*; Hon. Stephen H. Murray, *D.I.A., Commonwealth of Massachusetts*; Alan S. Pierce, Esq., *Pierce, Pierce & Napolitano, Salem*; James E. Ramsey, Esq., *Ramsey Law Offices, PC, Worcester*; Hon. Tamara L. Ricciardone, *D.I.A., Commonwealth of Massachusetts*; Hon. Jamie Spiller-Kaplan, *D.I.A., Commonwealth of Massachusetts*; Hon. Joseph M. Spinale, *D.I.A., Commonwealth of Massachusetts*

Dates & Locations

Register at www.mcle.org

BOSTON

Friday, November 17, 2023
9:00 am–5:00 pm
MCLE Conference Center,
10 Winter Place, via Winter Street
Program # 2240021P01

Lunch Tête-à-Tête

In-person exclusive feature! Discuss your thorniest questions casually over boxed lunches with colleagues.

LIVE WEBCAST

Friday, November 17, 2023
9:00 am–5:00 pm
Program # 2240021WBC

REBROADCAST

Monday, December 4, 2023
9:00 am–5:00 pm
Program # 2240021RB1

REBROADCAST

Tuesday, December 12, 2023
9:00 am–5:00 pm
Program # 2240021RB2

ON DEMAND WEBCAST

View after Tuesday, December 12, 2023
Program # 2240021WBA

Tuition *(includes written materials)*

- \$295
- \$265.50 MCLE Sponsor Members
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Materials

Massachusetts Workers' Compensation Law Sourcebook & Citor 2024 and *Workers' Compensation Law Practice in Massachusetts* ebooks, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for in-person registrants
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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IN PERSON & ONLINE CONFERENCE

26th Annual Employment Law Conference 2023

Everything new affecting practice after a precedent-setting year

Employment law witnessed myriad significant changes this year; efficiently catch up on all the developments at MCLE—and gain strategic insight about emerging trends.

Agenda

- **Discrimination Law Update**
- **Contract, Tort, Wage and Hour, and Legislative Update**
- **Featured Panel: Update on the Legal Issues Surrounding Non-Competition Agreements and Other Restrictive Covenants**
- **MCAD Tips to Better Your Practice & Q&A Session**
- **Impact of Changing Interpretations and Applications of the NLRA and Other Labor Law Issues That Every Employment Lawyer Needs to Know**
- **Cutting Edge Legal Issues**
 - Employment Law is always changing. Come listen to the experts share their thoughts on the important changes in 2023 that affect your practice in 2024!
- **How to Try Your Case to a Jury**
 - Are you ready for trial? Hear the best strategy and tactics to give your client the win! This panel covers trials from openings to closings—and everything in between.

Faculty

Jaclyn L. Kugell, Esq., *Morgan, Brown & Joy LLP, Boston*, Cochair; Katherine J. Michon, Esq., *Hartley Michon Robb Hannon LLP, Boston*, Cochair; Jason B. Barshak, Esq., *Senior Hearing Officer, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; Russell Beck, Esq., *Beck Reed Riden LLP, Boston*; Kathleen A. Berney, Esq., *Hirsch Roberts Weinstein LLP, Boston*; Gavriela M. Bogin-Farber, Esq., *Segal Roitman LLP, Boston*; Mark H. Burak, Esq., *Ogletree, Deakins, Nash, Smoak & Stewart, PC, Boston*; Kenneth Callahan II, *Deputy Chief of Investigations, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; Patrick J. Hannon, Esq., *Hartley Michon Robb Hannon LLP, Boston*; Deirdre A. Hosler, Esq., *General Counsel, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; Lynn A. Kappelman, Esq., *Seyfarth Shaw LLP, Boston*; Robert L. Kilroy, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Westborough*; Paige Walker McKissock, Esq., *Segal Roitman LLP, Boston*; Michael D. Memmolo, *Interim Executive Director, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; Desiree Y. Murphy, Esq., *Sr. Legal Counsel, Labor & Employment, CVS Health, Woonsocket, RI*; Jody L. Newman, Esq., *Lovett O'Brien LLP, Boston*; Lilitiana Palacios-Baldwin, Esq., *Deputy General Counsel for Labor, Employment and Litigation, Tufts University, Medford*; C. Max Perlman, Esq., *Gunderson Dettmer, Boston*; Katherine E. Perrelli, Esq., *Seyfarth Shaw LLP, Boston*; Rebecca G. Pontikes, Esq., *Pontikes Law LLC, Boston*; Katherine G. Rigby, Esq., *Epstein Becker & Green, Boston*; Lila Roberts, Esq., *Supervisor, Attorney Advisors Unit, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; Monica R. Shah, Esq., *Zalkind, Duncan & Bernstein LLP, Boston*; Jeffrey S. Siegel, Esq., *Morgan, Brown & Joy LLP, Boston*; Stéphanie Smith, Esq., *Casner & Edwards LLP, Boston*; Sunila Thomas George, Esq., *Chairwoman and Commissioner, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*; James S. Weliky, Esq., *Messing, Rudavsky & Weliky, PC, Newton*; Ellen J. Zucker, Esq., *Burns & Levinson LLP, Boston*



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Dates & Locations

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BOSTON

Friday, December 1, 2023
9:00 am–5:00 pm
MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2240022P01

Back by Popular Demand— Lunch Tête-à-Tête

In-person exclusive feature!
Discuss your thorniest questions casually over boxed lunches with colleagues. Plus: Auto-Drawing for free 6-month MCLE OnlinePass subscription.

LIVE WEBCAST

Friday, December 1, 2023
9:00 am–5:00 pm
Program Number: 2240022WBC

REBROADCAST

Monday, December 18, 2023
9:00 am–5:00 pm
Program Number: 2240022RBC

REBROADCAST

Thursday, December 28, 2023
9:00 am–5:00 pm
Program Number: 2240022RB1

ON DEMAND WEBCAST

View after Thursday, December 28, 2023
Program Number: 2240022WBA

Tuition *(includes written materials)*

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- **ERISA Benefit Claims: A Nuts & Bolts Primer:** Overview and background of ERISA; Overview of the internal appeals process; The ERISA lawsuit/ADR; A conversation with Judge William G. Young of the U.S. District Court
- **How to Advise on Commission & Benefits Forfeiture on Departure:** COBRA and related statutes governing benefits continuation: How do they work and what are employer/employee obligations? The WARN Act: When are employees entitled to severance? Releases: What types of benefits and compensation can and cannot be released in separation agreements? “Fortune” claims and other claims for unpaid wages: What types of compensation are employees owed on termination?

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Dates & Location

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REBROADCAST

Wednesday, December 13, 2023
9:00 am–4:00 pm
Program # 2240032RB1

REBROADCAST

Thursday, January 18, 2024
9:00 am–4:00 pm
Program # 2240032RB2

REBROADCAST

Friday, February 9, 2024
9:00 am–4:00 pm
Program # 2240032RBC

Tuition *(includes written materials)*

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Bringing & Defending a Religious Discrimination Claim

The law of religious discrimination—and strategies and techniques for presenting and defending religious discrimination claims

The law of religious discrimination as it affects employment has gained prominence in recent years, the result of COVID-19 and other social developments. Hear this expert panel examine the legal contours of the law, including issues regarding who is entitled to protection and requests for religious accommodation.

Then watch the panel simulate litigation of these issues to illustrate the unique characteristics of a religious discrimination claim. Using a fact pattern reflecting religious accommodation disputes that have been in the news in recent years, the attorneys discuss the law of religious discrimination generally, and analyze how that law might apply to the fact pattern presented. They then discuss the many considerations that factor into preparing for and conducting a trial of religious discrimination claims, including trial strategy, evidentiary issues, motions *in limine* opening statements, direct and cross-examination of witnesses, and remedies.

Agenda

- Who Is Entitled to Protection Under Religious Discrimination Laws?
- The Law of Religious Accommodation
- Best Practices for Analyzing and Responding to Employee Requests for Accommodation
- Defenses to Religious Discrimination Claims Including the Ministerial Exception
- Developing a Theme and Trial Strategy
- Trial Preparation, Strategy, and Techniques
- Damages and Equitable Remedies
- “Ask the Experts” Q&A Session

Faculty

James S. Weliky, Esq., *Messing, Rudavsky & Weliky, PC, Newton*, Chair

David Conforto, Esq., *Conforto Law Group, Boston*

Janette A. Ekanem, Esq., *Atrius Health, Newton*

Keerthi Sugumaran, Esq., *Jackson Lewis, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, September 27, 2023

2:00 pm–5:00 pm

Program # 2240026WBC

REBROADCAST

Thursday, October 12, 2023

1:00 pm–4:00 pm

Program # 2240026RB1

REBROADCAST

Friday, October 20, 2023

9:00 am–12:00 pm

Program # 2240026RB2

ON DEMAND WEBCAST

View after Friday, October 20, 2023

Program # 2240026WBA

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Materials

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Conducting Effective Workplace Investigations

A “how-to” guide to investigating allegations of misconduct in the workplace

When an employer receives a complaint of harassment, discrimination, retaliation, or other workplace misconduct, its next steps are critical. Is an investigation warranted, and if so, what should it look like? The faculty discuss the benefits of prompt, thorough, and impartial assessments of workplace complaints, including a step-by-step review of sound investigation practices. Learn about circumstances when an outside investigation may be needed, how to map an appropriate investigation plan, and what common mistakes to avoid in the process.

Agenda

- Legal Framework: What Case Law Tells Us About the Impact of Good (and Not-So-Good) Investigation Practices
- Elements of a Sound Investigation, Step-by-Step
- Safeguarding the Rights of Complainants, Respondents, and Witnesses
- Confidentiality, Privilege, and Other Common Investigation Considerations
- “Ask the Experts” Q&A Session

Faculty

Amy E. Serino, Esq., *Serino Law LLC, Andover*, Chair

Kavita M. Goyal, Esq., *Rosen & Goyal, PC, Andover*

Gregory A. Manousos, Esq., *Morgan, Brown & Joy, LLP, Boston*

Jennifer Rudd O’Neil, Esq., *Director - Employee Relations, Fidelity Investments, Boston*

Dates & Location

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LIVE WEBCAST

Wednesday, October 18, 2023

12:00 pm–2:00 pm

Program # 2240024WBC

REBROADCAST

Thursday, November 2, 2023

9:00 am–11:00 am

Program # 2240024RB1

REBROADCAST

Tuesday, November 14, 2023

2:00 pm–4:00 pm

Program # 2240024RB2

ON DEMAND WEBCAST

View after Tuesday, November 14, 2023

Program # 2240024WBA

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Defending & Attacking Constructive Discharge

How to plead, defend against, and attack constructive discharge claims that underlying working conditions were “so onerous, abusive, or unpleasant” that a reasonable person in the individual’s position would have felt compelled to resign

An individual seeking to establish a constructive discharge claim bears the burden of proof and needs to demonstrate that the underlying working conditions were “so onerous, abusive, or unpleasant” that a reasonable person in the individual’s position would have felt compelled to resign or to quit. The individual must show that the only reasonable choice was resignation given the alleged harsh or intolerable working conditions.

When pleading or defending against this type of claim, counsel for the plaintiff and for the defendant must be able to understand the essential elements of the claim, and what evidence suffices to plead and defend against the claim. Often, alleged discriminatory or retaliatory treatment lies at the center of constructive discharge claims and is the basis for the alleged harsh or intolerable working conditions, which in turn means that being able to plead and defend against such claims becomes equally important for counsel on both sides.

Join us for a comprehensive discussion of how to plead, defend against, and attack constructive discharge claims.

Agenda

- How to Plead a Constructive Discharge Claim
- Burden of Proof
- Statute of Limitations
- Damages
- Defenses
- How to Best Draft Persuasive Position Statements to Attack a Constructive Discharge Claim
- Developing Supporting Evidence in Discovery
- “Ask the Experts” Q&A Session

Faculty

Michelle M. De Oliveira, Esq., *Kenney & Sams, PC, Southborough*, Chair

Matthew J. Fogelman, Esq., *Fogelman Law LLC, Newton*

Kavita M. Goyal, Esq., *Rosen & Goyal, PC, Andover*

Dates & Location

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LIVE WEBCAST

Tuesday, February 6, 2024
12:00 pm–2:00 pm
Program # 2240028WBC

REBROADCAST

Wednesday, February 21, 2024
9:30 am–11:30 am
Program # 2240028RB1

REBROADCAST

Thursday, February 29, 2024
2:00 pm–4:00 pm
Program # 2240028RB2

ON DEMAND WEBCAST

View after Thursday, February 29, 2024
Program # 2240028WBA

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Employment & Labor Law: MCLE BasicsPlus!®

Statutes, case law and practice pointers

This comprehensive program provides a basic introduction to employment and labor law for the lawyer new or returning to the field. Each day features lectures by experienced practitioners designed to teach you the statutes, case law, and practice pointers, followed by interactive sessions that reinforce your knowledge by giving you hands-on experience. These sessions are organized around the life cycle of typical employment situations and utilize a variety of techniques, including faculty demonstrations, role-playing, small-group discussions, and analysis of hypothetical cases based on typical client situations. You “learn by doing” and get valuable practical experience crafting real-life solutions to common client problems.

Lecture sessions

- Employment Discrimination
- Laws Regarding Leaves
- Other Federal and State Employment Law Statutes and Regulations
- Common Law Claims
- Federal and State Wage and Hour Laws
- National Labor Relations Act
- Ethics Snares and Entanglements for the Employment Lawyer

Interactive sessions: Life cycle of the employment relationship

- Hiring
- Terms of Employment
- Performance Management
- Accommodations; Leaves
- Termination of Employment
- Post-Employment

Faculty

Joshua M. Davis, Esq., *Goulston & Storrs, PC, Boston*, Cochair
Emily J. Miller, Esq., *Seyfarth Shaw LLP, Boston*, Cochair
James S. Weliky, Esq., *Messing, Rudavsky & Weliky, PC, Newton*, Cochair
Damien M. DiGiovanni, Esq., *Morgan, Brown & Joy LLP, Boston*
Christine T. Eskilson, Esq., *Office of the Solicitor, U.S. Department of Labor, Boston*
Lori A. Jodoin, Esq., *Powers, Jodoin, Margolis & Mantell LLP, Boston*
Meryum Z. Khan, Esq., *Deputy Chief, Attorney General’s Office, Fair Labor Division, Commonwealth of Massachusetts*
Elizabeth K. Levine, Esq., *Goulston & Storrs, PC, Boston*
Paige Walker McKissock, Esq., *Segal Roitman LLP, Boston*
Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Newton*



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LIVE WEBCAST

Tuesday, November 14, &
Wednesday, November 15, 2023
9:30 am–4:30 pm
Program # 2240023WBC

REBROADCAST

Wednesday, November 29, &
Thursday, November 30, 2023
9:30 am–4:30 pm
Program # 2240023RB1

REBROADCAST

Thursday, December 7, &
Friday, December 8, 2023
9:30 am–4:30 pm
Program # 2240023RB2

ON DEMAND WEBCAST

View after Friday, December 8, 2023
Program # 2240023WBA

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Materials

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Earn up to 12 CLE credits including up to 1 ethics credit

Exit Interview Checklist & Template

Understand the legal issues and practical considerations governing an employee separation

An employee separation can occur for a variety of reasons and the parties can leave the employment relationship in vastly different frames of minds. Sometimes the separation is a positive experience for both employee and employer; the employee is moving, a project has completed, or the parties have mutually and amicably agreed it was time for a change. Other times, the separation is fraught on both sides, characterized by concern, anxiety, anger, or frustration. For both parties, it can be a sensitive period from a legal perspective. For an employer, an exit interview may be the last opportunity for an employer to gain important information about the employee's experience, any potential claims or problems within its workforce, or, areas for improvement. For an employee, it may be the last opportunity to ask crucial questions about their work performance and separation that may have been more difficult to discuss during the employment relationship. Join us for a comprehensive discussion of best practices for minimizing legal risk and safeguarding legal rights during the exit interview process.

Agenda

- Goals of an Exit Interview
- Strategic Considerations for Whether to Conduct or Attend an Exit Interview
- Topics to Cover in an Exit Interview
- How to Approach an Exit Interview in Which an Employee Is Likely to Raise a Potential Complaint or Plans to File a Complaint
- Exit Interview Checklist/Template
- "Ask the Experts" Q&A Session

Faculty

Alexandra L. Pichette, Esq., *Morgan, Brown & Joy LLP, Boston*
James S. Weliky, Esq., *Messing, Rudavsky & Weliky, PC, Newton*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, September 14, 2023
12:00 pm–1:00 pm
Program # 2240031WBC

REBROADCAST

Friday, September 29, 2023
9:00 am–10:00 am
Program # 2240031RB1

REBROADCAST

Monday, October 9, 2023
3:00 pm–4:00 pm
Program # 2240031RB2

ON DEMAND WEBCAST

View after Monday, October 9, 2023
Program # 2240031WBA

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How to Analyze & Frame an Employment Case

Best practices for both sides

Properly framing an employment case is essential for employees and their counsel who wish to protect the employee's rights and interests during or after the employee-employer relationship. This requires an understanding of, among other things, the essential elements of the underlying claims, the evidence needed to support each claim, the applicable burden of proof at each stage of the case, and the applicable statute of limitations.

For employers and their counsel defending against an employment case, it is equally important to understand how to analyze the case and frame their defenses to avoid, or limit, potential liability. To defend against employment cases, employers should first maintain and regularly review their employment policies to ensure that their businesses practices are legally compliant. If confronted with an employment claim, employers must then be prepared to analyze and support, with documentation or credible evidence, the business decisions at issue. In the context of a discrimination claim, this entails proffering evidence that the employer had a legitimate business reason for the adverse employment action at issue and that the decision was not driven by discriminatory animus.

Join us online for a comprehensive, dynamic discussion of the most common types of employment cases and claims—and best practices when framing and analyzing them.

Agenda

- Most Common Types of Employment Cases
 - Discrimination
 - Retaliation
 - Constructive discharge
 - Wage and hour disputes
 - Breach of contract
- Statute of Limitations
- Burden of Proof
- Damages
- Defenses
- Developing Supporting Evidence in Discovery
- “Ask the Experts” Q&A Session

Faculty

Michelle M. De Oliveira, Esq., *Kenney & Sams, PC, Southborough*, Chair
Gavriela M. Bogin-Farber, Esq., *Segal Roitman LLP, Boston*
Christopher S. Feudo, Esq., *Foley Hoag LLP, Boston*



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LIVE WEBCAST

Wednesday, October 4, 2023
2:00 pm–5:00 pm
Program # 2240029WBC

REBROADCAST

Thursday, October 19, 2023
1:00 pm–4:00 pm
Program # 2240029RB1

REBROADCAST

Friday, October 27, 2023
9:00 am–12:00 pm
Program # 2240029RB2

ON DEMAND WEBCAST

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Program # 2240029WBA

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Materials

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Navigating Employment Law Ethics

How to avoid ethical traps and pitfalls in your employment case

The practice of employment law can present challenges to even the most conscientious practitioner. When is it proper and when is it a problem to represent two employee-plaintiffs together in a lawsuit? And when can and can't you represent an employer-defendant along with a manager who has also been sued? If you represent plaintiffs, what do you do when your prospective client walks into your office explaining she's downloaded lots of company documents onto a thumb drive? If you represent defendants, what do you do when you learn that an employee did that? Can a plaintiff's lawyer interview witnesses who currently work for the employer? If so, which ones? Can the employer's attorney tell these witnesses not to talk to the plaintiff's attorney? What information can be withheld by both lawyers, if any, during settlement negotiations?

Join our experts as we examine the best ways to avoid ethical lapses while vigorously representing your employer and employee clients, the judgment calls you'll need to make alongside the principles that should guide you in making them, as well as what issues the courts and bar authorities consider in evaluating your conduct. Hear the faculty present these issues in the lively format of hypotheticals reflecting real-life dilemmas faced by practitioners representing both employers and employees.

Agenda

- Questions You Should Ask Before Deciding You Can Ethically Represent Co-Plaintiffs or Co-Defendants
- Steps Defense Lawyers Should Take and Avoid Taking if an Employee Has Taken Company Documents
- Preliminary Questions a Plaintiff's Lawyer Should Ask a Witness Before Questioning Them—if the Witness Is a Current Employee of the Defendant
- What Happens if You Learn a Key Piece of Information That Hurts Your Case, Which Your Adversary Doesn't Know—in the Middle of Settlement Negotiations?
- "Ask the Experts" Q&A Session

Faculty

Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Newton*, Chair
Paul G. Lannon, Jr., Esq., *Holland & Knight LLP, Boston*

Dates & Location

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LIVE WEBCAST

Tuesday, October 3, 2023
3:00 pm–4:00 pm
Program # 2240126WBC

REBROADCAST

Wednesday, October 18, 2023
9:00 am–10:00 am
Program # 2240126RB1

REBROADCAST

Thursday, October 26, 2023
12:00 noon–1:00 pm
Program # 2240126RB2

ON DEMAND WEBCAST

View after Thursday, October 26, 2023
Program # 2240126WBA

Tuition *(includes written materials)*

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Proving Employment Discrimination & Retaliation: Issue-Spotting & Tracking Evidence

Learn how to identify and gather circumstantial evidence, and devise strategies of proof or defense

Direct evidence of discrimination or retaliation in employment cases is relatively rare in the modern workplace. Consequently, employment law practitioners must understand how to prove their cases through circumstantial evidence—which includes evidence that an employer’s purported business reasons for an adverse employment action was not justified or valid, and therefore raises an inference of discriminatory or retaliatory animus.

Hear from both plaintiff-side and management-side counsel about the key aspects of discrimination and retaliation law under Title VII and G.L. c. 151B and types of pretext evidence to be on the lookout for. The faculty teach you strategies to approach proving your claims or defenses—both at the agency level at the Massachusetts Commission Against Discrimination (MCAD) and the U.S. Equal Employment Opportunity Commission (EEOC), and in court. You also learn how to preserve, collect, and organize evidence of discrimination—particularly electronic evidence, at all stages of a case.

Agenda

- Elements of Discrimination and Retaliation Law Under State and Federal Law
- Various Types of Pretext Evidence That Raise an Inference of Discriminatory or Retaliatory Animus
- Issue-Spotting Tips from Plaintiff and Management Counsel’s Perspectives
- Approaches to Proof of Claims and Defenses at the Agency Level v. Court
- Collecting Evidence at the Earliest Stages of Cases, Including Electronic Communications, Social Media, Personnel Records, and Witness Statements
- Keeping Track of Witnesses, Including Former Employees
- Guidance on Preservation Requests and Litigation Holds
- Best Practices for Organizing Evidence for Use in Discovery, Summary Judgment, and Trial
- “Ask the Experts” Q&A Session

Faculty

Catherine M. Scott, Esq., *Morgan, Brown & Joy LLP, Boston*

Monica R. Shah, Esq., *Zalkind, Duncan & Bernstein LLP, Boston*



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Dates & Location

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LIVE WEBCAST

Thursday, November 16, 2023
12:00 pm–2:00 pm
Program # 2230025WBC

REBROADCAST

Friday, December 1, 2023
9:00 am–11:00 am
Program # 2230025RB1

REBROADCAST

Monday, December 11, 2023
2:00 pm–4:00 pm
Program # 2230025RB2

ON DEMAND WEBCAST

View after Monday, December 11, 2023
Program # 2230025WBA

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Materials

Employment Discrimination in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

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Types of Employment Discrimination Cases

Understand what elements need to be met in order to prove an employment discrimination claim in Massachusetts

Learn the ins and outs of discrimination based on age, gender, pregnancy, race, color, ethnicity, national origin, disability, religion, gender identity, genetic information, veteran status, pregnancy, condition related to pregnancy such as lactation/need to express breast milk, and sexual orientation, as well as sexual harassment and same-sex sexual harassment. The panelists explain how to identify and gather circumstantial evidence, devise strategies of proof or defense, and meet or attack the *prima facie* case for purposes of summary judgment. The speakers also discuss the employer's burden to articulate a legitimate business reason for their actions and analyze pretext as well as retaliation claims. Hear the speakers cover the fundamentals of each topic and provide tips and best practices.

The topics are presented through the vantage points of both employee-side and management-side counsel. Hear the panelists discuss the areas of employment discrimination where claims are increasing and share practical pointers on how to advance your client's interests.

Agenda

- Employment Discrimination Law Overview: Disparate Treatment, Hostile Work Environment, and More!
- Protected Classes in Massachusetts
- The Qualification Prong of the Prima Facie Case
- What Constitutes an Adverse Employment Action
- Raising the Inference of Discrimination
- Layoffs, Terminations, Failure to Hire, and Failure to Promote Claims
- Special Considerations in Age Discrimination Cases
- Failure To Accommodate, Disability, Perceived Disability, and Associational Disability Claims
- Sexual Harassment and Hostile Work Environment Claims
- Summary Judgment and the Prima Facie Case
- The Employer's Burden to Articulate a Legitimate Business Reason for Their Actions
- Pretext
- Retaliation Claims
- "Ask the Experts" Q&A Session

Faculty

Lori A. Jodoin, Esq., *Kotin, Crabtree & Strong LLP, Boston*, Chair
Nafisa M. Bohra, Esq., *Bennett & Belfort, PC, Cambridge*
Michelle M. De Oliveira, Esq., *Kenney & Sams, PC, Southborough*
Matthew J. Fogelman, Esq., *Fogelman Law LLC, Newton*



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Dates & Location

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LIVE WEBCAST

Thursday, September 21, 2023
9:30 am–12:30 pm
Program # 2240030WBC

REBROADCAST

Friday, October 6, 2023
9:00 am–12:00 pm
Program # 2240030RB1

REBROADCAST

Monday, October 16, 2023
2:00 pm–5:00 pm
Program # 2240030RB2

ON DEMAND WEBCAST

View after Monday, October 16, 2023
Program # 2240030WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Employment Law ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

Ways to Toll the Statute of Limitations in Employment Cases

Strategies and defenses concerning tolling, the continuing violation doctrine, and relation-back pleading

When bringing or defending a cause of action, one important question practitioners must ask themselves is “Is this claim time-barred?” This panel discussion addresses statute of limitations issues with respect to employment claims brought under G.L. c. 151B and various federal anti-discrimination statutes at the Massachusetts Commission Against Discrimination (MCAD), Equal Employment Opportunity Commission (EEOC) and in state and federal court, as well as related issues. The speakers share their experiences litigating employment cases with complicated statute of limitations issues and provide valuable insight and tips on strategies and defenses concerning tolling, the continuing violation doctrine, and relation-back pleading, among others.

Agenda

- Tolling the Statute of Limitations in Employment Cases and Other Procedural Issues That Can Derail an Employment Case
- The Continuing Violation Doctrine in the Context of Claims Under Chapter 151B – Including tips for avoiding common mistakes when asserting a continuing violation theory
- Effect of Filing a Union Grievance on the Statute of Limitations for Filing Claims Under Chapter 151B
- Equitable Tolling; Formal Tolling Agreements; and MCAD Regulations on Tolling Claims Under Chapter 151B
- The Relation-Back Standard for Purposes of Amending Charges of Discrimination
- “Ask the Experts” Q&A Session

Faculty

Beth R. Myers, Esq., *Burns & Levinson LLP, Boston*, Chair
Sophia L. Hall, Esq., *Deputy Litigation Director, Lawyers for Civil Rights, Boston*
Mario D. Nimock, Esq., *Morgan, Brown & Joy LLP, Boston*
Chetan Tiwari, Esq., *Tiwari Law, W. Roxbury*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 26, 2023
2:00 pm–4:00 pm
Program # 2240027WBC

REBROADCAST

Wednesday, November 15, 2023
9:00 am–11:00 am
Program # 2240027RB1

REBROADCAST

Monday, November 20, 2023
12:00 pm–2:00 pm
Program # 2240027RB2

ON DEMAND WEBCAST

View after Monday, November 20, 2023
Program # 2240027WBA

Tuition *(includes written materials)*

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Drafting Successful Medicaid Trusts

Expert advice on withstanding MassHealth scrutiny

Creating an effective Medicaid trust requires not only a deep understanding of trust law, but also of estate and tax planning. You must know how to draft trust terms that will get approved—not always easy when it seems unclear what the state will—and will not—allow. Using the right language and key terms is vital—and more challenging than ever.

This program provides analysis of recent and current Medicaid trust cases both at the fair hearing stage and Superior Court cases through the SJC. The faculty include a complete review of the SJC's decision in *Fournier v. Sudders*. Explore the current arguments the state is making, which includes attacks on the limited power of appointment to charities or children, the argument that nominee realty trusts are revocable, the power to loan money to the donor, the power to buy life insurance, and several others. Review the *Hirvi* Settlement, the new 130 CMR § 610.00 regulations, and the MassHealth Eligibility Operations Memo 20-04. Learn about the grantor powers that are safest to use and which ones are being challenged by the state. Hear a discussion of the income tax benefits of making the trust a grantor trust and the importance of keeping the § 121 capital gains exclusion.

Learn what paragraphs should and should not be in these irrevocable trusts, as well as how to draft around current challenges and make arguments to distinguish your trust from the *Cohen*, *Doherty*, and most recent *Braiterman* cases that MassHealth uses to attack Medicaid trusts. Explore the step-up basis rules and the estate and gift tax rules related to drafting these trusts along with the tax implications of using life estates. Learn how to draft a QTIP share and remainder share into these trusts to obtain estate tax reduction and nursing home protection at the same time. Finally, learn how naming the estate the beneficiary of your IRA coupled with a testamentary trust can offer significant estate tax savings and nursing home protection without a negative income tax hit on the required minimum distributions.

Agenda

- How to Draft and Use Medicaid Income Only Trusts in Your Practice
- How to Make a Medicaid Trust into a Grantor Trust and Related Income Tax Benefits; When and Why It Could Make Sense to Not Make the Trust a Grantor Trust; Life Estates and How to Use Them with Medicaid Trusts in Light of *Daley*
- Medicaid Trusts: Income, Estate, and Gift Tax Planning
- Drafting Bypass Trusts and Marital Shares in Medicaid Trusts to Accomplish Estate Tax Savings at the Same Time
- Current Fair Hearing Decisions, Superior Court Cases, and SJC Decisions, Especially the *Fournier* Case, Dealing with These Trusts and Related Arguments Being Made
- Understanding How Testamentary Trusts and Naming the Estate as a Designated Beneficiary on IRAs Can Offer Both Tax and Nursing Home Protection Benefits

Faculty

Lisa M. Neeley, Esq., *Rubin and Rudman LLP, Boston*, Chair; Karen B. Johnson, Esq., *Madge & Johnson, PC, Westford*; Todd E. Lutsky, Esq., LL.M., *Cushing & Dolan, PC, Waltham*; Angelina Pargoff Stafford, Esq., *Doherty, Wallace, Pillsbury & Murphy, PC, Springfield*



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Dates & Location

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LIVE WEBCAST

Tuesday, December 12, 2023
2:00 pm–5:00 pm
Program # 2240057WBC

REBROADCAST

Thursday, December 28, 2023
10:00 am–1:00 pm
Program # 2240057RB1

REBROADCAST

Friday, January 5, 2024
9:00 am–12:00 pm
Program # 2240057RB2

ON DEMAND WEBCAST

View after Friday, January 5, 2024
Program # 2240057WBA

Tuition *(includes written materials)*

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Materials

- E-materials link emailed upon registration
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CLE Credits

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Estate Planning: MCLE BasicsPlus!®

Learn the law and acquire skills to be successful

Estate Planning: MCLE BasicsPlus! gives practitioners a solid foundation in the skill set and tools necessary to establish a successful estate planning practice. The program focuses on practical application of the law involved in planning for a modest estate, although it also introduces concerns that arise in larger or more complex estates. You get advice on how to prepare wills, trusts, health care proxies, and powers of attorney based on your client's financial situation. You gain tips on how to conduct client meetings and how to navigate common ethical issues in estate planning. You also get an introduction to a variety of issues that are essential for an estate planner, including transfer tax and elder law issues. You leave this program with a solid grounding in estate planning and the ability to jump-start your practice.

Agenda

- Fundamentals of Estate Planning
- Initial Steps with Clients, Including Engagement Letters and Information Gathering
- Fundamentals of Trusts
- Income and Transfer Taxes Issues
- Marital Deduction Planning
- Planning for Retirement Benefits
- Ethical Issues in Estate Planning
- Elder Law Issue Spotting, Medicaid Planning, and Care Manager's Perspective
- Post-Mortem Planning
- "Ask the Experts" Q&A Session

Faculty

Aimee Fukuchi Bryant, Esq., *Fiduciary Trust Company, Boston*, Cochair
Nikki Marie Sherwood, Esq., *Nutter McClennen & Fish LLP, Boston*, Cochair
Paul Cathcart, Jr., Esq., *Hemenway & Barnes LLP, Boston*
Heather B. Cheney, Esq., *BNY Mellon Wealth Management, Boston*
Jessica A. Demmerly, Esq., *Rubin and Rudman LLP, Boston*
Vaishali Goyal, Esq., *Goulston & Storrs, PC, Boston*
Sarah F. Hartline, Esq., *Margolis Bloom & D'Agostino LLP, Wellesley Hills*
Kristin M. Kelley, CPA, MST, *KLR, Private Client Services Group, Waltham*
Jennifer M. Lo, Esq., *Seegel Lipshutz Lo & Martin LLP, Wellesley Hills*
Laurel M. Millette, Esq., *Transitions Law LLC, Concord*
Kristin A. Monaco, Esq., *Nigro, Pettepit & Lucas LLP, Newburyport*
Anna L. Pollard, LICSW, C-ASWCM, *Director of Clinical Services/Life Care Manager, LifeCare Advocates, Newton Center*
John H. Ramsey, Esq., *Goulston & Storrs, PC, Boston*
Michael J. Rossi, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*
Jennifer D. Taddeo, Esq., *Estatewise Advisory, Franklin*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, December 14, &
Friday, December 15, 2023
9:30 am–4:30 pm
Program # 2240060WBC

REBROADCAST

Tuesday, January 2, &
Wednesday, January 3, 2024
9:30 am–4:30 pm
Program # 2240060RB1

REBROADCAST

Wednesday, January 10, &
Thursday, January 11, 2024
9:30 am–4:30 pm
Program # 2240060RB2

ON DEMAND WEBCAST

View after Thursday, January 11, 2024
Program # 2240060WBA

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Materials

A Practical Guide to Estate Planning in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 12 CLE credits including up to 1 ethics credit



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Guardianship & Conservatorship: MCLE BasicsPlus!®

A thorough overview of this complex, ever-changing area of law

Understanding the precise details of guardianship and conservatorship law is extremely important to estate planners, elder law lawyers, and other professionals in this area. Knowing the basics, however, can be a challenge in this evolving field for both new and experienced guardianship and conservatorship practitioners. Additionally, the subtleties of dealing with individuals who may lack capacity remain as complex as ever. The major changes to applicable laws as well as newer reforms and additions keep occurring and lawyers need to know the rules and how they impact their practice.

At this program, expert practitioners and other professionals provide an in-depth overview of guardianship and conservatorship law. They explain the basics, so you understand the laws and their practical implications. You leave with a command of guardianship and conservatorship law so you can confidently advise your clients from the beginning to the end of the process.

Agenda

- Clinical and Legal Standards for Determination of Capacity
- Appointment of Temporary and Permanent Guardians and Conservators
- Expanding the Powers of a Conservator and Guardian
- Contested Guardianships, Including Appointment and Removal, Residential Placement, Visitation Issues, and Substituted Judgement Health Care Decisions
- Contested Conservatorships, Including Appointment and Removal, Accounts, and Termination of Conservatorship
- Post-Appointment Issues and Duties, Including Termination of Health Care Proxies, Placement in a Nursing Facility, *Rogers* Petitions, and Contested Matters
- Use of Rule 35 Examinations
- Medical Treatment Decisions
- Jurisdiction: Review of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA)
- E-filing in the Probate and Family Court
- Probate Practice Since the Pandemic
- “Ask the Experts” Q&A Session

Faculty

Melissa A. Howitt, Esq., *Doherty, Dugan, Cannon, Raymond & Weil, PC, Franklin*, Chair

Marlee S.F. Cowan, Esq., *Rubin and Rudman LLP, Boston*

Dr. Elizabeth H. Nasser, PhD, *Centers for Aging and Memory, Northborough*

James M. O’Sullivan, Esq., *O’Sullivan & Connolly, PC, Norwell*

Seth J. Urbanoski, Esq., *Hachey Urbanoski LLC, Boston*



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Dates & Location

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LIVE WEBCAST

Thursday, November 2, 2023
9:30 am–4:30 pm
Program # 2240058WBC

REBROADCAST

Friday, November 17, 2023
9:30 am–4:30 pm
Program # 2240058RB1

REBROADCAST

Monday, November 27, 2023
9:30 am–4:30 pm
Program # 2240058RB2

ON DEMAND WEBCAST

View after Monday, November 27, 2023
Program # 2240058WBA

Tuition *(includes written materials)*

- \$245
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Guardianship and Conservatorship Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 6 CLE credits including up to 0.5 ethics credit

How to Deploy Purpose Trusts in Business Succession & Protecting Family Vacation Homes

Using trusts in business succession and for protection of family property

In estate planning, some of the most complex assets to deal with are family property and businesses. Clients with these assets often have specific, detailed, and complex wishes with respect to the future of such assets after they have passed. This seminar analyzes the key considerations when handling such assets in the estate planning process and explains how implementing trusts of various forms can be helpful, or even necessary, to meet a client's goals.

Agenda

- Review of Major Considerations in Transferring Family Property and Businesses
- Issues in Lifetime Gifting of Property and Business Interests
- Disposition of Interests at Death—Dealing with the Details
- Typical Trust Structures and Provisions Implemented
- Disputes That Arise with Trust Ownership of Family Property and Businesses
- “Ask the Experts” Q&A Session

Faculty

Luke C. Bean, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick*, Chair
John W. Donahue, Esq., *Wilchins Cosentino & Novins LLP, Wellesley*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, January 23, 2024
9:00 am–12:00 pm
Program # 2240065WBC

REBROADCAST

Wednesday, February 7, 2024
9:30 am–12:30 pm
Program # 2240065RB1

REBROADCAST

Thursday, February 15, 2024
1:00 pm–4:00 pm
Program # 2240065RB2

ON DEMAND WEBCAST

View after Thursday, February 15, 2024
Program # 2240065WBA

Tuition *(includes written materials)*

- \$245
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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Income Taxation of Estates & Trusts: MCLE BasicsPlus!®

A comprehensive guide to income taxation of simple and complex trusts

This two-day course provides a complete and essential framework on tax considerations when drafting trusts. Experienced panelists focus on the sections of the Internal Revenue Code and regulations therein which deal with the taxation of trusts and guide you through different types of trusts, trustee powers, computation of income, and basic taxation. This course provides the attorney who has recently decided to concentrate practice in probate and estate planning with a formidable foundation in income taxation of trusts. You emerge with definitive knowledge of income taxation trusts and the tools to effectively counsel your clients.

Agenda

- Federal Income Taxation of Simple and Complex Trusts
- Computation of Net Taxable Income and Credits by Trusts, Estates, or Beneficiaries
- Massachusetts Income Taxation of Estate Trusts
- Foreign Trusts, Trusts for S-Corporation Stock, and Special Trusts
- Powers of Appointment, Powers of Withdrawal, and Trustee Powers
- Grantor Trusts

Faculty

Kenneth P. Brier, Esq., *Brier, Marandett & Rossetti LLP, Needham, Chair*

Luke C. Bean, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick*

Kevin M. Ellis, Esq., *Hemenway & Barnes LLP, Boston*

Jennifer Z. Flanagan, Esq., *Vacovec, Mayotte & Singer LLP, Newton*

Eric P. Hayes, Esq., *Goodwin Procter LLP, Boston*

Anne Katsas, Esq., *Vice President & Trust Counsel, Fiduciary Trust Company, Boston*

Ruth A. Mattson, Esq., *Verrill Dana LLP, Boston*

Patricia Schatzlein Smock, Esq., *Vice President & Trust Counsel, Fiduciary Trust Company, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 15, &
Thursday, November 16, 2023
9:30 am–4:30 pm
Program # 2240056WBC

REBROADCAST

Monday, December 4, &
Tuesday, December 5, 2023
9:30 am–4:30 pm
Program # 2240056RB1

REBROADCAST

Tuesday, December 12, &
Wednesday, December 13, 2023
9:30 am–4:30 pm
Program # 2240056RB2

ON DEMAND WEBCAST

View after Wednesday, December 13, 2023
Program # 2240056WBA

Tuition *(includes written materials)*

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Materials

Preparing Fiduciary Income, Gift, and Estate Tax Returns ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 12 CLE credits



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Inheritance, Trusts & Divorce

Examining their complex relationship

The interplay between inheritance, trusts, and divorce raises a series of issues every estate planning and family law attorney must be prepared to address. What steps should estate planning attorneys take to protect assets prior to or in anticipation of divorce? What is the procedure for courts to value a trust interest for purposes of equitable distribution and/or support payments? What are the recent legal decisions that influence practices related to inheritance, trusts interests, or divorce? Attend this online program to hear expert faculty answer these questions and others that arise when these topics collide.

Agenda

- Trust Nuts and Bolts
- Decanting Basics
- Trust Interests and Marital Property
- Inheritance and Expectancy Interests
- Trustee Administration and Practical Considerations
- Prenuptial and Postnuptial Agreements
- View from the Bench
- “Ask the Experts” Q&A Session

Faculty

Jillian B. Hirsch, Esq., *Hirsch Law LLC, Newton*, Cochair

Amiel Z. Weinstock, Esq., *AZW Law, PC, Brookline*, Cochair

Jonathan E. Fields, Esq., *Fields and Dennis LLP, Wellesley*

Hon. George F. Phelan, *Recall Judge, Probate and Family Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 11, 2023

2:00 pm–5:00 pm

Program # 2240059WBC

REBROADCAST

Thursday, October 26, 2023

1:00 pm–4:00 pm

Program # 2240059RB1

REBROADCAST

Friday, November 3, 2023

9:00 am–12:00 pm

Program # 2240059RB2

ON DEMAND WEBCAST

View after Friday, November 3, 2023

Program # 2240059WBA

Tuition *(includes written materials)*

- \$245
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Latest Techniques for Middle-Class Estates

Go beyond the simple estate plan to tailor the approach to your client's situation

Many estate planners find middle-class estates to be challenging. The category often encompasses a broad and disparate range of individuals, including young families with children, younger individuals with emerging wealth, recent empty-nesters, and elderly individuals concerned about long-term care. Each of these groups requires a different approach to estate planning. This program focuses on identifying the specific needs of the most common categories of middle-class estates and details the key estate planning strategies that best serve those needs.

Learn how to skillfully craft an estate plan tailored to your client's individual situation, while utilizing the latest in tax minimization and asset protection strategies. You also get an in-depth look at how to add value and form a relationship with your clients that transcends the "one-off" nature of common approaches to middle-class estate planning. You emerge with expert tools and a deep understanding of the key issues facing your clients.

Agenda

- Thinking Beyond the Basic Estate Plan: Why the Foundation Is Important and Why You Should Not Stop There
- Estate Planning Strategies for Young Families and Individuals with Emerging Wealth
- Tax Minimization Techniques: Planning for the Massachusetts Estate Tax, Working with Portability, and Utilizing the Generation-Skipping Transfer Tax Exemption
- Retirement Assets: How to Ensure Tax Efficiency and Asset Protection in the Estate Plan
- Planning with Life Insurance and Long-Term Care Asset Protection Planning
- Working with the Elderly Client and Protecting Assets from the Cost of Long-Term Care
- Recent Updates in Asset Protection Planning for Massachusetts Trusts and Massachusetts Taxation of Out-of-State Property
- Adding Value and Forming Ongoing Relationships with Clients
- "Ask the Experts" Q&A Session

Faculty

Leo J. Cushing, Esq., *Cushing & Dolan, PC, Waltham, Chair*

Luke C. Bean, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick*

Lisa M. Neeley, Esq., *Rubin and Rudman LLP, Boston*



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LIVE WEBCAST

Wednesday, February 7, 2024
1:00 pm–5:00 pm
Program # 2240127WBC

REBROADCAST

Thursday, February 29, 2024
12:00 pm–4:00 pm
Program # 2240127RB1

REBROADCAST

Friday, March 8, 2024
9:00 am–1:00 pm
Program # 2240127RB2

ON DEMAND WEBCAST

View after Friday, March 8, 2024
Program # 2240127WBA

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Materials

Drafting Estate Plans ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 4 CLE credits

Merging Mirroring Spousal Trusts When Both Spouses Are Deceased

Issues and considerations in merging trusts

It is quite common for spouses to do estate planning together, especially in first marriages. Often their revocable estate planning trusts are mirror images of each other because the spouses want to provide for their children in the same way. Once both parents die, the children are often left with multiple trusts that can be onerous to administer. Wouldn't it be easier if the trusts could be collapsed into a single trust? What if instead of managing two or more trusts for each beneficiary, there is only one?

In this presentation we discuss the issues and considerations that planners need to identify and consider when presented with mirroring spousal trusts.

Agenda

- Can the Trusts Be Merged?
- Statutory Requirements for Merging Trusts
- Pros and Cons of Merging the Trusts
- Tax Implications of Merging the Trusts
- What If the Terms of the Trust Are Ideal for Merger, But the Trusts Have Different Governing Laws or Different Trustees?
- Things the Trustee Needs to Consider

Faculty

Molly R. Soiffer, Esq., *Bove & Langa, PC, Boston*, Chair
Nikki Marie Sherwood, Esq., *Nutter McClennen & Fish LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, January 24, 2024
9:00 am–11:00 am
Program # 2240068WBC

REBROADCAST

Thursday, February 8, 2024
12:00 pm–2:00 pm
Program # 2240068RB1

REBROADCAST

Friday, February 16, 2024
9:00 am–11:00 am
Program # 2240068RB2

ON DEMAND WEBCAST

View after Friday, February 16, 2024
Program # 2240068WBA

Tuition *(includes written materials)*

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MUPC & MUTC Update 2024

Practical guidance through new and evolving laws

An essential analysis and in-depth attention to the many details of the Massachusetts Uniform Probate Code (MUPC) and Massachusetts Uniform Trust Code (MUTC) and their practical applications is vital for probate and trust lawyers. If you don't know the latest changes in the law, forms, and procedures, you—and your clients—are missing out. To update yourself on MUPC and MUTC points of procedure and practice tips, you need to hear from key players inside the Probate and Family Court and from seasoned probate and trust practitioners.

In this program, expert faculty provide you with the latest on the MUPC and MUTC, including insights into the pragmatic aspects you need to know and helpful tips to make your day-to-day practice more efficient. You get a no-nonsense distillation and clarification of the most confusing aspects of the MUPC and the MUTC, as well as applied solutions to both the most common and most unusual issues that arise.

The new laws keep evolving—are you informed?

Agenda

- How to Open an Estate
- E-Filing and the “FLS”
- Administering the Estate
- Real Estate Issues
- How to Close an Estate
- Guardian ad Litem Issues
- Court Related Issues Under the MUTC
- Key Takeaways and Conclusion

Faculty

Evelyn J. Patsos, Esq., *Deputy Legal Counsel, Probate and Family Court, Commonwealth of Massachusetts*, Cochair

Hon. Lisa A. Roberts (Ret.), *Probate and Family Court, Commonwealth of Massachusetts*, Cochair
Matthew Abraham, *Senior Program Manager, Probate and Family Court, Commonwealth of Massachusetts*

Tara E. DeCristofaro, Esq., *Register, Middlesex Probate and Family Court, Commonwealth of Massachusetts*

Thomas P. Jalkut, Esq., *Nutter McClennen & Fish LLP, Boston*

Jennifer A. Maggiamo, Esq., *MUPC Magistrate/AJCM, Norfolk County Probate and Family Court, Commonwealth of Massachusetts*

Heather Reid, Esq., *Squillace & Associates, PC, Boston*

Jeffrey W. Roberts, Esq., *Nutter McClennen & Fish LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, February 2, 2024
9:30 am–4:30 pm
Program # 2240055WBC

REBROADCAST

Monday, February 26, 2024
9:30 am–4:30 pm
Program # 2240055RB1

REBROADCAST

Tuesday, March 5, 2024
9:30 am–4:30 pm
Program # 2240055RB2

ON DEMAND WEBCAST

View after Tuesday, March 5, 2024
Program Number: 2240055WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Probate Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Practice Management Toolkit for Estate Planners: Briefings & eBook Bundle

9 webcast programs + 1 value-added eBook = enhanced practice

Do you wish you could make your estate planning practice more efficient and rewarding? This curated bundle of 13 hours of fast-paced webcast programming paired with MCLE's flagship employment law e-publication sets you on the path to do that.

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- **What All Law Firm Managers Need to Know About Employment Law:** External legal forces informing internal policy; Hiring; Pay equity; Wage and hour considerations; Performance management; Work-from-home implications; Leaves of absence; Massachusetts earned sick time; Reasonable accommodations
- **Protecting Client & Firm Data in the Era of Pervasive Information Piracy:** How security requirements are changing for law firms and implications for securing clients' information; Multi-layered approach to cyber security; How cyber security fits into a firm's risk profile; Managing other data risks
- **Guarding Your Practice & Clients Against Ransomware Attacks:** Threat landscapes; Why law offices are targets and ransomware is so effective; Risk assessment report and management; Safeguards against ransomware; Policies; Training; Cyber liability and cybercrime insurance; First 24–48 hours post-attack
- **Cybersecurity Insurance:** Scope of different cybersecurity insurance policies; Typical exclusions; Effective measures for mitigating cybersecurity risk profiles
- **Outsourcing Administrative Aspects of Your Small Firm Practice:** Determining if outsourcing is a good idea for your practice; Tasks that can be outsourced; Ethical considerations; How to pick an agency that works for you
- **Operating a Remote Law Practice with Ease & Efficiency:** Automate client intake; Technology for positive client experiences in a decentralized firm; Cost-effective collaboration tools; Cybersecurity best practices; Electronic payment
- **How to Grow Your Practice Through Referrals:** Referral marketing; Networking in the community and professionally; 'Elevator pitches'; Referral groups; Asking for referrals; Creating and nurturing referral relationships
- **How to Listen for Estate Planners:** Active listening techniques; Interpreting client body language and nonverbal cues; Being aware of negative body language you may be giving off to clients; How personality type can impact listening
- **Finding & Building Meaning in Your Law Practice:** There is no peace of mind without sufficient revenue; Organize your space and project manage your work; Visible leadership matters; Changing the way we work: Fusing remote work with being in the office; Technology tension; Physical and mental well-being

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- Practical Insight You Can Trust



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Dates & Location

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REBROADCAST

Wednesday, October 18, 2023
9:00 am–4:00 pm
Thursday, October 19, 2023
9:00 am–3:00 pm
Program # 2240069RB1

REBROADCAST

Tuesday, November 7, 2023
9:00 am–4:00 pm
Wednesday, November 8, 2023
9:00 am–3:00 pm
Program # 2240069RB2

REBROADCAST

Monday, December 4, 2023
9:00 am–4:00 pm
Tuesday, December 5, 2023
9:00 am–3:00 pm
Program # 2240069RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
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Materials

Massachusetts Employment Law ebook, plus speaker materials

- E-materials link, transcripts & recordings emailed upon registration

CLE Credits

Earn up to 13 CLE credits

Pursuing & Defending Against Torts Associated with Estate Planning

Types of tort claims that can arise from estate planning and practical insight on bringing and resolving those claims

Although most trusts and estates practitioners are familiar with will contests and other forms of probate litigation, various tort claims arising from estate planning present unique opportunities and challenges. In this new seminar, experienced faculty discuss the types of tort claims that can arise from estate planning and share practical guidance relating to bringing and defending against those claims. The program highlights claims for intentional interference with expected inheritance, malpractice actions, and navigating the attorney-client privilege in tort cases relating to estate planning.

Agenda

- Overview of Tort Claims Associated with Estate Planning, Including:
 - Intentional interference with expected inheritance
 - Conversion
 - Aiding and abetting liability
- Duties Owed by Estate Planning Counsel
- Malpractice Actions Arising from Estate Planning
- Attorney-Client Privilege in Tort Actions Arising from Estate Planning
- Duties of Estate Planning Counsel with Respect to Attorney-Client Privilege
- “Ask the Experts” Q&A Session

Faculty

Ryan P. McManus, Esq., *Hemenway & Barnes LLP, Boston*, Chair

A. Hether Cahill, Esq., *Day Pitney LLP, Boston*

Jillian B. Hirsch, Esq., *Hirsch Law LLC, Newton*

Jessica Gray Kelly, Esq., *Freeman, Mathis & Gary LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, February 5, 2024
9:00 am–12:00 pm
Program # 2240064WBC

REBROADCAST

Tuesday, February 20, 2024
11:00 am–2:00 pm
Program # 2240064RB1

REBROADCAST

Wednesday, February 28, 2024
9:30 am–12:30 pm
Program # 2240064RB2

ON DEMAND WEBCAST

View after Wednesday, February 28, 2024
Program # 2240064WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
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- **FREE** for MCLE OnlinePass Subscribers

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Materials

Fiduciary Litigation in the Probate Court ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Real Estate Primer for Estate Planners

What estate planners need to know about real estate ownership and transfers

Real estate issues frequently arise in connection with estate planning. Our panel of experts discuss the basics of real estate ownership and transfers that every estate planner should know. Topics include the various tenancies and forms of property ownership, transfers of real estate during life and after an owner's death (including the court probate process), and considerations when dealing with and transferring real estate held in trust. In addition, the panel discusses potential disputes and litigation issues in the areas relevant to estate planners.

Agenda

- Basics of Property Ownership and Tenancies
- Real Estate Ownership and Transfers of Property in Trust
- Transfers of Real Property Before and After Death
- Disputes That Arise in Real Estate Ownership and Transfers
- "Ask the Experts" Q&A Session

Faculty

Luke C. Bean, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick, Cochair*

Donna A. Mizrahi, Esq., *Hemenway & Barnes LLP, Boston, Cochair*

Steven L. Mangold, Esq., *Hemenway & Barnes LLP, Boston*

Evelyn J. Patsos, Esq., *Deputy Legal Counsel, Probate and Family Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, November 7, 2023

9:00 am–1:00 pm

Program # 2240062WBC

REBROADCAST

Wednesday, November 22, 2023

9:00 am–1:00 pm

Program # 2240062RB1

REBROADCAST

Thursday, November 30, 2023

12:00 pm–4:00 pm

Program # 2240062RB2

ON DEMAND WEBCAST

View after Thursday, November 30, 2023

Program # 2240062WBA

Tuition *(includes written materials)*

- \$245
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Materials

Real Estate Title Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Recent Estate Planning & Probate Caselaw Update 2024

Review of important and interesting cases and tax updates from 2023

Designed to benefit both new and experienced trusts and estates practitioners, our panel provides you with an in-depth review of a variety of topics that emerged in 2023. This new two-hour webcast highlights the most significant developments from the past year, with a focus on federal, state, and tax court cases. In addition, you learn about important IRS guidance and proposed regulations with an eye towards providing the best, most up-to-date advice for your clients.

Your time is valuable—get the essential updates online on your schedule at MCLE.

Agenda

- Key 2023 Cases
- 2023 Tax Updates: IRS Guidance and Regulations
- “Ask the Experts” Q&A Session

Faculty

Heidi A Seely, Esq., *Day Pitney LLP, Boston*, Chair

Joshua R. Caswell, Esq., *Choate, Hall & Stewart LLP, Boston*

Maggie R. Lopez, Esq., *Arent Fox Schiff LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, January 25, 2024

12:00 pm–2:00 pm

Program # 2240061WBC

REBROADCAST

Friday, February 9, 2024

9:00 am–11:00 am

Program # 2240061RB1

REBROADCAST

Monday, February 19, 2024

2:00 pm–4:00 pm

Program # 2240061RB2

ON DEMAND WEBCAST

View after Monday, February 19, 2024

Program # 2240061WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Probate Law Sourcebook & Cimator ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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The Art & Science of Stacking Trusts

Learn about the types and combination of trusts to meet your clients' goals

Clients often have more than one objective when establishing a trust in estate planning. Learn how to use different types of trusts to achieve distinct, simultaneous goals.

Agenda

- **The Use of Revocable and Irrevocable Trusts to Minimize Estate Taxes**
 - Well-drafted trusts give individuals the opportunity to minimize estate taxes at their death and leave the most amount of wealth to their chosen beneficiaries, instead of the Internal Revenue Service or Massachusetts Department of Revenue. Learn about the combined use of formula clauses in revocable trusts and standalone irrevocable trusts to minimize the imposition of federal and Massachusetts estate tax. The faculty discuss the variety of irrevocable trusts that are available to reduce such taxes and fulfill donative intent.
- **The Use of Trusts to Provide for Special Needs and Disability Planning**
 - Properly structured special needs trusts allow an individual with a disability to benefit from trust assets while remaining eligible for public assistance disability benefits. Learn about the types of special needs trusts and the required elements of self-settled special needs trusts, third party special needs trusts, and pooled trusts, as well as recommended provisions for all revocable trusts.
- **Stacking Medicaid Irrevocable Trusts with Testamentary Trusts for Asset Protection and Estate Planning Purposes**
 - Learn how to draft Medicaid trusts to protect assets from the nursing home along with the income, estate, and gift taxes associated with these trusts. Understand how the Secure Act 2.0 allows you to name the estate as the designated beneficiary of your IRA, coupled with a testamentary trust, to provide enhanced Medicaid protection of the IRA and increased estate tax benefits all while not causing adverse required minimum distributions or income tax consequences.
- **Stacking a Purpose Trust on Top of an Asset Protection Trust**
 - Understand the unique features of Purpose Trusts and Asset Protection Trusts—and why a Purpose Trust is the icing on the asset protection cake.
- “Ask the Experts” Q&A Session

Faculty

Jennifer T. Fleming, Esq., *Prince Lobel Tye LLP, Boston*, Chair
Alexander A. Bove, Jr., Esq., *Bove & Langa, PC, Boston*
Kristin N.G. Dzialo, Esq., *Rubin and Rudman LLP, Boston*
Jennifer Z. Flanagan, Esq., *Mirick O'Connell, Worcester*
Melissa Langa, Esq., *Bove & Langa, PC, Boston*
Todd E. Lutsky, Esq., LL.M., *Cushing & Dolan, PC, Waltham*
Katelyn Versiackas, Esq., *Prince Lobel Tye LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, February 6, 2024
9:00 am–1:00 pm
Program # 2240066WBC

REBROADCAST

Wednesday, February 21, 2024
1:00 pm–5:00 pm
Program # 2240066RB1

REBROADCAST

Thursday, February 29, 2024
9:00 am–1:00 pm
Program # 2240066RB2

ON DEMAND WEBCAST

View after Thursday, February 29, 2024
Program # 2240066WBA

Tuition *(includes written materials)*

- \$245
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Materials

Understanding & Using Trusts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

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Using SLATs & SLANTs for Flexibility in Estate Planning

Design, implementation, and maintenance of irrevocable trust planning

Spousal Lifetime Access Trusts and Spousal Lifetime Access Non-Grantor Trusts are two popular irrevocable trust planning techniques. For many clients, they permit the efficient use of applicable exclusion amounts during their lifetime while preserving flexibility—something not always associated with irrevocable trust planning. Learn the foundational tax concepts supporting SLATs and SLANTs, compare and contrast their design features and functionality, and explore how to “live” with trust structures once established. The speakers also discuss a variety of irrevocable trust planning “odds and ends” related to the practical application of these techniques, and close by fielding questions.

Agenda

- **Review of Certain Tax Cuts and Jobs Act of 2017 Provisions and Applicable Exclusion Amounts**
- **Review of Grantor Trust Rules**
- **What Is a SLAT? What Is a SLANT? What Are the Typical Design Features of Each Trust?**
- **Using SLATs & SLANTs in Planning / “Living” with Your Trust**
 - Funding considerations: Asset types, gifts/sales, valuation discounts, reporting on 709s
 - Access to trust assets; Renting and “swapping”
- **Irrevocable Trust Planning “Odds and Ends”**
 - Traps for the unwary: Reciprocal trust doctrine; Step transactions
 - Informed consents
 - Forum shopping
- **“Ask the Experts” Q&A Session**

Faculty

Brett J. Barthelmeh, Esq., *Squillace & Associates, PC, Boston*, Chair
David S. Raymon, Esq., *Day Pitney LLP, Boston*
Maureen M. Villadelgado, Esq., *Clarkin & Phillips, PC, Wellesley*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, November 9, 2023
9:00 am–12:00 pm
Program # 2240067WBC

REBROADCAST

Friday, December 1, 2023
9:00 am–12:00 pm
Program # 2240067RB1

REBROADCAST

Monday, December 11, 2023
12:00 pm–3:00 pm
Program # 2240067RB2

ON DEMAND WEBCAST

View after Monday, December 11, 2023
Program # 2240067WBA

Tuition *(includes written materials)*

- \$245
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Materials

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What All Estate Planners Need to Know About Prenuptial & Cohabitation Agreements

Providing greater freedom and protection to contracting parties to determine their property rights upon termination of their relationship

Prenuptial agreements are contracts entered into between prospective spouses prior to their marriage to determine the parties' rights upon the termination of their marriage by divorce or death. Prenuptial agreements may be appropriate in the case of a second marriage, a first marriage between older parties, a marriage in which one spouse is in a high-risk occupation, a marriage in which one of the spouses is a partial owner of a family business, a marriage in which one party has a large potential inheritance, or a marriage between individuals of disparate stations in life. In effect, such agreements are attempts by either or both parties to narrow the range of contested issues between them (or their successors in interest) at the termination of their marriage. Cohabitation agreements are appropriate when the parties to the agreement want to have an arrangement which differs from the ordinary treatment of two co-owners or co-residents of property in accordance with their legal ownership interests. Estate planners need core fluency in both types of agreements.

Agenda

- How Is Property Normally Treated upon a Termination of the Marriage by Reason of Divorce versus Death?
- How Does Child Support Work?
- What Are the Requirements for a Valid Prenuptial Agreement?
- Are Alimony Waivers Valid?
- What Are Some Common Prenuptial Agreement Models?
- How Does DSUE Work in Relation to Prenuptial Agreements?
- How Do Postnuptial Agreements Work?
- What Are Some Key Considerations in Drafting Prenuptial Agreements?
- When Are Shared Residence Agreements Appropriate?
- What Are the Key Phases That Should Be Considered with Regard to a Shared Residence Agreement?
- "Ask the Experts" Q&A Session

Faculty

Molly R. Soiffer, Esq., *Bove & Langa, PC, Boston*, Cochair

Christopher H. Suh, Esq., *The Wagner Law Group, A Professional Corporation, Boston*, Cochair

Claire K. Forkner, Esq., *Lee & Rivers, LLP, Boston*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, November 6, 2023

9:00 am–11:00 am

Program # 2240063WBC

REBROADCAST

Tuesday, November 21, 2023

12:00 pm–2:00 pm

Program # 2240063RB1

REBROADCAST

Wednesday, November 29, 2023

9:00 am–11:00 am

Program # 2240063RB2

ON DEMAND WEBCAST

View after Wednesday, November 29, 2023

Program # 2240063WBA

Tuition *(includes written materials)*

- \$145
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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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24th Annual Juvenile Delinquency & Child Welfare Law Conference 2023

Envisioning and pro-actively fostering communities of hope

How do we ensure that every family and child that we work with achieves their greatest potential? No matter our role in the systems we work in, we are called to do our best, rise to the occasion, and be HOPE dealers! Our keynote speaker, Hasan Davis, is a lawyer, juvenile justice advocate, and motivational speaker. A self-proclaimed Hope Dealer, Hasan has dedicated his career to advocating for youth justice and empowerment.

Hasan uses his own experiences growing up in poverty and navigating the juvenile justice system to inspire and empower young people and the adults who champion them.

Hasan challenges participants to consider the impact of their presence, power, and perspective to absolutely transform the experience of every citizen who enters their chambers, offices, classrooms, or facilities. Hasan's Hope Framework centers the values of procedural fairness through the lens of Humanity, Optimism, Perspective and Empathy (H.O.P.E.) as tools that all members of the court community need to learn, practice, and apply to shift public perception and experience of it as a system that is fair whose outcomes can be trusted. Hasan shares examples from his own journey that illustrate their positive impact. Throughout Hasan's journey outliers and resistors found ways to engage, encourage, and empower him. With the support of these "Hope Dealers," Hasan transcended his mounting list of "failures" to become an advocate for himself and eventually a champion for others. Come ready to celebrate, recharge, and recommit to being the Hope Dealers that you are!

In the afternoon, we put these lessons into practice. All professionals who work with children in the Juvenile Court aim to meet the needs of each child that they work with. Increasingly, however, children with complex needs are falling into a service gap where they don't clearly fit within the service ability of any particular agency or have needs that seemingly exceed the system's ability to provide. We explore this pressing issue in two parts during our afternoon session.

For those attending in person, lunch is provided as well as a wine and cheese networking session at the culmination of the Conference!

Agenda

- Becoming a Professional Hope Dealer
- Case Law Update
- Narrowing the Service Gap for Children with Complex Needs Charged with Crimes
- Narrowing the Service Gap for Children with Complex Needs in CRAs

Faculty

Cristina F. Freitas, Esq., *Freitas & Freitas LLP, Lowell, Cochair*

Debbie F. Freitas, Esq., *Freitas & Freitas LLP, Lowell, Cochair*

Hasan Davis, J.D., CEO and Founder, *Hasan Davis Solutions Inc., Paint Lick, KY, Featured Speaker*

Hon. Amy Nechtem, Chief Justice, *Juvenile Court, Commonwealth of Massachusetts*

Cecely A. Reardon, Esq., Department of Youth Services, *Commonwealth of Massachusetts*

Dates & Locations

Register at www.mcle.org

BOSTON

Friday, November 3, 2023

9:30 am–4:30 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240087P01

LIVE WEBCAST

Friday, November 3, 2023

9:30 am–4:30 pm

Program # 2240087WBC

REBROADCAST

Monday, November 20, 2023

9:30 am–4:30 pm

Program # 2240087RB1

REBROADCAST

Tuesday, November 28, 2023

9:30 am–4:30 pm

Program # 2240087RB2

ON DEMAND WEBCAST

View after Tuesday, November 28, 2023

Program # 2240087WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Juvenile Delinquency and Child Welfare Law Sourcebook & Cimator 2024 ebook, plus speaker materials

- E-materials link emailed upon registration
 - Complimentary print book for in-person registrants
 - Transcript & videorecording emailed 2 weeks post-program
-

CLE Credits

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Advanced Financial & Tax Concepts in Divorce Law

Take your family law financial IQ to the next level

This program moves beyond the basics to take a deep dive into more complex financial issues in divorce law, including both a review of the current case law addressing these issues and how to understand the documents during the discovery process. The program dives into a detailed explanation of:

- Depreciation Expense
 - What is Section 179 depreciation
 - Difference between depreciation expense under tax rules and general accepted accounting principles
- Retained Earnings
 - Understanding how retained earnings work and various components comprising of retained earnings
- Cash Flow Compared to Annual Income
- Differences Between Cash and Accrual Accounting
- How to Read a Schedule K-1

Our expert faculty guide you through each concept, offering thorough explanations. You learn how to calculate a party's annual income. The program discusses the "personal piggy bank effect"—when business owners disguise personal expenses as business expenses and how to recognize when this is happening. Master the skills and techniques you need to identify and resolve these issues.

Not yet ready for advanced finance topics? Not to worry! Join our companion program: Basic Financial & Tax Concepts in Divorce Law (Program # 2240094WBC).

Faculty

Marc D. Bello, CPA/ABV, CVA, MAFF, *Willamette Management Associates, Boston*, Chair
Wendy O. Hickey, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*
Alexander D. Jones, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 1, 2023
2:00 pm–5:00 pm
Program Number: 2240095WBC

REBROADCAST

Thursday, November 16, 2023
9:30 am–12:30 pm
Program Number: 2240095RB1

REBROADCAST

Monday, November 27, 2023
2:00 pm–5:00 pm
Program Number: 2240095RB2

ON DEMAND WEBCAST

View after Monday, November 27, 2023
Program Number: 2240095WBA

Tuition *(includes written materials)*

- \$195
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- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Financial Aspects of Divorce in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
 - Transcript & videorecording emailed 2 weeks post-program
-

CLE Credits

Earn up to 3 CLE credits



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Avoiding Ethical Quagmires & Defusing Incivility in Family Law Practice

Keeping calm and carrying on ethically

The practice of family law often involves high volume, high stakes, and high emotions. These stressful components of practice can create unique pressures on family law attorneys to act in ways that amplify hostility in an already adversarial process or perhaps unknowingly run afoul of ethical responsibilities. Join family law practitioners for a review of applicable ethics rules, common missteps that could result in disciplinary action, and tips for tackling incivility day to day from colleagues and clients.

Agenda

- Highlights from the Massachusetts Rules of Professional Conduct
- Discussion of Ethical Mistakes in Family Law That Could Result in Disciplinary Action
- How to Neutralize Hostility from Opposing Counsel or Even Your Own Client
- Consideration of What Zealous Advocacy Means in Family Law

Faculty

Stephen A. MacKenzie, Esq., *Fitch Law Partners LLP, Boston*
Kelly A. Schwartz, Esq., *Fitch Law Partners LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, November 14, 2023
12:00 pm–1:00 pm
Program # 2240124WBC

REBROADCAST

Wednesday, November 29, 2023
9:00 am–10:00 am
Program # 2240124RB1

REBROADCAST

Thursday, December 7, 2023
2:00 pm–3:00 pm
Program # 2240124RB2

ON DEMAND WEBCAST

View after Thursday, December 7, 2023
Program # 2240124WBA

Tuition *(includes written materials)*

- \$125
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- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1 CLE credit Including up to 1 ethics credit



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Learn more at www.mcle.org

Basic Financial & Tax Concepts in Divorce Law

Improve your financial IQ and get comfortable with numbers

The program begins with a discussion about how to define income for support purposes and how that can differ from taxable income. We teach you how to read a personal tax return, focusing on how to identify components of income, and the meaning behind tax credits, deductions, and the alternative minimum tax. This program provides an overview of business financial statements, providing you with a comprehensive understanding of the four standard statements:

- Balance Sheet
- Income Statement
- Cash Flow Statement
- Owner or Shareholders' Equity/Capital Accounts

The program also incorporates a broad-spectrum understanding of business tax returns, including the types of returns for various business entities and key aspects in the differences and similarities between various business entities. A segment focuses on how to interpret a client's personal and business tax returns and incorporate this information into their court financial statement.

Ready for more advanced finance topics? Not to worry! Join our companion program: Advanced Financial & Tax Concepts in Divorce Law (Program # 2240095WBC).

Faculty

Marc D. Bello, CPA/ABV, CVA, MAFF, *Willamette Management Associates, Boston*, Chair
Wendy O. Hickey, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*
Alexander D. Jones, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 25, 2023
2:00 pm–5:00 pm
Program # 2240094WBC

REBROADCAST

Thursday, November 9, 2023
2:00 pm–5:00 pm
Program # 2240094RB1

REBROADCAST

Friday, November 17, 2023
9:30 am–12:30 pm
Program # 2240094RB2

ON DEMAND WEBCAST

View after Friday, November 17, 2023
Program # 2240094WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Financial Aspects of Divorce in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Custody Battles, Issues & Negotiated Plans

Parenting plans, criminal proceedings, and online technology relevant to your next child custody case

Custody issues present themselves in any divorce or other domestic relations case where children are involved. Honing the skills necessary to effectively handle the many custody issues which pertain to children in family law cases is crucial for every attorney practicing in this area. The panel focuses on current trends and developments which may affect the successful advocacy of custody and parenting issues.

Online technology has also changed the way parenting schedules are negotiated. The expert faculty discusses how to get the best schedule for your client while using “family-friendly” terminology. Learn how to deal with complex situations like parties living in different states, simultaneous criminal proceedings, and utilizing third-party witnesses in custody cases.

Don't miss this opportunity to hear from experienced divorce practitioners as they discuss hot topics in this complex area of family law.

Agenda

- Parents in Different States
- Criminal Proceedings
- Online Technology
- Terminology for Parenting Plans
- Current Trends
- “Ask the Experts” Q&A Session

Faculty

Prof. Caryn R. Mitchell-Munevar, Esq., *Clinical Professor, New England Law | Boston, Boston, Chair*

Breanisha Amaya, Esq., *Clinical Law Office, New England Law | Boston, Boston*

Evan P. Bell, Esq., *Law Office of Evan Bell, Boston*

Timothy D. Braugher, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Boston*

Shannon L. Rand, Esq., *Shannon Rand Esq. Legal Services, Salem*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, December 13, 2023
9:30 am–4:30 pm
Program # 2240097WBC

REBROADCAST

Thursday, December 28, 2023
9:30 am–4:30 pm
Program # 2240097RB1

REBROADCAST

Friday, January 5, 2024
9:30 am–4:30 pm
Program # 2240097RB2

ON DEMAND WEBCAST

View after Friday, January 5, 2024
Program # 2240097WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Sponsor Members
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Materials

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IN PERSON AND ONLINE SEMINAR

Domestic Relations Financial Summit 2024

Insight into judicial thinking and discretion

Please join us for our third annual *Domestic Relations Financial Summit* to hear our esteemed panel discuss everything financial: from *Cavanagh* to cryptocurrency and non-fungible tokens, to pre- and post-nuptial agreements, pensions, and RSUs and stock options. The program provides practical and timely advice from judges, experts, and experienced practitioners who share the information and tools you need to build and maintain the core of a successful domestic relations practice in an ever-changing and challenging economic climate.

Agenda

- *Cavanagh*—a Year (Plus) Later—Implications, Best Practices, and the Future of the Interplay Between Alimony and Child Support in Divorce Cases
- Cryptocurrency and Non-Fungible Tokens—How to Locate, Value, and Divide, and What to Do with It as a Stream of Income
- Prenuptial Agreements and Postnuptial Agreements—When Are They a Good Idea, Criteria for Enforceability, and Pitfalls to Avoid
- Pensions—Valuations, Division Incident to Divorce, and Language to Include in Divorce Agreements
- Restricted Stock Units, Stock Options, and Executive Compensation—Treating It as Income Versus an Asset, Division Incident to Divorce, Support Implications, and Taxation Issues

Faculty

Andrea E. Nelson, Esq., *Burns & Levinson LLP, Boston, Chair*
Hon. Jennifer M. Allen, *Northern Division, Middlesex Probate and Family Court, Commonwealth of Massachusetts*
Marc D. Bello, CPA/ABV, CVA, MAFF, *Willamette Management Associates, Boston*
Hon. Kevin R. Connelly, *Probate and Family Court, Commonwealth of Massachusetts*
Andrea T. Dunbar, Esq., *Burns & Levinson LLP, Boston*
Jonathan E. Fields, Esq., *Fields and Dennis LLP, Wellesley*
Michael P. Foley, *President, Pension Appraisal Services Associates, Woburn*
Hon. Frances M. Giordano, *Probate and Family Court, Commonwealth of Massachusetts*
Alisa L. Hacker, Esq., *Day Pitney LLP, Boston*
Peter J. Jamieson, Esq., *Hastings, Jamieson & Lipschutz Family Law Group LLP, North Andover*
Michael P. Judge, Esq., *Casner & Edwards LLP, Boston*
Kelly A. Koch, Esq., *Raipher, PC, Springfield*
David H. Lee, Esq., *Lee & Rivers LLP, Boston*
Richard Novitch, Esq., *Todd & Weld LLP, Boston*
Jason R. Pierce, CPA, CMA, CFM, CVA, *JS Held LLC, Boston*
Jared D. Spinelli, Esq., *Rubin and Rudman LLP, Boston*
Hon. Jennifer M. R. Ulwick, *Probate and Family Court, Commonwealth of Massachusetts*
William S. Young, Esq., *WSY Law PLLC, Roslindale*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, February 15, 2024
9:30 am–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240091P01

LIVE WEBCAST

Thursday, February 15, 2024
9:30 am–4:30 pm
Program # 2240091WBC

REBROADCAST

Friday, March 1, 2024
9:30 am–4:30 pm
Program # 2240091RB1

REBROADCAST

Monday, March 11, 2024
9:30 am–4:30 pm
Program # 2240091RB2

ON DEMAND WEBCAST

View after Monday, March 11, 2024
Program # 2240091WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Sponsor Members
- \$112.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

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Materials

Financial Aspects of Divorce in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Handling & Resolving Name Change Issues

Name changes from Art to Zara

There are many reasons someone would want to change their name. While marriage is the most common, there are several other reasons why people change their name and assisting our clients through this process is critical.

In this program we examine the issues that can arise when dealing with a name change and how best to prevent and resolve these issues. Whether you are a seasoned attorney or just new to the topic, this program promises to equip you with the necessary tools to navigate the complexities of name change law.

Led by a distinguished panel of experts, this program offers an invaluable opportunity to delve into the intricacies of name change issues.

Agenda

-
- 4 Ways to Change Your Name
- How to Change Your Name if You are an Adult
- How to Change Your Name for Children Under 18
- What Happens After the Name Change
- Review of Forms

Faculty

Prof. Caryn R. Mitchell-Munevar, Esq., *Clinical Professor, New England Law | Boston, Boston, Chair*

Breanisha Amaya, Esq., *Clinical Law Office, New England Law | Boston, Boston*

Stephanie E. Goldenhersh, Esq., *Clinical Instructor, Harvard Legal Aid Bureau, Cambridge*

Tanisha R. Wright, Esq., *Law Office of T.R. Wright, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, January 24, 2024
2:00 pm–4:00 pm
Program # 2240098WBC

REBROADCAST

Thursday, February 8, 2024
12:00 pm–2:00 pm
Program # 2240098RB1

REBROADCAST

Friday, February 16, 2024
10:00 am–12:00 pm
Program # 2240098RB2

ON DEMAND WEBCAST

View after Friday, February 16, 2024
Program # 2240098WBA

Tuition *(includes written materials)*

- \$125
- \$112.50 MCLE Sponsor Members
- \$62.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Handling Unique Assets in Prenups & Divorce

How to handle unusual assets

Your run-of-the-mill prenuptial agreement and divorce often involves ordinary assets, such as real estate or retirement accounts, but what happens when not so ordinary assets are involved? How do you protect an interest in a closely held business? Do you need to read the trust instruments when generational wealth is involved? Can that baseball card collection really have that much value? Join our experts as we answer these questions and more.

Agenda

- Complications in Valuing Unique Assets
- Dealing with Situations where Unique Assets Are the Only Assets of Significant Value
- Dividing an Interest in a Closely Held Business
- Types of Trusts
- When and How Trust Assets Become Subject to Division in a Divorce
- What Is Intellectual Property and How to Protect It
- “Ask the Experts” Q&A Session

Faculty

Andrea T. Dunbar, Esq., *Burns & Levinson LLP, Boston*, Chair

Tiffany M. Bentley, Esq., *Burns & Levinson LLP, Boston*

Jessica M. Dubin, Esq., *Lee & Rivers LLP, Boston*

Jonathan E. Fields, Esq., *Fields and Dennis LLP, Wellesley*

Peter J. Jamieson, Esq., *Hastings, Jamieson & Lipschutz Family Law Group LLP, North Andover*

Melissa A. Levine-Piro, Esq., *Hera Law Group, Maynard*

Robin Lynch Nardone, Esq., *Burns & Levinson LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 29, 2023

9:30 am–12:30 pm

Program # 2240099WBC

REBROADCAST

Thursday, December 14, 2023

9:00 am–12:00 pm

Program # 2240099RB1

REBROADCAST

Friday, December 22, 2023

2:00 pm–5:00 pm

Program # 2240099RB2

ON DEMAND WEBCAST

View after Friday, December 22, 2023

Program # 2240099WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

- E-materials link emailed upon registration
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CLE Credits

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Intersection of Child Support & Alimony in a Post-Cavanagh World

How the world of support has changed one year in

The Supreme Judicial Court's momentous decision in *Cavanagh v. Cavanagh* interpreting the Massachusetts Alimony Reform Act creates far-reaching changes to how family law judges are to assess whether to award child support or alimony in divorce cases. A year after this decision we look at how the world of support in the Probate and Family Court has been altered.

Join our distinguished panel of Probate and Family Court judges, as well as legal and financial experts as we review the new legal landscape of child support and alimony awards.

Agenda

- What Analyses the Judges Want and Expect
- Differences Between Child Support and Alimony
- Procedural Outline of Presenting Child Support and Alimony Arguments at Both the Temporary Order and Trial Stages
- Various Ways Child Support and Alimony Intersect
- Common Arguments for and Against the Issuance of Alimony Orders and Judgments
- "Ask the Experts" Q&A Session

Faculty

Michael P. Judge, Esq., *Casner & Edwards LLP, Boston*, Cochair
Richard M. Novitch, Esq., *Todd & Weld LLP, Boston*, Cochair
Hon. Christine D. Anthony, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Kathryn M. Bailey, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Kevin R. Connelly, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Paul M. Cronan, *Probate and Family Court, Commonwealth of Massachusetts*
Jason R. Pierce, CPA, CMA, CFM, CVA, *JS Held LLC, Boston*
Nicholas J. Plante, Esq., *Schwartz & Plante, Worcester*

Dates & Locations

Register at www.mcle.org

BOSTON

Tuesday, November 7, 2023
1:00 pm–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240089P01

LIVE WEBCAST

Tuesday, November 7, 2023
1:00 pm–5:00 pm
Program # 2240089WBC

REBROADCAST

Wednesday, November 22, 2023
9:30 am–1:30 pm
Program # 2240089RB1

REBROADCAST

Thursday, November 30, 2023
1:00 pm–5:00 pm
Program # 2240089RB2

ON DEMAND WEBCAST

View after Thursday, November 30, 2023
Program # 2240089WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 4 CLE credits



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Mandatory Probate & Family Court Category E & Category F Training to Remain on Fee-Generating List for 2024

Gain valuable insights into how to make your next Category E or F appointment better, more effective, and more valuable to the parties, attorneys and court

Under Development!

Persons currently on the Probate and Family Court's Category E or Category F Fee-Generating Appointment List are required to take yearly CLE as set forth by the AOPFC. **Save the date** for this training, led by cochairs Diane J. Beswick, Esq. and Denise M. Fitzgerald, Esq., of the Probate and Family Court Administrative Office.

Registration for this program will open soon.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 4, 2023
9:30 am–1:45 pm
Program # 2240088WBC

REBROADCAST

Thursday, October 19, 2023
12:00 pm–4:15 pm
Program # 2240088RB1

REBROADCAST

Tuesday, November 28, 2023
9:30 am–1:45 pm
Program # 2240088RB2

ON DEMAND WEBCAST

View after Tuesday, November 28, 2023
Program # 2240088WBA

Tuition *(includes written materials)*

- \$165
- \$148.50 MCLE Sponsor Members
- \$82.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 4 CLE credits



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Learn more at www.mcle.org

Pensions & QDROs

Navigating divorce minefields

Increasingly, family law attorneys are faced with complex issues surrounding pensions, retirement assets, and other compensation arrangements. This in-the-trenches program offers expert guidance to assist practitioners in understanding the labyrinth of the state and federal pension system, ERISA, private retirement plans, valuation and divisibility issues, and taxes. The successful resolution of your family law case hinges on your ability to understand different types of plans and your ability to make appropriate arguments to the court concerning their treatment.

MCLE's experienced panel examines this topic in-depth. The faculty analyzes many different types of divisible benefits, including retirement benefits (e.g., benefit and defined contribution retirement plans, Massachusetts public pensions, and federal pensions), and other forms of qualified and non-qualified deferred compensation plans. The faculty also addresses important strategic decisions family law attorneys must consider when faced with dividing retirement assets. Finally, the panel offers a primer on relevant case law and drafting tips for domestic relations orders, qualified domestic relations orders, and sample forms.

Agenda

- Features of Various Executive Compensation Plans
- Public v. Private Pensions
- Transfer and Divisibility of Certain Types of Plans
- Basic Principles of Valuing and Dividing Pensions
- Qualified and Non-Qualified Deferred Compensation
- Expert Consultation and Testimony
- Drafting Tips
- Discovery Issues and Strategies
- Case Law Update
- "Ask the Experts" Q&A Session

Faculty

Jennifer A. Bingham, Esq., *Law Offices of Jennifer Bingham LLP, Newton, Chair*
Michael Foley, *President, Pension Appraisal Services Associates, Woburn*
William S. Young, Esq., *WSY Law PLLC, Roslindale*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, December 7, 2023
9:30 am–12:30 pm
Program # 2240093WBC

REBROADCAST

Friday, December 22, 2023
9:30 am–12:30 pm
Program # 2240093RB1

REBROADCAST

Thursday, January 4, 2024
2:00 pm–5:00 pm
Program # 2240093RB2

ON DEMAND WEBCAST

View after Thursday, January 4, 2024
Program # 2240093WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Sponsor Members
- \$112.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

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Materials

- E-materials link emailed upon registration
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Practice Management Toolkit for Family Lawyers: Briefings & eBook Bundle

8 webcast programs + 1 value-added eBook = enhanced practice

Do you wish you could make your family law practice more efficient and rewarding? This curated bundle of 12 hours of fast-paced webcast programming paired with MCLE's flagship employment law e-publication sets you on the path to do that.

Webcast Briefings

- **What All Law Firm Managers Need to Know About Employment Law:** External legal forces informing internal policy; Hiring; Pay equity; Wage and hour considerations; Performance management; Work-from-home implications; Leaves of absence; Massachusetts earned sick time; Reasonable accommodations
- **Protecting Client & Firm Data in the Era of Pervasive Information Piracy:** How security requirements are changing for law firms and implications for securing clients' information; Multi-layered approach to cyber security; How cyber security fits into a firm's risk profile; Managing other data risks
- **Guarding Your Practice & Clients Against Ransomware Attacks:** Threat landscapes; Why law offices are targets and ransomware is so effective; Risk assessment report and management; Safeguards against ransomware; Policies; Training; Cyber liability and cybercrime insurance; First 24-48 hours post-attack
- **Cybersecurity Insurance:** Scope of different cybersecurity insurance policies; Typical exclusions; Effective measures for mitigating cybersecurity risk profiles
- **Outsourcing Administrative Aspects of Your Small Firm Practice:** Determining if outsourcing is a good idea for your practice; Tasks that can be outsourced; Ethical considerations; How to pick an agency that works for you
- **Operating a Remote Law Practice with Ease & Efficiency:** Automate client intake; Technology for positive client experiences in a decentralized firm; Cost-effective collaboration tools; Cybersecurity best practices; Electronic payment
- **How to Grow Your Practice Through Referrals:** Referral marketing; Networking in the community and professionally; 'Elevator pitches'; Referral groups; Asking for referrals; Creating and nurturing referral relationships
- **Finding & Building Meaning in Your Law Practice:** There is no peace of mind without sufficient revenue; Organize your space and project manage your work; Visible leadership matters; Changing the way we work: Fusing remote work with being in the office; Technology tension; Physical and mental well-being

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- Top-notch Guidance—from the Best in the Practice
- Practical Insight You Can Trust



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Dates & Location

Register at www.mcle.org

REBROADCAST

Monday, December 4, 2023
9:00 am–3:00 pm
Tuesday, December 5, 2023
9:00 am–3:00 pm
Program # 2240128RB1

REBROADCAST

Tuesday, January 9, 2024
9:00 am–3:00 pm
Wednesday, January 10, 2024
9:00 am–3:00 pm
Program # 2240128RB2

REBROADCAST

Wednesday, February 14, 2024
9:00 am–3:00 pm
Thursday, February 15, 2024
9:00 am–3:00 pm
Program # 2240128RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Employment Law ebook, plus speaker materials

- E-materials link, transcripts & recordings emailed upon registration

CLE Credits

Earn up to 12 CLE credits

Trying Divorce Cases

Gain valuable insight into how to prepare and try a divorce case

Although only a small percentage of divorce cases are actually tried to conclusion, successful domestic relations practitioners must be prepared to try cases or successfully negotiate a settlement in the process. This program helps you improve your trial techniques by giving you the unique opportunity to observe seasoned domestic relations practitioners in action; the expert faculty try a mock divorce case from start to finish. A real estate broker and forensic accountant testify about the considerations in determining value of a marital home and how to locate and value assets and small business income. A lawyer experienced in alternative dispute resolution provides insight into the use of ADR options as a trial alternative and while preparing for trial. A Probate and Family Court judge presides over the trial, rules on evidentiary objections, provides advice, and critiques each segment as it is presented. Don't miss this unique opportunity to spend a day with litigation experts to gain valuable insight into how to prepare and try a divorce case!

Agenda

- What to Expect and How to Utilize Pretrial Hearings
- Improving Your Witness and Case Preparation Skills
- Trial Preparation and Planning—The Last Thirty Days
- Analyzing the Value of Your Client's Marital Home
- Locating Hidden Assets and Inconsistencies in Lifestyle and Reported Income
- Direct and Cross-Examination of Experts on the Value of the Marital Home and Business
- Depositions at Trial and Use of Financial Statements During Witness Examination
- Use of the Child Support Guidelines and Alimony Considerations in Preparing Your Case
- Negotiation Strategies and Techniques
- When, Why, and How to Use Dispute Resolution Options as a Trial Alternative
- Input and Commentary from a Probate and Family Court Judge
- "Ask the Experts" Q&A Session

Faculty

Donald G. Tye, Esq., MSW, *Prince Lobel Tye LLP*, Boston, Chair; Hon. Michael D. Anderson, *Probate and Family Court, Commonwealth of Massachusetts*; Marc D. Bello, CPA/ABV, CVA, MAFF, *Edelstein & Company LLP*, Boston; Barbra I. Black, Esq., *The Black Law Group LLC*, Woburn; James L. Brick, Esq., *Brick, Jones, McBrien & Hickey LLP*, Newton; Elaine M. Epstein, Esq., *Todd & Weld LLP*, Boston; Patrick J. Galasso, Esq., *Prince Lobel Tye LLP*, Boston; Steven E. Gurdin, Esq., *Fitch Law Partners LLP*, Boston; Linda A. Ouellette, Esq., *Kates & Barlow, PC*, Boston; Robert J. Rutecki, Esq., *Rutecki Law Office LLC*, Milton; Katherine Schulte, Esq., *Jessica Katz Law LLC*, Taunton; Gary O. Todd, Esq., *Todd & Weld LLP*, Boston; Laurie R. Tunick, CPA, ABV, CFF, *Tunick Financial Services, Danvers*; Amanda Vanderhorst, Esq., *Kates & Barlow, PC*, Boston; Mark J. Warner, Esq., *Warner, Federico & Ryan LLP*, Boston

Dates & Locations

Register at www.mcle.org

BOSTON

Friday, November 17, 2023
9:00 am–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240092P01

LIVE WEBCAST

Friday, November 17, 2023
9:00 am–5:00 pm
Program # 2240092WBC

REBROADCAST

Monday, December 4, 2023
9:00 am–5:00 pm
Program # 2240092RB1

REBROADCAST

Tuesday, December 12, 2023
9:00 am–5:00 pm
Program # 2240092RB2

ON DEMAND WEBCAST

View after Tuesday, December 12, 2023
Program # 2240092WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Sponsor Members
- \$112.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Trying Divorce Cases in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for in-person registrants
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 6 CLE credits



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Two-Day Introductory Training for Category E & Category F GALs

Mandatory training for anyone who would like to be considered for appointment to the Category E (Evaluator) and/or Category F (Investigator) GAL lists in the Probate and Family Court

Under Development!

Have you recently been approved by the Administrative Office of the Probate and Family Court to take the mandatory two-day training? Are you interested in learning more about being a Category E and/or Category F GAL and/or considering applying to be a Category E/F GAL? Then this training is for you—**save the date!**

Registration for this program will open soon.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 1 &
Thursday, November 2, 2023
9:00 am–4:15 pm
Program # 2240090WBC

REBROADCAST

Thursday, November 16 &
Friday, November 17, 2023
9:00 am–4:15 pm
Program # 2240090RB1

REBROADCAST

Monday, November 27 &
Tuesday, November 28, 2023
9:00 am–4:15 pm
Program # 2240090RB2

ON DEMAND WEBCAST

View after Tuesday, November 28, 2023
Program # 2240090WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Sponsor Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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What Family Lawyers Need to Know About Criminal Law

When criminal law inadvertently becomes part of your practice

The ramifications of criminal law matters often have a great impact upon Probate and Family Court cases. From abuse prevention orders (209A's) to assault and batteries and operating under the influence charges, it can be a landmine for the family court lawyer who does not practice nor have knowledge of criminal law. Join our experts as we explore the intersection between family and criminal court matters.

Agenda

- Differences Between 209A, 258E, and Other Restraining Orders; Child and Other Financial Support as Part of a 209A Order
- Procedural Outline of the Various Steps in the Restraining Order Process, Including Jurisdictional Issues
- Various Ways Restraining Orders Intersect with Criminal Proceedings, Including Confrontation Clause Issues
- Common Arguments for and Against the Issuance of Restraining Orders, and Motions to Modify Existing Orders
- Importance of Cross-Modifications between the District and Probate Court so they Mirror One Another
 - Conditions of release
 - Probate Court order
 - 209A abuse prevention order
- Common Criminal Offenses That Routinely Arise in Divorce, Paternity, and Related Family Court Matters
 - Violation of 209A's
 - OUI, drug possession, A & B, indecent A & B, rape
- Privileges (5th Amendment, Spousal Privilege, Marital Privilege)
- Probation File (Pursuant to Court Order)
- Section 35's
- Immigration Related Matters and 209A's (U Visas, VAWA, and Housing)
- DCF: 51A/51B
 - Privilege
 - 5th Amendment privilege in communication with the social worker, court investigation, and court clinician
- FTR: How to Get the Tapes and Transcripts from the District Court
- "Ask the Experts" Q&A Session

Faculty

Victoria C. Spetter, Esq., *The Law Firm of Victoria C. Spetter, Newton Center, Chair*

Iliana Diaz, Esq., *Diaz & Pierre-Charles, Boston*

Jennifer L. Gonzalez, Esq., *Law Office of Jennifer L. Gonzalez, Brockton*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, February 6, 2024

3:00 pm–5:00 pm

Program # 2240096WBC

REBROADCAST

Wednesday, February 21, 2024

10:00 am–12:00 pm

Program # 2240096RB1

REBROADCAST

Thursday, February 29, 2024

12:00 pm–4:00 pm

Program # 2240096RB2

ON DEMAND WEBCAST

View after Thursday, February 29, 2024

Program # 2240096WBA

Tuition *(includes written materials)*

- \$125
- \$112.50 MCLE Sponsor Members
- \$62.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits

Administrative & Judicial Review of DOR Child Support Enforcement Actions

Understand DOR authority to help clients, and how—and when DOR actions can be challenged

The Department of Revenue, Child Support Enforcement Division has authority to use a wide range of enforcement actions to compel payment of child support—from simply charging interest and penalties on arrears, to revoking a professional license. Many child support recipients aren't sure whether they should use DOR child support related services. Understanding DOR's authority and what it can do to help support recipients receive the support to which they are entitled is important to helping your client make that decision. Likewise, at some point every family law practitioner receives a call from a payor of support who needs to know what they can do to challenge an action taken by DOR: They are behind in support, and DOR has threatened to levy a joint account with a family member. Or they need to re-new their passport but can't do it until DOR removes them from the passport denial list.

Join our panel of experts as we explore the myriad tools available to DOR to enforce child support orders and learn how and when DOR actions can be challenged.

Agenda

- DOR/CSE Enforcement Remedies
- Requests for Administrative Review
- Requests for Judicial Review
- Requesting Relief Outside of Administrative or Judicial Review, Such as Reduction of Interest/Penalties Owed to DOR and Removal from Passport Denial List

Faculty

Erin Nielson, Esq., *Turco Legal, Newburyport, Chair*

Colleen E. Cunnally Bigelow, Esq., *Cunnally Law Group LLC, Medway*

Dolores E. O'Neill, Esq., *Director, Special Litigation, Department of Revenue, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 8, 2023
9:00 am–11:00 am
Program # 2240083WBC

REBROADCAST

Monday, November 27, 2023
2:00 pm–4:00 pm
Program # 2240083RB1

REBROADCAST

Tuesday, December 5, 2023
12:00 pm–2:00 pm
Program # 2240083RB2

ON DEMAND WEBCAST

View after Tuesday, December 5, 2023
Program # 2240083WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Taxation and DOR Practice ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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“Artificial Intelligence” Ethics for Attorneys

What can AI ethically do for you?

Law practice automation has been with us for more than half a century, from early keyword searches of cases manually entered into databases to semi-automatic assembly of common contract clauses to expert-seeded predictive coding for the screening of documents for production in discovery. In the past year, the availability of ChatGPT 3.5 to generate proposals of human-sounding text applying patterns found among billions of words of training text has attracted millions of users. These users include attorneys, at least one of whom was famously called out by a federal judge for filing a brief with machine-generated case citations that provided no substantive support for the propositions for which they were advanced.

Some courts have issued standing orders to address such inappropriate use of generative “artificial intelligence.” However, the uses proposed and implemented by millions for just the one large language model may be dangerous beyond obvious “hallucinations” or clear mis-citations in court filings. Practical economies may suggest “good enough” where the proposed, facially plausible “answer” is not.

Prior (and by no means discontinued) law practice automation has raised important legal ethics issues (such as confidentiality), many of which have not been generally resolved even among attorneys and clients with superior means to inquire. The popularization of AI tools—some of which are trained with information “scraped” from public-facing sources to which creators and individuals may have proprietary or privacy claims (not all facial recognition is the same)—may leave tool providers, attorneys, and clients with less practical opportunity to resolve those issues and new ones such as raised by the “black box” nature of large foundational models.

In this program, attorneys learn to help meet their ethical responsibilities, including competence and communication of risks to clients.

Agenda

- AI Tools Used by Attorneys, Their Basic Operations and Limitations
- Applicability of American Bar Association Model Rules of Professional Conduct; ABA Policy Relative to AI (e.g., Competency, Communications, Confidentiality, Supervision)
- Regional and Persuasive Standards
- Cases, Including Unauthorized Practice of Law
- Future Uses, Legislation, and Regulation, Including AI Ethics (e.g., Bias, Privacy, Transparency)

Faculty

Stephen Y. Chow, Esq., *CIPP/US, Stephen Y. Chow, PC, Boston, Chair*

Warren E. Agin, Esq., *Analytic Law LLC, Boston*

Emile Loza de Siles, MBA, JD, *William S. Richardson School of Law, Honolulu, HI*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 17, 2023
3:30 pm–5:00 pm
Program # 2240141WBC

REBROADCAST

Wednesday, November 1, 2023
10:00 am–11:30 am
Program # 2240141RB1

REBROADCAST

Thursday, November 9, 2023
12:00 pm–1:30 pm
Program # 2240141RB2

ON DEMAND WEBCAST

View after Thursday, November 9, 2023
Program # 2240141WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1.5 CLE credits

Including up to 1.5 ethics credits

Bullying, Harassment, Safety & Discipline at School

Practical tips informed by statutory, regulatory and policy directives

The importance of safety at school is top of mind; recent incidents of bullying and harassment in schools further underscore the importance of municipal and school law practitioners being able to identify and understand key requirements and trends in this arena. The compounding impact of COVID-19 on students' mental health and behavior since emerging from the pandemic and resuming in-person school adds yet another dimension.

This program provides a current summation and analysis of the key legal principles of bullying under Massachusetts statutes and regulations. In addition, the faculty examine the legal elements of harassment on the federal and state level—and provide a comprehensive synopsis of school discipline requirements for both regular education students and students enrolled in special education.

The faculty consists of experienced attorneys who practice in private firms, non-profit organizations, and government agencies—each bringing you different perspectives on these critical issues.

Agenda

- **Key Statutory, Regulatory, and Policy Directives That Apply to Bullying, Harassment, and Discipline**
 - Statutory definition of bullying; Department of Elementary & Secondary Education's policy guidance to schools on bullying
 - Legal framework of harassment; How it differs from bullying, and what federal and state statutes pertain to harassment
 - Review of Massachusetts statutes pertaining to discipline of regular education students; State and federal statutes pertaining to the discipline of students who are receiving special education services
- **Practical Suggestions on How to Address Incidents of Bullying and Harassment**
- **Important Legal Requirements and Principles Relating to Discipline of Students**
- **Practical Tips for Handling School Discipline Cases**
- **Trends and Changes in Practice and Procedure Relevant to School Safety**
- **"Ask the Experts" Q&A Session**

Faculty

Daniel W. Ahearn, Esq., *Wenham*, Chair
Justin Gomes, Esq., *Stoneman, Chandler & Miller LLP, Boston*
Daniel T.S. Heffernan, Esq., *Kotin, Crabtree & Strong LLP, Boston*
Marlies Spanjaard, Esq., *Committee for Public Counsel Services, Boston*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 8, 2023
12:00 pm–2:00 pm
Program # 2240079WBC

REBROADCAST

Thursday, November 30, 2023
1:00 pm–3:00 pm
Program # 2240079RB1

REBROADCAST

Friday, December 8, 2023
9:00 am–11:00 am
Program # 2240079RB2

ON DEMAND WEBCAST

View after Friday, December 8, 2023
Program # 2240079WBA

Tuition *(includes written materials)*

- \$145
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- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

School Law in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits

DEIB Fluency & Understanding Collaborative Intelligence for a More Inclusive Practice

Unleashing the potential of you and your firm

Diversity, Equity, Inclusion and Belonging (DEIB) fluency has become essential to operating an inclusive law practice, as has Collaborative Intelligence or thinking with those who think differently. DEIB fluency and Collaborative Intelligence strategies and practices can make it possible to unleash each person's potential and think across habitual dividers, enabling us to maximize inclusivity, as well as communicate more productively to better serve client needs. Demographic data on attorneys compiled by the Supreme Judicial Court has shown some increase in the profession's diversity, but it is certainly not representative of the myriad of clients from different worlds that may need counsel. DEIB and Collaborative Intelligence concepts can help practitioners meet those diverse communication needs.

When making important decisions, we slowly and deliberately evaluate options and make a conscious decision. But hundreds of times a day we use our intuitive judgment to make quick decisions. Even if in our slow thinking we work to avoid discrimination, it easily creeps into our fast thinking. These quick decisions rely on life experiences and associations; these unconscious biases can unintentionally hinder us and our organizations and lead to decisions that are incompatible with our goals and conscious values. This training provides an overview of DEIB terms and unconscious bias concepts; and teaches you tools to help communicate in more productive ways. We are accustomed to thinking about diversity through the lens of race and gender, etc., but many of us are unaware that there is also a range of differences in how we think. This training outlines four Collaborative Intelligence strategies, recognizing this different kind of diversity so that you can work and think more effectively with others, including your clients, who might approach things using other internal frameworks.

Agenda

- DEIB Fluency
 - DEIB terminology to discuss, recognize and address unconscious bias and how it manifests itself in our daily lives and practices
 - Identifying and outlining issues regarding unconscious bias
 - Techniques / best practices to address issues of unconscious bias via individual and group self-knowledge and identity exercises
- Collaborative Intelligence (Markova & McArthur 2015)
 - Mind patterns (how we think, learn, and communicate)
 - Thinking talents (our natural respective approaches to problems)
 - Inquiry (how we ask questions and what burns you out/lights you up)
 - Mind share (bring it all together to find what we need to increase capacity)

Speaker

INGRID C. SCHROFFNER joined the Office of Management at the University of Massachusetts Chan Medical School (UMass Chan) in 2020. Previously, she was with the Executive Office of Health and Human Services, as well as Burns & Levinson LLP where she specialized in probate/family litigation. She also clerked for Chief Justice Warner of the Massachusetts Appeals Court and the Massachusetts Superior Court justices. She has written and spoken extensively in her areas of expertise, most recently on issues of unconscious bias as well as collaborative intelligence. In 2022, she was appointed vice chair, DEI Strategic Integration of the Cultural Diversity Committee of For Health Consulting (f/k/a Commonwealth Medicine) at UMass Chan.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, January 30, 2024
2:00 pm–4:00 pm
Program # 2240086WBC

REBROADCAST

Wednesday, February 14, 2024
10:00 am–12:00 pm
Program # 2240086RB1

REBROADCAST

Thursday, February 22, 2024
2:00 pm–4:00 pm
Program # 2240086RB2

ON DEMAND WEBCAST

View after Thursday, February 22, 2024
Program # 2240086WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits

Home Rule & Authority

History, scope and practice

The ability of municipalities to legislate and act is largely defined by the Home Rule Amendment to the Massachusetts Constitution. The Home Rule Amendment empowers cities and towns to create charters and legislate while delineating the contours and limits of this power.

Join our experts as we examine the practical aspects of creating and amending charters. We also examine the old and new of Home Rule issues: including Boston's recent passage of a rent control ordinance that is now under consideration by the Legislature.

Agenda

- History of the Enactment of the Home Rule Amendment
- Municipal Authority Under the Home Rule Amendment
- Boston's Rent Control Ordinance: From Whence It Came to Where It Is Going
- How to Create and Amend a Charter
- "Ask the Experts" Q&A Session

Faculty

Maura E. O'Keefe, Esq., *Town Counsel, Falmouth*
James S. Timmins, Esq., *City Solicitor, Quincy*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, September 18, 2023
3:00 pm–4:00 pm
Program # 2240076WBC

REBROADCAST

Tuesday, October 3, 2023
9:00 am–10:00 am
Program # 2240076RB1

REBROADCAST

Wednesday, October 11, 2023
2:00 pm–3:00 pm
Program # 2240076RB2

ON DEMAND WEBCAST

View after Wednesday, October 11, 2023
Program # 2240076WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1 CLE credit



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Immigration Law: MCLE BasicsPlus!®

A collaborative look at all sides of this complex specialty

MCLE's intensive two-day *Immigration Law: MCLE BasicsPlus!*® seminar features lectures on immigration law and procedure—both from family and humanitarian-based, as well as employer-based immigration practice. Expert panelists provide an overview of laws, regulations, and agency policies, while providing tips and tricks to spot issues and assess the immigration options for your clients.

This seminar covers the multifarious aspects of immigration law during an enforcement era and challenging environment. The two days provide you with an expansive analysis of the impact of changes to the administration and critical immigration issues you encounter in practice to develop your skills and help you successfully run a thriving immigration practice.

Agenda

- **Day One: Family & Humanitarian-Based Immigration**
 - Family-Based Immigration
 - Asylum, Refugee Law, and Other Humanitarian Relief
 - Representing Unaccompanied Minors
 - Immigration Consequences of Criminal Conduct
 - Inadmissibility Waivers
 - Immigration Court Procedure and Relief from Removal
 - Naturalization
- **Day Two: Employment-Based Immigration**
 - Overview of Basic Nonimmigrant Visa Terms, B-1/B-2 Visas, and the Visa Waiver Program
 - TN Classifications for Canadians and Mexicans
 - H-1B and LCA Compliance
 - L-1 Visas
 - O Visas: Persons with Extraordinary Ability in the Arts, Sciences, and Business
 - Nuts and Bolts of PERM Labor Certification
 - Employment-Based Green Cards Without Labor Certification/NIWs
 - Employment-Based Immigration Ethics

Faculty

Brian M. Doyle, Esq., *Fragomen, Del Rey, Bernsen & Loewy LLP, Boston*, Cochair; Beverly Garcia, Esq., *Rian Immigrant Center, Boston*, Cochair; Melissa A. Bordeaux, Esq., *Erickson Immigration Group, Arlington*; Erin M. Brummer, Esq., *Ogletree, Deakins, Nash, Smoak & Stewart, PC, Boston*; Christina A. Corbaci, Esq., *Corbaci Law, PC, Woburn*; Justin L. Fyten, Esq., *Kids in Need of Defense (KIND), Boston*; Deirdre M. Giblin, Esq., *MLRI, Boston*; Amanda M. Hayes, Esq., *Fragomen, Del Rey, Bernsen & Loewy LLP, Boston*; Alison E. Howard-Yilmaz, Esq., *Iandoli, Desai & Cronin PC, Boston*; Jennifer Klein, Esq., *Committee for Public Counsel Services, Malden*; Katie Lambing, Esq., *Rian Immigrant Center, Boston*; Sara M. Mailander, Esq., *Fragomen, Del Rey, Bernsen & Loewy LLP, Boston*; Daniela Mayer, Esq., *Seyfarth Shaw LLP, Boston*; Victoria M. Morte, Esq., *Parker Gallini LLP, Waltham*; Megan Parker-Johnson, Esq., *Iandoli, Desai & Cronin, PC, Boston*; Rachel M. Self, Esq., *Rachel M. Self, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, January 17, &
Thursday, January 18, 2024
9:30 am–4:30 pm
Program # 2240082WBC

REBROADCAST

Thursday, February 1, &
Friday, February 2, 2024
9:30 am–4:30 pm
Program # 2240082RB1

REBROADCAST

Monday, February 12, &
Tuesday, February 13, 2024
9:30 am–4:30 pm
Program # 2240082RB2

ON DEMAND WEBCAST

View after Tuesday, February 13, 2024
Program # 2240082WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Sponsor Members
- \$137.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Immigration Practice Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 12 CLE credits including up to 0.5 ethics credit



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Learn more at www.mcle.org

Make Your Legal Research More Effective & Cost-Efficient

Legal research without breaking the bank

Practicing attorneys don't have unlimited time and resources to complete legal research assignments. When time and dollars matter—and you need to locate reliable sources—let a Suffolk University law librarian's tips help you plan your research strategies. Learn about some alternatives to Lexis and Westlaw for legal research tasks. During this program, the instructor demonstrates some free and low-cost legal research resources for federal, state, and local research. He discusses advanced Google search techniques to locate materials efficiently. The session concludes with a discussion of developments in the use of artificial intelligence for legal research. Bring your questions!

Agenda

- Plan Your Research: Time Well-Spent
- Alternate Legal Research Tools: Beyond Lexis and Westlaw:
 - Secondary Sources
 - Statutes and Regulations
 - Cases
- Free Legal Research Resources Developed by Law Librarians
- Using Massachusetts Government Websites
- Municipal Law Research
- Federal Government Research Sources
- Smart Googling for Lawyers
- Artificial Intelligence for Legal Research
- "Ask the Librarian" Q&A Session

Faculty

Gregory P. Ewing, M.L.S., J.D., *Suffolk University Law School/ Moakley Law Library, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, February 8, 2024
2:00 pm–4:00 pm
Program # 2240085WBC

REBROADCAST

Friday, February 23, 2024
10:00 am–12:00 pm
Program # 2240085RB1

REBROADCAST

Monday, March 4, 2024
12:00 pm–2:00 pm
Program # 2240085RB2

ON DEMAND WEBCAST

View after Monday, March 4, 2024
Program # 2240085WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Handbook of Legal Research in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Basic Public Benefits Advocacy Trainings

MCLE, the Massachusetts Law Reform Institute (MLRI), and other Massachusetts legal services programs collaborate to provide annual basic public benefits advocacy training events for the many public and private sector lawyers and community advocates who assist Massachusetts residents to qualify for and receive public benefits.



September 2023–February 2024 Program Schedule

1. Assisting Families Experiencing Homelessness

Boston & Live Webcast—Tuesday, October 3, 2023, 9:30 am–3:00 pm (2240071P01 / 2240071WBC)

Rebroadcasts—Wednesday, October 18, 2023, 9:30 am–3:00 pm (2240071RB1); Thursday, October 26, 2023, 9:30 am–3:00 pm (2240071RB2)

Earn up to 4.5 CLE credits

2. CORI Basics: Criminal Record Sealing, Expungement & Related Issues

Boston & Live Webcast—Tuesday, October 17, 2023, 9:30 am–1:15 pm (2240072P01 / 2240072WBC)

Rebroadcasts—Wednesday, November 1, 2023, 1:00 pm–4:45 pm (2240072RB1); Thursday, November 09, 2023, 9:30 am–1:15 pm (2240072RB2)

Earn up to 3.5 CLE credits

3. Health Care Access Programs

Boston & Live Webcast—Thursday, February 29, 2024, 9:30 am–4:00 pm (2240081P01 / 2240081WBC)

Rebroadcasts—Friday, March 15, 2024, 9:30 am–4:00 pm (2240081RB1); Monday, March 25, 2024, 9:30 am–4:00 pm (2240081RB2)

Earn up to 5.5 CLE credits

4. SNAP/Food Stamps Advocacy 101

Boston & Live Webcast—Wednesday, January 24, 2024, 9:30 am–12:30 pm (2240073P01 / 2240073WBC)

Rebroadcasts—Thursday, February 08, 2024, 9:30 am–12:30 pm (2240073RB1); Friday, February 16, 2024, 9:30 am–12:30 pm (2240073RB2)

Earn up to 3 CLE credits

5. SSI & SSDI Basics

Boston & Live Webcast—Wednesday, November 8, 2023, 9:30 am–4:00 pm (2240075P01 / 2240075WBC)

Rebroadcasts—Monday, November 27, 2023, 9:30 am–4:00 pm (2240075RB1); Tuesday, December 5, 2023, 9:30 am–4:00 pm (2240075RB2)

Earn up to 5.5 CLE credits

6. Tenants' Rights

Boston & Live Webcast—Wednesday, February 28, 2024, 9:30 am–3:30 pm (2240078P01 / 2240078WBC)

Rebroadcasts—Thursday, March 14, 2024, 9:30 am–3:30 pm (2240078RB1); Friday, March 22, 2024, 9:30 am–3:30 pm (2240078RB2)

Earn up to 5 CLE credits

7. Overview of the TAFDC Program, Massachusetts' Cash Assistance Program for Families

Boston & Live Webcast—Monday, December 4, 2023, 9:30 am–2:00 pm (2240100P01 / 2240100WBC)

Rebroadcasts—Tuesday, December 19, 2023, 12:00 pm–4:30 pm (2240100RB1); Wednesday, December 27, 2023, 9:30 am–2:00 pm (2240100RB2)

Earn up to 4.5 CLE credits

8. Utilities—Advocacy for Low-Income Households in Massachusetts

Boston & Live Webcast—Thursday, January 18, 2024, 12:45 pm–3:15 pm (2240077P01 / 2240077WBC)

Rebroadcasts—Friday, February 02, 2024, 9:30 am–12:00 pm (2240077RB1); Monday, February 12, 2024, 2:00 pm–4:30 pm (2240077RB2)

Earn up to 2 CLE credits

Tuition *each program*

- \$35 Legal Services Attorneys and Non Lawyer Advocates
- \$125 All Others

► See next pages for program details.

September 2023–February 2024 Program Details

1. Assisting Families Experiencing Homelessness

This program focuses on strategies to assist families experiencing homelessness in accessing and retaining shelter, short-term housing, and services from the Massachusetts Executive Office of Housing and Livable Communities (EOHLC). Trainers provide an overview of the Emergency Assistance (EA) shelter and services program, including current restrictions on access to EA shelter. The training also includes advocacy tips regarding the range of issues facing families at risk or experiencing homelessness as they seek access to EA shelter and the HomeBASE program. The training includes an overview of the system, the application process, denials, terminations, shelter placements, and program requirements.

This training is for legal services advocates, lawyers in private practice, social and health services workers, and community activists who want to learn about the nuts-and-bolts of the EA system and the HomeBASE program. Training materials include the *Emergency Assistance Advocacy Guide: A Guide to Emergency Shelter and Rehousing Services for Homeless Families with Children in Massachusetts*.

Faculty

Andrea M. Park, Esq., *Massachusetts Law Reform Institute, Boston*
Kelly Turley, *Massachusetts Coalition for the Homeless, Lynn*

2. CORI Basics: Criminal Record Sealing, Expungement & Related Issues

This seminar provides an overview of criminal offender record information (CORI) laws as related to employment, housing, and other collateral consequences. Topics include, but are not limited to, how to seal and expunge criminal and juvenile records; how to get and correct CORI reports; Chapter 151B anti-discrimination provisions that apply to job interviews and job applications; tenant protections related to use of criminal records by landlords and housing authorities; varied legal protections depending on the type of record sealed; when to expunge versus a seal a record; appeals of denials of requests for sealing or expungement; new caselaw by the Supreme Judicial Court on expungement of records; and new or pending legislation on CORI.

Massachusetts keeps “CORI” on every individual who has a criminal case in a Massachusetts state court. CORI is recorded and kept on file even if the underlying case is ultimately dismissed or the accused is found not guilty. CORI is available to police, and also used in screening processes by employers, landlords, government agencies, and others. Clients with criminal records face barriers to employment, housing, benefits and opportunities for economic stability. This training is for legal services advocates, lawyers in private practice, social and health services workers, and community activists who want to learn about the law or get a refresher course on the basics of CORI.

Faculty

Pauline Quirion, Esq., *Greater Boston Legal Services, Boston*
Sean Casey, Esq., *Massachusetts Probation Services, Boston*
Tasheena Davis, Esq., *Lawyers for Civil Rights, Boston*

Ventura Dennis, Esq., *Greater Boston Legal Services, Boston*
Susan Hegel, Esq., *Greater Boston Legal Services, Cambridge*
Agapi Koulouris, Esq., *Department of Criminal Justice Information Services, Chelsea*
Susan Malouin, Esq., *Northeast Legal Services, Lawrence*

3. Health Care Access Programs

This training is designed to help attendees understand MassHealth and other subsidized health programs available to people under age 65 in Massachusetts. The morning program will provide an overview of the eligibility requirements for MassHealth and the process for applying and enrolling in coverage. It will also provide an update on the “unwinding” from policies put in place during the COVID-19 public health emergency affecting MassHealth, the Health Connector and Health Safety Net programs. The afternoon program will provide an overview of subsidized coverage from the Health Connector in its Connector Care program and practical troubleshooting tips for resolving common eligibility and access to service problems with MassHealth and the Health Connector. This training will give outreach workers, social workers, providers, and advocates an up-to-date nuts-and-bolts overview of eligibility issues, and how to assist their patients and clients in becoming enrolled and maintaining coverage. The training is designed for new advocates but will also be helpful for experienced advocates looking for a review and update. Detailed online materials will be provided.

Faculty

Victoria Pulos, Esq., *Mass. Law Reform Institute, Boston*
Sonia Amado, *City of Boston Public Health Commission, Boston*
Andrew Cohen, Esq., *Health Law Advocates, Inc., Boston*
Hannah Frigand, *Health Care for All, Boston*
Nancy J. Lorenz, Esq., *Greater Boston Legal Services, Boston*

4. SNAP/Food Stamps Advocacy 101

The federally funded Supplemental Nutrition Assistance Program (SNAP, formerly called Food Stamps) remains the first line of defense against hunger for about one in seven Massachusetts residents (about 600,000 households). Families and individuals often struggle with getting their SNAP applications and recertifications approved. Collecting all the required proofs and getting through the application process can be overwhelming for an unrepresented household. Some of the most challenging cases involve the rules for immigrant-headed households. Special rules also apply to households with older adults and persons with disabilities.

The training includes an overview of the SNAP program, an update on federal and state SNAP changes, and an in-depth look at the nuts and bolts of SNAP eligibility, benefit amount, online tools, troubleshooting, and appeal rights. This training is designed for participants who need the basic rules and advocacy tips including new legal services and community advocates, lawyers in private practice, and social and health services workers.

Faculty

Patricia J. Baker, *Massachusetts Law Reform Institute, Boston*
Victoria Negus, *Massachusetts Law Reform Institute, Boston*

5. SSI & SSDI Basics

Social Security disability programs continue to be a major source of cash and health benefits for individuals with disabilities. However, dealing with a large federal agency can be daunting and overwhelming, especially for an unrepresented claimant. The program begins with an overview of the two disability programs administered by the Social Security Administration (SSA), with emphasis on eligibility requirements and procedures, including online procedures and any remaining COVID-19 related procedures, basic disability eligibility standards and non-disability issues such as income, resources, and non-citizen criteria. An explanation of the recently revised evidence submission and analysis rules begins the afternoon session followed by an overview of the appeals process for disability applications. Concluding the program is a review of certain post-entitlement issues, with special emphasis on continuing disability reviews, work incentives rules, and benefits overpayments.

The training is for legal services advocates, lawyers in private practice who are thinking of representing clients before SSA, social and health workers, and community activists.

Faculty

Linda Landry, Esq., *Disability Law Center, Boston*
Svetlana Uminkova, Esq., *Disability Law Center, Boston*

6. Tenants' Rights

This training is for community and lay advocates, mediators, housing and legal advocates, and others interested in having a better understanding of tenants' rights in Massachusetts. The training focuses on evictions, getting repairs made, rents, and housing discrimination. While the eviction process part of the program applies to all tenants, the training focuses primarily on rights of tenants in private housing.

Materials include *Legal Tactics: Tenants' Rights in Massachusetts*.

Faculty

Annette R. Duke, Esq., *Massachusetts Law Reform Institute, Boston*
David Brown, Esq., *Community Legal Aid, Worcester*
Hed Ehrlich, Esq., *Greater Boston Legal Services, Boston*
Colleen Hibbert-Kapler, Esq., *South Coastal Counties Legal Service, Fall River*
Maureen St. Cyr, Esq., *Massachusetts Fair Housing, Holyoke*
Quinten Steenhuis, Esq., *Suffolk University Law School, Boston*
Patricia Whiting, Esq., *Harvard Legal Aid Bureau, Cambridge*

7. Overview of the TAFDC Program, Massachusetts' Cash Assistance Program for Families

This training is for legal services advocates, lawyers in private practice, social and health services workers, and community activists who want to learn about TAFDC (Transitional Aid to Families with Dependent Children)—the cash assistance program for families. The training provides an overview of program rules and eligibility, as well as information about recent policy and practice changes. The training will also cover applying for and keeping TAFDC benefits, and protections for specific populations including people with disabilities, people dealing with domestic violence, and people with limited English proficiency. In the afternoon, there will be breakout sessions on child care and non-citizen eligibility/public charge.

Materials include PowerPoints handouts and other resources. If the rules are no longer in flux because of COVID-19, an updated *TAFDC Advocacy Guide: An Advocate's Guide* will also be provided. The December 2019 edition is available free at <https://www.masslegalservices.org/TAFDCAdvocacyGuide>.

Faculty

Betsy Gwin, Esq., *Massachusetts Law Reform Institute, Boston*
Hart Ayoob, *Greater Boston Legal Services, Boston*
Lisa Bradley, *Greater Boston Legal Services, Boston*
Lizbeth Ginsburg, Esq., *Greater Boston Legal Services, Boston*
Sarah Levy, Esq., *Greater Boston Legal Services, Boston*
Naomi Meyer, Esq., *Greater Boston Legal Services, Boston*

8. Utilities—Advocacy for Low-Income Households in Massachusetts

This training covers the broad range of topics that arise when low-income households are trying to initiate or protect their utility service, as well as pay their non-utility energy bills (oil, propane). Topics include how to start service and protect service from termination, how to restore terminated service, how to get on the low-income discount rate, payment plans and arrearage management programs, funding sources that help pay utility bills, avoiding overpriced energy supply contracts, helping victims of domestic violence and crimes, and advocating for clients at the Department of Public Utilities.

Training materials include *Utilities Advocacy for Low-income Households in Massachusetts*. All materials will be available on the National Consumer Law Center website. This training is designed for anyone working in the field and helping low-income clients with their utility problems, including social workers, housing search workers, elder advocates, immigration advocates, domestic violence program staff, community action program staff, and lawyers.

Faculty

Jenifer Bosco, Esq., *National Consumer Law Center Inc., Boston*
Jerry Battle, Esq., *National Consumer Law Center Inc., Boston*

Public Records & Open Meeting Law

What you need to know about the public's right to know

Open government is a cornerstone of our democracy—and is advanced at the state and local levels by the provisions of the Open Meeting Law and the Public Records Law. The level of openness these laws require—and the mechanisms which enforce public access—are important to the governmental officials, counsel for governmental bodies, and members of the public and media who wish to monitor meetings and actions. The expert panel addresses the current state of the Public Records Law and the Open Meeting Law individually, as well as their interaction in the context of local and state government.

Join us online as our expert panel discusses recent as well as evolving Public Records Law trends and issues. Highlights include recent changes to exemption language as well as changes to the Public Records Law regulations. The faculty discuss emerging topics and best practices including exemption claims, identifying and separating large requests from harassing requests, and strategies for responding to both. Additionally, the panel discusses relevant and important updates within the Open Meeting Law, such as what constitutes deliberation, the requirements for meeting notices and other deadlines, whether remote access to the public is required, and whether there are differences for executive meetings. Also learn what issues continue to emerge with the use of new technologies and their effects on government function and public access in the scope of both laws and especially during the pandemic and beyond.

Agenda

- What Type of Information Is Exempt from Disclosure Under the Public Records Law?
- The Dos and Don'ts of Handling Public Record Requests
- Current Issues in Public Records and Open Meeting Law
- Role and Challenges of Counseling Public Bodies in Open Meeting Law and Public Records Law Issues
- Attorney General's Open Meeting Law Guide
- Secretary of the Commonwealth's Updated Guide to Massachusetts Public Records Law
- Freedom of Information and Public Records Law
- "Ask the Experts" Q&A Session

Faculty

Angela M. Puccini, Esq., *Compliance Supervisor/Senior Attorney, Public Records Division, Office of the Secretary of the Commonwealth, Commonwealth of Massachusetts, Chair*

Janelle M. Austin, Esq., *KP Law, PC, Boston*

Carrie Benedon, Esq., *Director, Division of Open Government, Office of the Attorney General, Commonwealth of Massachusetts*

Emiliano Falcon-Morano, Esq., *Technology for Liberty Policy Counsel, ACLU of Massachusetts, Boston*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, October 18, 2023
9:30 am–12:30 pm
Program # 2240074WBC

REBROADCAST

Thursday, November 2, 2023
2:00 pm–5:00 pm
Program # 2240074RB1

REBROADCAST

Tuesday, November 14, 2023
9:00 am–12:00 pm
Program # 2240074RB2

ON DEMAND WEBCAST

View after Tuesday, November 14, 2023
Program # 2240074WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Massachusetts Municipal Law ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

Practicing with Professionalism

A mandatory half-day, online only course for new lawyers on civility, relationship building, implicit bias, access to justice, and the financial, technological and personal challenges inherent in law practice

Observance of the highest ethical standards, proficiency in essential elements of law practice, civility, and engagement in the legal community are among the hallmarks of professionalism. MCLE's dynamic *Practicing with Professionalism* faculty bring these principles to life.

Supreme Judicial Court Rule 3:16 requires all newly admitted lawyers in Massachusetts to complete a mandatory professionalism course within 18 months of admission. Spend a half-day with MCLE and build a foundation in professionalism that will serve you throughout your career—and life.

Program Highlight! Commentary from a member of the SJC's Standing Committee on Professionalism emphasizing the value of the course, and identifying attributes and the importance of professionalism in the practice of law, while also highlighting the historical significance of Massachusetts lawyers in upholding the rule of law

Agenda

- Developing, Managing, and Maintaining Relationships
- Demonstrating Professionalism in Problem Solving and Negotiation
- Examining Implicit Bias
- Promoting Access to Justice
- Navigating the Challenges and Opportunities in Using New Technology and Social Media
- Connecting with the Legal Community
- Maintaining Your Professional and Personal Well-Being

Resource Materials

A major advantage of taking the Practicing with Professionalism course at MCLE is the rich compilation of online resources—over 1,000 pages of searchable original articles from MCLE's publications, and materials from a number of regulatory agencies and professional organizations. These materials serve not only as a valuable online companion for the program, but also as a continuing resource for research and reference in daily practice.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, September 11, 2023
9:00 am–1:15 pm
Program # 2240265WBC

Monday, November 13, 2023
9:00 am–1:15 pm
Program # 2240266WBC

Monday, February 12, 2024
9:00 am–1:15 pm
Program # 2240267WBC

Tuition *(includes written materials)*

\$50

Registration Deadline

To ensure enrollment, register online as early as possible. Your online registration must be received no later than 7:00 am on the Friday before the program date. Registration will not be accepted after that time.

Attendance Policy

Attendance at this program, per SJC Rule 3:16, is a post-admission requirement. Only those already admitted to the Massachusetts bar will receive credit for the course; anyone not yet admitted to the bar will have to retake the course after admission.

Attendance at the entire program is required. *You must choose the "Prompts" option when you click the link to begin the live webcast and click all prompts as they appear during the program.* Registrants who join online after the course has commenced will not be permitted to attend the day's program, but must register for another course date.

It is recommended that you sign in online at 8:30 am.

CLE Credits

Earn up to 4 CLE credits

Including up to 4 ethics credits

ONLINE SEMINAR

Supreme Court Annual Review 2023

Analysis of the year's U.S. Supreme Court decisions

Under Development!

What was behind this term's headline-generating decisions? What are the legal implications? Where might the nation's high court go next? Join our expert faculty as we examine the cases shaping the future of the law—and the future of the United States.

Registration for this program will open soon.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, September 26, 2023
2:00 pm–5:00 pm
Program # 2240080WBC

REBROADCAST

Wednesday, October 11, 2023
9:30 am–12:30 pm
Program # 2240080RB1

REBROADCAST

Thursday, October 19, 2023
2:00 pm–5:00 pm
Program # 2240080RB2

ON DEMAND WEBCAST

View after Thursday, October 19, 2023
Program # 2240080WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
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- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



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Update on Legal Issues in Private & Higher Education Admissions 2024

Recent decisions and the changes to admission policies

In a closely watched decision during the 2022–2023 term, the U.S. Supreme Court considered challenges to the consideration of race in college admissions at Harvard University and University of North Carolina, Chapel Hill. The Court’s ruling sets important new legal precedent and will have a significant impact on admissions policies and practices on college campuses. Attorneys must be prepared to help clients understand how this Court precedent impacts the admissions practices, goals, and initiatives in place on college campuses.

Join our expert panel as we break down the recent court decisions, evaluate how these decisions fit into the framework of existing federal and state law and agency guidance, and consider potential developments in legal issues in college admissions. Learn practical tips for updating admissions policies now to manage compliance in an evolving legal landscape.

Agenda

- Detailed Analysis of the U.S. Supreme Court Decision and What It Means
- Review of State and Federal Laws Governing Admissions and Anticipated Trends
- Practical Strategies to Balance Institutional Priorities and Court Precedent
- Steps to Take Now to Update Policies and Practices
- “Ask the Experts” Q&A Session

Faculty

Katrina N. Chapman, Esq., *Counsel and Director of Compliance, New England Conservatory of Music, Boston, Chair*

Abra S. Francois, Esq., *Assistant General Counsel, Tufts University, Medford*

Ara B. Gershengorn, Esq., *Office of General Counsel, Harvard University, Cambridge*

Renée M. Landers, Esq., *Suffolk University Law School, Boston*

Paul G. Lannon, Jr., Esq., *Holland & Knight LLP, Boston*

Madeleine K. Rodriguez, Esq., *Foley Hoag LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, October 26, 2023

11:00 am–1:00 pm

Program # 2240084WBC

REBROADCAST

Monday, November 13, 2023

2:00 pm–4:00 pm

Program # 2240084RB1

REBROADCAST

Tuesday, November 21, 2023

10:00 am–12:00 pm

Program # 2240084RB2

ON DEMAND WEBCAST

View after Tuesday, November 21, 2023

Program # 2240084WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

College and University Law Manual ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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Changing Course: How to Successfully Switch Practice Areas

Shifting gears for a more satisfying career

It's easy to feel like you're stuck in your chosen career path, to the point where you feel trapped. But, in reality, there is always an alternate pathway to engage, and nothing is really set in stone.

So, as to the question of whether an attorney can effectively switch practice areas mid-career, or mid-firm, the answer is an emphatic "yes". And we show you exactly how to do it.

In this dynamic seminar, we talk with an attorney who switched practice areas in an active law firm, an attorney who switched jobs and switched practice areas, and a lawyer who traded in court-appointed work for the lure of private practice—in a whole different niche.

So, if you want to, but think that you can't change horses midstream, we seek to convince you otherwise.

Remember, change can be hard—not impossible.

Agenda

- Changing Practice Areas and Staying with the Firm
- Changing Practice Areas and Leaving the Firm
- Completely Changing Your Practice

Faculty

Jared D. Correia, Esq., *Founder & CEO, Red Cave Law Firm Consulting, Beverly, Chair*

Emily A. Gordon, Esq., *Amara Law LLC, Brookline*

Masai-Maliek King, Esq., *Vice President – Litigation Counsel, State Street, Boston*

Julie M. Tolek, Esq., *Dilworth IP, New Haven, CT*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 3, 2023

3:00 pm–5:00 pm

Program # 2240051WBC

REBROADCAST

Wednesday, October 18, 2023

10:00 am–12:00 pm

Program # 2240051RB1

REBROADCAST

Thursday, October 26, 2023

2:00 pm–4:00 pm

Program # 2240051RB2

ON DEMAND WEBCAST

View after Thursday, October 26, 2023

Program # 2240051WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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Client Relationship Management: Briefings Bundle

5 webcast programs = core fluency

Do you wish managing clients, expectations, fee structures, and collections were easier? It can be. This curated bundle of 5 hours of fast-paced webcast programming gives you a solid foundation in navigating these common practice challenges. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **When, Why & How of Client Engagement & Conclusion of Representation Letters:** Purposes of engagement agreement and disengagement and non-engagement letters; When a written fee agreement is required; Types of fee agreements; Mechanics of drafting fee agreements; Sample clauses; How client engagement fits into intake
- **Best Practices & Pitfalls in Attorney Fee Structures:** Types of fee structures; Pros and cons of each type of fee structure; Best practices and ethical considerations; Pitfalls and mistakes to avoid
- **Securing & Collecting Your Fees:** Requirements of the Rules of Professional Conduct; Setting expectations for fee agreements and communications with clients about fees and disbursements; Getting and managing retainers; Contingency fee agreements; Good billing habits; Pursuing clients for unpaid fees
- **Managing Client Expectations to Create Raving Fans:** Why managing client expectations is important and what type of impact it makes on your firm; What makes consistently doing this difficult and how you can avoid that; Limitations to setting client expectations; Tools you can use to consistently and systematically keep client expectations in check so you can have happier clients and generate more business
- **Parsing Out the Line Between Counseling Your Client & Being a Co-Conspirator:** Review of the responsibilities and prohibitions on lawyers in Massachusetts; Parsing out the line between counseling your client and being a co-conspirator; Examining how these interplay and play out in 'ripped from the headlines' cases; Practical tips for ensuring lawyers provide zealous, client-directed guidance within the scope of representation while avoiding ethical pitfalls

Unparalleled Expertise—Speakers

- Top-notch Guidance—from the Best in the Practice
- Practical Insight You Can Trust



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Dates & Location

Register at www.mcle.org

REBROADCAST

Monday, December 18, 2023
9:00 am–2:00 pm
Program # 2240053RB1

REBROADCAST

Thursday, January 18, 2024
9:00 am–2:00 pm
Program # 2240053RB2

REBROADCAST

Friday, February 16, 2024
9:00 am–2:00 pm
Program # 2240053RBC

Tuition *(includes written materials)*

- \$145
- \$122.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

E-materials link, transcripts & videorecordings emailed upon registration

CLE Credits

Earn up to 5 CLE credits including up to 1 ethics credit

Harnessing the Power of Mindfulness

Build emotional intelligence, increase your focus and resilience, and enhance your well-being

Have you been feeling more anxious than usual? Are you finding it almost impossible to focus? Is it hard for you to concentrate through the strain of family and work demands? Are you nervous about what life will look like in the future? If you answered yes to any of these questions, mindfulness can help you.

Learn how to harness the power of mindfulness over the course of this 2-hour program.

Agenda

- What Mindfulness Is
- How Mindfulness Practices Can Influence Your Patterns of Thought and Cultivate Healthy Mental Habits
- Why Mindfulness Helps Build Emotional Intelligence and Well-Being—Including Increased Capacities of Focus, Resilience, and Compassion
- Mindfulness Practices You Can Use Immediately in Your Professional and Personal Life

Instructor

FILIPPA M. ANZALONE has served as professor of law and associate dean for library and technology services at Boston College Law School since 2002. She teaches a course entitled Mindfulness and Contemplative Practices for Lawyers. Professor Anzalone has a regular meditation practice and she is an MBSR level one certified meditation instructor. Professor Anzalone has taught advanced legal research, an art law seminar, and semester in practice. Professor Anzalone received an A.B. from Smith College, an M.S.L.S. from Simmons College Graduate School of Library Science, and a J.D. from Suffolk University Law School. Before coming to BC, she worked at Northeastern University School of Law, two law firm libraries, and public libraries. Her interests include contemplative practices, leadership, law library management, legal education, student formation, legal research, and art and cultural property law.

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, December 14, 2023
2:00 pm–4:00 pm
Program # 2240135WBC

REBROADCAST

Friday, December 29, 2023
10:00 am–12:00 pm
Program # 2240135RB1

REBROADCAST

Monday, January 8, 2024
2:00 pm–4:00 pm
Program # 2240135RB2

ON DEMAND WEBCAST

View after Monday, January 8, 2024
Program # 2240135WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



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How to Make Money & Stay Out of Trouble—The Ethics of Practice

Know how the rules affect you and your practice

Run a thriving law practice with no ethical missteps. Whether you are a new or experienced attorney, this program gives you the essential tools to run a professional and successful law practice. A panel featuring a practitioner and counsel from the Office of Bar Counsel review the expectations of and rules governing the ethical and responsible practice of law in Massachusetts. You learn the standards that represent the best traditions and highest aspirations of the legal profession as well as the best practices and procedures to make money while avoiding ethical mistakes. Take advantage of this opportunity to raise your practice to the next level of professional excellence.

Important Note: If you seek credit for this program to meet a requirement set forth by the Massachusetts Board of Bar Overseers, please be sure to register for the **live webcast** only **and affirmatively select and click the tracking/attendance prompts throughout the program.**

Agenda

- Office Management
- Fees
- Conflicts
- Advertising, Marketing, and Social Media
- Avoiding Malpractice, Discipline and Other Trouble
- “Ask the Experts” Q&A Session

Faculty

Dorothy Anderson, Esq., *First Assistant Bar Counsel, Office of Bar Counsel, Massachusetts Board of Bar Overseers, Boston, Cochair*

James S. Bolan, Esq., *Brecher, Wyner, Simons, Fox & Bolan LLP, Newton, Cochair*

Luz A. Carrion, Esq., *Assistant Bar Counsel, Office of Bar Counsel, Massachusetts Board of Bar Overseers, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, December 15, 2023
9:30 am–1:30 pm
Program # 2240048WBC

REBROADCAST

Tuesday, January 2, 2024
1:00 pm–5:00 pm
Program # 2240048RB1

REBROADCAST

Wednesday, January 10, 2024
9:30 am–1:30 pm
Program # 2240048RB2

ON DEMAND WEBCAST

View after Wednesday, January 10, 2024
Program # 2240048WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 4 CLE credits
Including up to 4 ethics credits



Subscribe to the MCLE OnlinePass[®]

for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Mastering Law Firm Accounting

Effective use of law firm financial statements

Law firm financial statements are powerful tools you can use to manage and grow your firm effectively. By analyzing these statements and using the information they provide, you can make informed decisions to effectively manage your firm's financial health and achieve your business goals.

This program provides you with the ability to understand your firm's financial statements and how to use that knowledge to increase profitability and maximize your chances for future success.

Agenda

- Understanding Your Firm's Financial Statements
- Your Firm's IOLTA Account
- Why You Need to Know the Difference between Cash and Accrual Accounting
- How to Manage Your Firm's Profitability and Costs to Grow Your Firm, with Examples
- Managing Your Firm's Cash Flow Effectively, and Why It Is Important
- Using Past Financial Learnings to Create Future Success

Faculty

Luz A. Carrion, Esq., *Lawyers Concerned for Lawyers, Inc., Boston*
Ann DeLuca, CPA, *Numeric Advantage LLC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 17, 2023
10:00 am–12:00 pm
Program # 2240054WBC

REBROADCAST

Wednesday, November 1, 2023
2:00 pm–4:00 pm
Program # 2240054RB1

REBROADCAST

Thursday, November 9, 2023
10:00 am–12:00 pm
Program # 2240054RB2

ON DEMAND WEBCAST

View after Thursday, November 9, 2023
Program # 2240054WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Sponsor Members
- \$72.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Social Media Do's and Don'ts

Leveraging social media for your firm

Do you want to reach a bigger audience through social media channels? Does the notion of social media illicit visions of teenage influencers and seemingly ridiculous videos? Well, our experts are here to tell you that there is a lot more to social media than you think, and it is a key tool for any law practice. Learn about the professional side of social media that you can use for marketing and branding your firm.

Join our experts as they discuss the ins and outs of Twitter, Facebook, LinkedIn, Instagram, YouTube, and TikTok.

Agenda

- Social Media Platforms and How to Choose Which Ones to Use
- Tools and Programs to Help You Use Social Media More Efficiently and Effectively
- Paid Ads
- Content Calendaring and the Art of Repurposing
- Mistakes Lawyers Make with Social Media
- Approaches That Are Effective
- “Ask the Experts” Q&A Session

Faculty

Melissa A. Levine-Piro, Esq., *Hera Law Group, Maynard*, Chair
Christopher F. Earley, Esq., *Law Office of Christopher Earley, Boston*
Lindsey E. Egan, Esq., *Egan Law Center, Manchester-by-the-Sea*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, December 5, 2023
3:00 pm–5:00 pm
Program # 2240003WBC

REBROADCAST

Wednesday, December 20, 2023
10:00 am–12:00 pm
Program # 2240003RB1

REBROADCAST

Thursday, December 28, 2023
12:00 pm–2:00 pm
Program # 2240003RB2

ON DEMAND WEBCAST

View after Thursday, December 28, 2023
Program # 2240003WBA

Tuition *(includes written materials)*

- \$145
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Strategies for Coping with the Return to “Normal”

How to handle hybrid and build sustainable, productive habits

Law practices have been substantially affected and changed over the last few years. This has left many lawyers feeling in limbo or like they are continuously fielding unanticipated curveballs.

This year, with the pandemic emergency stage over, law practices need to think about strategies for coping with the return to normal. While the new normal will be individualized for every practice, there are common challenges that legal workplaces are facing. For example, hybrid workplaces have become the standard for many. With that comes the need for new ways of working together and sharing information.

This program explores a range of topics, from cautions on items that too many left in limbo, to changes in new “normals” in office environments, to methods for communication and collaboration, to better setting expectations and sustainable habits.

Agenda

- **Regain a Sense of Control**
 - Acknowledging stresses and challenges legal environments confront
 - Illuminating areas that have been on the backburner for too long for many
 - Watching for ethical and financial dangers
- **Office Environments**
 - Home offices and remote work are no longer rarities nor short-term solutions; they have become the standard going forward for many
 - Broad range of new office environments
 - How both flexibility and boundary-setting are important and can co-exist
- **Collaboration and Communication**
 - Handling the shift toward asynchronous communications between colleagues and with clients
 - Tools, processes, and systems that help keep everyone on the same page
- **Adapt Beyond Emergency Mindsets with Planning for Day-To-Day Normal Operations**
 - Office culture is shifting: Set feasible expectations both internally and externally
 - Strive for more sustainable habits

Faculty

Laura Keeler, *Certified Paralegal, Mass LOMAP, Boston*, Chair
Christopher F. Earley, Esq., *Law Office of Christopher Earley, Boston*



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Dates & Location

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LIVE WEBCAST

Tuesday, October 31, 2023
3:00 pm–4:00 pm
Program # 2240052WBC

REBROADCAST

Wednesday, November 15, 2023
10:00 am–11:00 am
Program # 2240052RB1

REBROADCAST

Monday, November 27, 2023
12:00 pm–1:00 pm
Program # 2240052RB2

ON DEMAND WEBCAST

View after Monday, November 27, 2023
Program # 2240052WBA

Tuition *(includes written materials)*

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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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The Ins & Outs of Marketing Your Practice

Your legal skills are useless if no one knows your firm

This engaging and comprehensive program is designed to equip lawyers with the knowledge and skills needed to effectively promote and grow their practice in today's competitive market. This dynamic program explores the intricacies of marketing strategies specifically tailored to the legal industry, assisting participants in enhancing their visibility, attracting new clients, and building a strong professional brand.

We begin by examining the fundamental principles of legal marketing; learning how to develop a compelling marketing plan that aligns with your practice area and target audience. Then we explore various marketing channels, including digital platforms, social media, and traditional advertising, while gaining an understanding of the ethical considerations when promoting legal services.

Agenda

- Marketing Fundamentals
- Marketing Plans
- Building Your Brand
- Effective Storytelling
- Marketing Campaigns: From Creation to Execution
- Data Analytics
- Search Engine Optimization (SEO)

Faculty

Nicole M. Bluefort, Esq., *Bluefort Law Group, Lynn*, Chair

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, November 28, 2023
2:00 pm–4:00 pm
Program # 2240004WBC

REBROADCAST

Wednesday, December 13, 2023
10:00 am–12:00 pm
Program # 2240004RB1

REBROADCAST

Thursday, December 21, 2023
12:00 pm–2:00 pm
Program # 2240004RB2

ON DEMAND WEBCAST

View after Thursday, December 21, 2023
Program # 2240004WBA

Tuition *(includes written materials)*

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When & How to Ethically Fire a Client & Withdraw from Representation

Extract yourself without the BBO knocking

There are times when you take on a client and in the midst of representation, you find yourself needing to withdraw from representing that client. Whether the client is failing to pay their fees, engaging in fraudulent activity, or any of a multitude of other reasons, an attorney may need to end the attorney-client relationship. Although clients generally have an absolute right to discharge their attorneys, either with or without cause, lawyers do not have the same right.

This program explores how you withdraw from representation in Probate and Family Court, District Court, and Superior Court while meeting your ethical obligations and avoiding trouble.

Agenda

- When and How You Withdraw from a Case in Probate and Family Court, District Court, or Superior Court
- Ethical Rules and Considerations for Withdrawal
- Best Practices
- “Ask the Experts” Q&A Session

Faculty

Gabriel Cheong, Esq., *Infinity Law Group LLC, Quincy*
Ryan P. Sullivan, Esq., *Law Office of Ryan P. Sullivan, Lowell*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, September 19, 2023
12:00 pm–1:00 pm
Program # 2240050WBC

REBROADCAST

Wednesday, October 4, 2023
10:00 am–11:00 am
Program # 2240050RB1

REBROADCAST

Thursday, October 12, 2023
2:00 pm–3:00 pm
Program # 2240050RB2

ON DEMAND WEBCAST

View after Thursday, October 12, 2023
Program # 2240050WBA

Tuition *(includes written materials)*

- \$145
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Ethical Lawyering in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1 CLE credit including up to 1 ethics credit



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When, Why & How of Client Engagement & Conclusion of Representation Letters

What you need to know about signing up and signing off

Having a solid handle on client engagement—and disengagement at the conclusion of representation—makes a critical foundation for your mutual understanding with clients.

Client engagement letters not only launch the attorney-client relationship’s logistical terms by setting fees and establishing the scope of representation and attorney of record; they also establish the tone of the relationship. Before agreeing to represent a client, you want to make sure that you’re both on the same page and that you have the ability to competently carry out representation.

If you haven’t looked at your engagement letters or fee agreements lately, there are certain elements which are required, including determining the type of billing agreement (such as hourly fee, flat fee, contingency fee), the basis of rate of the fee and expenses for which the client will be responsible, or the contingency upon which compensation will be paid, a defined scope of engagement, handling of retainers and trust accounts, and fee-splitting, if relevant.

In addition, there are several clauses that can be helpful down the line. For example, it is now commonplace to have clauses within engagement letters discussing file retention and method, data security, file destruction, options to engage a back-up attorney to examine the file if needed, termination, withdrawal, and dispute resolution.

Join us as we explore the beginning and ending of representation—from client engagement to conclusion of representation—as well as setting client expectations and establishing methods for client communications.

Agenda

- Purposes of Engagement Agreement and Disengagement and NonEngagement Letters
- When a Written Fee Agreement Is Required
- Types of Fee Agreements
- Mechanics of Drafting Fee Agreements
- Sample Clauses
- How Client Engagement Fits into Intake
- “Ask the Experts” Q&A Session

Faculty

Luz A. Carrion, Esq., *Lawyers Concerned for Lawyers, Inc., Boston*
Laura Keeler, *Certified Paralegal, Mass LOMAP, Boston*



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LIVE WEBCAST

Wednesday, October 11, 2023
12:00 pm–1:00 pm
Program # 2240140WBC

REBROADCAST

Thursday, October 26, 2023
2:00 pm–3:00 pm
Program # 2240140RB1

REBROADCAST

Friday, November 3, 2023
10:00 am–11:00 am
Program # 2240140RB2

ON DEMAND WEBCAST

View after Friday, November 3, 2023
Program # 2240140WBA

Tuition *(includes written materials)*

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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Including up to 0.5 ethics credit

Boston Zoning

Updates and insights from key city agencies

This program delves into the intricacies of Boston zoning—including its downtown and neighborhood districts—explaining how large and small projects obtain approvals, and the nuances of navigating the different agencies and groups involved in zoning approvals within the City of Boston. Learn about recent developments in agency procedures at the Boston Inspectional Services Department (ISD), Boston Zoning Board of Appeal, and Boston Planning and Development Agency (BPDA). Understand the Boston Zoning Enabling Act, Boston Zoning Code, and Boston Zoning Maps, as well as the respective roles played by the various agencies and groups to successfully navigate the process for your clients.

Familiarize yourself with the principles and procedures at the core of development in Boston. Hear directly from attorneys from the ISD and the BPDA, as well as from private practitioners navigating the terrain, including the author of *Boston Zoning: A Lawyer's Handbook*. Get the strategic insight you need now—not in a haste when the phone next rings!

Agenda

- Boston Zoning Enabling Act
- Boston Zoning Code
- Boston Zoning Maps
- Article 80
 - Large Project Review
 - Small Project Review
 - Planned Development Areas
 - Institutional Master Plans
- Inspectional Services Department
- Role of Community Review Process
- Zoning Board of Appeal
- Judicial Appeals
- Boston Planning Initiatives and Updates
- “Ask the Experts” Q&A Session

Faculty

Marc L. LaCasse, Esq., *LaCasse Law LLC, Boston, Chair*

Cynthia M. Barr, Esq., *Boston*

Matthew J. Donovan, Esq., *Boston Planning & Development Agency*

Richard C. Lynds, Esq., *Law Office of Richard C. Lynds, Boston*

Javier R. Salas, Esq., *Executive Secretary, Boston Zoning Board of Appeal*

Mallory E. Toomey, Esq., *Boston Planning & Development Agency, City of Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 10, 2023

2:00 pm–5:00 pm

Program # 2240036WBC

REBROADCAST

Wednesday, October 25, 2023

9:00 am–12:00 pm

Program # 2240036RB1

REBROADCAST

Thursday, November 2, 2023

1:00 pm–4:00 pm

Program # 2240036RB2

ON DEMAND WEBCAST

View after Thursday, November 2, 2023

Program # 2240036WBA

Tuition *(includes written materials)*

- \$245
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- \$122.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Boston Zoning: A Lawyer's Handbook ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Buying & Selling Registered Land, & When to Deregister

Unique attributes, requirements, processes and considerations of registered land

Registered land accounts for approximately 10% of all real property in Massachusetts, but it is very likely you will need to handle a transaction in which part or all of the parcels is registered. This new program examines the differences between registered and recorded land in the registry of deeds, including certificates of title, easements, and restrictions, and provides tips for purchase and sale drafting, as well as tips and guidance for Land Court approvals and filing in the registry district. Our panelists also discuss the “deregistration” process, and how to proceed if your client wants to voluntarily withdraw from the Torrens System.

Agenda

- Overview of Registered Land
- Drafting Purchase and Sales Agreements
- Registered Land Titles
- Traps for the Unwary
- Deregistration
- “Ask the Experts” Q&A Session

Faculty

Carrie B. Rainen, Esq., *Rainen Law Office, PC, North Andover, Chair*
Nicole L. Pinkos, Esq., *Hornung & Scimone, PC, Natick*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, January 17, 2024
2:00 pm–5:00 pm
Program # 2240045WBC

REBROADCAST

Thursday, February 1, 2024
1:00 pm–4:00 pm
Program # 2240045RB1

REBROADCAST

Friday, February 9, 2024
9:00 am–12:00 pm
Program # 2240045RB2

ON DEMAND WEBCAST

View after Friday, February 9, 2024
Program # 2240045WBA

Tuition *(includes written materials)*

- \$245
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

Handling Residential Real Estate Transactions in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



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Commercial Real Estate: MCLE BasicsPlus!®

Buying, selling, developing, financing and leasing

- **Title and Survey:** Explanation of basic title documents, what title insurance is and what it covers, how to decipher key sections of a title insurance policy, and what to expect when negotiating the policy; Essential survey elements and how to locate them
- **Overview, Offers/Letters of Intent, Acquisition Documents:** What should and should not be in a letter of intent or offer to purchase, and why; How to progress from offer or LOI to purchase and sale agreement, including an examination of key purchase and sale agreement issues such as representations and warranties, pre-closing rights and obligations, closing conditions, and remedies for default; Considerations concerning choice of buyer entity
- **Zoning, Subdivision, Environmental Site Assessments:** Overview of zoning law, including forms of zoning relief, and how to perform a zoning analysis on proposed and completed projects; How the Subdivision Control Law and local practices can help or hinder development; What to look for in an environmental site assessment report, and what to do when you find it
- **Permanent Financing:** The loan application and commitment process; Important document provisions, including nonrecourse clauses, subordinate financing, due on sale, prepayment penalties, and financial covenants; How permanent financing documents affect every aspect of your client's project, from the ability to restore the building following a casualty to the ability to find and retain quality tenants
- **Leasing:** Discussion of office and retail lease issues from the perspectives of landlord and tenant, from term sheet to final lease; Key concepts applicable to any lease, including operating and common area maintenance expense and tax provisions and construction of leasehold improvements; How to digest and abstract a lease

Faculty

- Darren M. Baird, Esq., *Goulston & Storrs, PC, Boston, Cochair*
Eric M. Labbe, Esq., *Dain, Torpy, Le Ray, Wiest & Garner, PC, Boston, Cochair*
Jean C. Bowe, Esq., *Goulston & Storrs, PC, Boston*
Peter Brassard, Esq., *Dain, Torpy, Le Ray, Wiest & Garner, PC, Boston*
Margaret M. Fortuna, Esq., *Assistant Vice President, Commercial Counsel, Commonwealth Land Title Insurance Company, Boston*
Edward Gelles, Esq., *Dain, Torpy, Le Ray, Wiest & Garner, PC, Boston*
Sean W. Gilligan, Esq., *Gesmer Updegrove LLP, Boston*
Daniel C. Healy, Esq., *Seyfarth Shaw LLP, Boston*
Kathleen M. Heyer, Esq., *Pierce Atwood LLP, Boston*
Michael W. Parker, Esq., *Dain, Torpy, Le Ray, Wiest & Garner, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, October 23, &
Tuesday, October 24, 2023
9:30 am–4:30 pm
Program # 2240033WBC

REBROADCAST

Tuesday, November 7, &
Wednesday, November 8, 2023
9:30 am–4:30 pm
Program # 2240033RB1

REBROADCAST

Wednesday, November 15, &
Thursday, November 16, 2023
9:30 am–4:30 pm
Program # 2240033RB2

ON DEMAND WEBCAST

View after Thursday, November 16, 2023
Program # 2240033WBA

Tuition *(includes written materials)*

- \$295
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Materials

Commercial Real Estate Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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- **Condo Boards—Fiduciary Responsibilities & Potential Liability:** Role and responsibilities of the condominium board; Scope and limit of the condominium board's authority; Minimizing liability through proper property management; Available options when a condominium board cannot or will not act; Managing risk through insurance coverage
- **Condominium Law Symposium 2021:** Condominium COVID-19 issues; Condominium COVID-19 adaptations expected to last; Condominium contracts, provisions, insurance, and issues in current times; Legalization/decriminalization of marijuana; Reasonable accommodation; Handling requests for emotional support animals; Condominium association rights in reasonable accommodation process

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Dates & Location

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REBROADCAST

Wednesday, December 13, 2023
9:00 am–4:00 pm
Program # 2240047RB1

REBROADCAST

Thursday, January 18, 2024
9:00 am–4:00 pm
Program # 2240047RB2

REBROADCAST

Friday, February 9, 2024
9:00 am–4:00 pm
Program # 2240047RBC

Tuition *(includes written materials)*

- \$245
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Materials

Massachusetts Condominium Law ebook, plus speaker materials

- E-materials link, transcripts & recordings emailed upon registration

CLE Credits

Earn up to 7 CLE credits



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Handling Hoarding Cases

Documenting, diagnosing and determining actions to be taken when a tenant struggles with hoarding behavior while balancing legal obligations to provide accommodations with protection of resident health and safety

There has been an increase in cases involving tenants who struggle with maintaining an excessive number of items in their unit. Some of those tenants have true hoarding issues, which often leads to a lease violation and simultaneously is the basis for a disability related accommodation request. While each case is different, trying to address individuals with hoarding behavior can be difficult for everyone involved. Advocates struggle with how to protect their client against eviction while also ascertaining how to get their client to take the steps necessary to comply with their lease obligations. Hoarding behavior may trigger animal or insect infestations, fire hazards, state sanitary code violations, or even diminished quiet enjoyment. Housing advocates struggle with how to balance their zealous advocacy with the tenant's reluctance or inability to modify their behavior. Tenants with hoarding behavior, particularly residents of subsidized housing, face the likelihood of homelessness, barriers for rehousing, and perhaps further health consequences. The Housing Court struggles with how to balance the interests of a disabled tenant with the interest of the housing provider and other residents. Despite evictions being adversarial proceedings, cases involving tenants with hoarding behaviors have a better chance of being successfully resolved when all parties work together to address the tenant's needs and progress towards the goal of meeting and maintaining compliance with the lease obligations. Hear the panelists discuss a suggested framework for how to work through hoarding related accommodations and evictions while also providing information on services available to address hoarding behavior and conditions.

Agenda

- What Is Hoarding? Defining and Diagnosing the Situation, Including Clutter Scale
- Landlord's Response
 - Discovering possible hoarding
 - Documenting the situation
 - Initial steps to address the situation
 - Enforcing lease provisions
- Tenant's Response
 - Setting up relationship with tenant
 - Contacting personal resources: Medical provider, family, and friends
- Locating Resources for Cleaning and Maintenance
- Court's Response
 - Use of eviction actions
 - Use of civil actions
 - Guardian *ad litem*s, tenancy preservation program, and other court resources
 - Agreements and orders
 - Remedies for violation

Faculty

Catherine F. Downing, Esq., *Downing Van Dyke LLC, Framingham*, Cochair
Edward Rice, Esq., *Malden*, Cochair
Hon. Alexander Mitchell-Munevar, *Associate Justice, Northeast Division, Housing Court, Commonwealth of Massachusetts*



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Dates & Location

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LIVE WEBCAST

Tuesday, February 13, 2024
2:00 pm–5:00 pm
Program # 2240040WBC

REBROADCAST

Wednesday, February 28, 2024
9:00 am–12:00 pm
Program # 2240040RB1

REBROADCAST

Thursday, March 7, 2024
1:00 pm–4:00 pm
Program # 2240040RB2

ON DEMAND WEBCAST

View after Thursday, March 7, 2024
Program # 2240040WBA

Tuition *(includes written materials)*

- \$245
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Materials

Residential and Commercial Landlord-Tenant Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits



How to Assert a Residential Tenant Claim

Learn how to successfully represent tenants in private practice, including an overview of common claims, case selection, and practical considerations before bringing a suit, using “fee-shifting” claims to support a practice focused on serving low- and moderate-income tenants

Residential tenants cannot generally obtain legal representation. The Massachusetts Trial Court, Department of Research and Planning statistics for 2023 report that over 95% of tenants in eviction cases were unrepresented. Tenants often have serious claims but cannot always obtain counsel in cases where their shelter is at risk or where they are living in seriously substandard housing.

Massachusetts has several “fee-shifting” statutes that require the defendant to pay the plaintiff’s reasonable attorney fees and costs if the plaintiff wins. These laws enable attorneys to pursue meritorious claims and recover for their time and expenses regardless of the tenant’s ability to pay an hourly retainer. The fee-shifting statutes allow low-income tenants to retain their homes, obtain repairs for dangerous and unsafe conditions, prevent housing discrimination, and stop illegal lockouts. Without attorneys, these rights are often not enforced; fee-shifting allows attorneys to provide tenants with access to justice.

Learn from two attorneys who sustain viable “fee-shifting” practices and discuss the proper analysis for case selection, including where to file cases and how to litigate them.

Agenda

- **Summary of Common Tenant Claims**
 - Substandard housing conditions and sanitary code violations
 - Utility and lead paint claims
 - Security deposits
 - Illegal lockouts and self-help evictions
 - Discrimination and Reasonable Accommodations
 - Retaliation
- **Case Selection and Filing Considerations**
 - Client goals and selecting proper venue
 - Selecting proper defendants
 - Pre-filing requirements
- **Discussion of Fee-Shifting Statutes and Claims, Including Practical Approach to Successful Negotiations and Filing Fee Petition**
- **Practical Tips for Developing a Viable Private Practice Representing Residential Tenants**

Faculty

Edward Rice Esq., *Broderick Bancroft & Saccardi, Somerville*, Chair
Joel Feldman Esq., *Heisler & Feldman, Springfield*



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LIVE WEBCAST

Monday, October 23, 2023
12:00 pm–2:00 pm
Program # 2240043WBC

REBROADCAST

Tuesday, November 7, 2023
9:00 am–11:00 am
Program # 2240043RB1

REBROADCAST

Wednesday, November 15, 2023
3:00 pm–5:00 pm
Program # 2240043RB2

ON DEMAND WEBCAST

View after Wednesday, November 15, 2023
Program # 2240043WBA

Tuition *(includes written materials)*

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Materials

Residential and Commercial Landlord-Tenant Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 2 CLE credits



How to Prepare Notices to Quit

Understand the steps for commencing a Summary Process action and avoid pitfalls that can lead to unintended consequences

This new seminar guides practitioners through the drafting and service of notices to quit, the first step in the commencement of a Summary Process action. There is more to consider in drafting, however, than just the reason for the eviction. Recent changes to the rules and requirements of the District and Housing Courts, resulting from the pandemic, make it incumbent upon landlord attorneys to be aware of these changes before drafting or serving any notice to quit.

Experienced faculty explain the basics of draftsmanship, from determining the cause of the eviction, to ensuring that the appropriate attachments are served with the notice. The faculty analyze the types of tenancies, reasons for eviction, e-filing requirements, and pitfalls in service of the notice. Both non-subsidized and subsidized notice are addressed.

The seminar is designed to provide practitioners with not only the basics of drafting, but a clear understanding of the process of commencing a Summary Process action. Care in preparing the notice can avoid unintended consequences, such as dismissal, for failure to properly terminate the tenancy or occupancy.

Agenda

- Basic Requirements of All Notices to Quit
- The 14-Day Notice to Quit for Non-Payment of Rent
- Attestation Form
- The 30-Day Notice to Quit—No Cause
- The 30-Day Notice to Quit for Cause
- Notice to Vacate—Post Foreclosure
- Notice of Trespass
- Affidavit of E-Filing
- Affidavit Under G.L. c. 186, § 31

Faculty

James F. Creed, Jr., Esq., *CreedLaw LLC, Marshfield*, Chair
Michael J. Louis, Esq., *Downing Van Dyke LLC, Framingham*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, October 27, 2023
12:00 pm–1:00 pm
Program # 2240042WBC

REBROADCAST

Tuesday, November 14, 2023
9:00 am–10:00 am
Program # 2240042RB1

REBROADCAST

Wednesday, November 29, 2023
3:00 pm–4:00 pm
Program # 2240042RB2

ON DEMAND WEBCAST

View after Wednesday, November 29, 2023
Program # 2240042WBA

Tuition *(includes written materials)*

- \$145
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Materials

Residential and Commercial Landlord-Tenant Practice in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 1 CLE credit



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How to Put a Residential Property in Trust

Perspectives and tips from both a real estate conveyancer and a trusts and estates practitioner

Real estate conveyancers and trusts and estates attorneys often intersect in practice, particularly when clients want to put their homes into trusts. This new program explains the best practices for putting residential property in trust, providing perspectives and tips from both a real estate conveyancer and a trusts and estates practitioner. The faculty discuss considerations for assessing what type of trust works best for different scenarios; trust and deed drafting; practical tips for recording at the registry; and traps for the unwary.

Agenda

- **Should Title Be Put in Trust?**
 - Option for ownership
 - The pros/cons of holding residential property in trust
- **What Kind of Trust?**
 - Nominee trusts
 - Discretionary trusts
 - Irrevocable trusts
- **What Terms Are Necessary in a Recordable Trust?**
 - For estate planning/probate
 - For real estate conveyancing
- **Getting On Record**
 - What to record
 - When to record
 - Costs of recording
 - Drafting documents
- **Traps for the Unwary**
 - Homesteads
 - Registered land
 - Mortgages
 - Merger
 - Future Sales
 - Indefinite references
 - Title insurance
 - Homeowners insurance

Faculty

Carrie B. Rainen, Esq., Rainen Law Office, PC, North Andover, Cochair
Lisa M. Rico, Esq., Rico, Murphy, Diamond & Bean LLP, Natick, Cochair



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, October 16, 2023
12:00 pm–2:00 pm
Program # 2240044WBC

REBROADCAST

Wednesday, November 1, 2023
2:00 pm–4:00 pm
Program # 2240044RB1

REBROADCAST

Thursday, November 9, 2023
9:00 am–11:00 am
Program # 2240044RB2

ON DEMAND WEBCAST

View after Thursday, November 9, 2023
Program # 2240044WBA

Tuition *(includes written materials)*

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Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Massachusetts AirBNBs

Get up to date on the state of short-term rentals

Approximately five years ago the Commonwealth of Massachusetts got serious about the regulation of Short-Term Rentals (STRs) when state legislators obtained then Governor Baker's signature for the bill entitled, "An Act Regulating and Insuring Short-Term Rentals."

Since then, cities and towns have adopted their own regulations and tax revenue has been flowing. But problems with short-term rentals persist, including complaints from neighbors about increased use of property and how the use impacts the character of our cities, towns, and neighborhoods.

This seminar analyzes the land use and zoning implications that STRs present, how the use fits (or does not fit) into traditional landlord/tenant law, and how homeowner associations are navigating this arena now that more regulations are in place.

Hear the panelists summarize the major sections of the Commonwealth's STR statute, explain the various concerns of local municipalities when considering an ordinance to control or limit short-term rentals, and how landlords and community associations deal with this issue.

Agenda

- Updates on Massachusetts Legislation and Local Ordinances
- Landlord/Tenant Concerns and Housing Court's Approach to Short-Term Rentals
- Land Use and Property Right(s) Considerations
- Municipality Concerns throughout the Commonwealth
- Updates on Litigation Involving Short-Term Rentals in Massachusetts and Around the Country
- "Ask the Experts" Q&A Session

Faculty

Mark S. Einhorn, Esq., *Marcus, Errico, Emmer & Brooks, PC, Braintree*, Chair

Michael J. Louis, Esq., *Downing Van Dyke LLC, Framingham*

Ted S. Papadopoulos, Esq., *AMPS Law, PC, Woburn*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, September 21, 2023

12:00 pm–2:00 pm

Program # 2240037WBC

REBROADCAST

Friday, October 6, 2023

9:00 am–11:00 am

Program # 2240037RB1

REBROADCAST

Monday, October 16, 2023

3:00 pm–5:00 pm

Program # 2240037RB2

ON DEMAND WEBCAST

View after Monday, October 16, 2023

Program # 2240037WBA

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Materials

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Meet the Land Court Judicial Forum 2023

Hear directly from judges, the chief title examiner and the chief surveyor of the Land Court

Attend this webcast for the unique opportunity to meet and hear from sitting justices, the chief title examiner, and the chief surveyor of the Land Court. Hear them describe the matters the Land Court presides over, explain the Land Court Rules and Standing Orders, describe the role of the court's Registration and Survey Divisions, and provide some practical tips for appearing before the justices of the Land Court. The speakers will highlight changes at the court precipitated by the pandemic, both those that are temporary and those that may continue beyond the pandemic.

For practitioners new to the Land Court, this program provides an invaluable introduction to Land Court practice and procedure. For those already familiar with the court, the program offers a peek behind the curtain and a unique opportunity to hear directly from the judges and staff about what it means to practice in the Land Court.

Agenda

- The Land Court's Registration Division and Its Role in the Land Court
- The Land Court's Survey Division and Its Work
- The Land Court Rules, Standing Orders and Procedures, and New Developments
- Litigating Cases in the Land Court: What's New; Remote and In-Person Proceedings; E-Filings
- Practical Tips for Appearing in the Land Court
- "Ask the Experts" Q&A Session

Faculty

Kendra L. Berardi, Esq., *Robinson+Cole LLP, Boston, Chair*
Hon. Robert B. Foster, *Land Court, Commonwealth of Massachusetts*
Christina T. Geaney, Esq., *Chief Title Examiner, Land Court, Commonwealth of Massachusetts*
Stephen T. LaMonica, P.L.S., P.E., *Chief Surveyor, Land Court, Commonwealth of Massachusetts*
Hon. Gordon H. Piper, *Chief Justice, Land Court, Commonwealth of Massachusetts*
Hon. Jennifer S.D. Roberts, *Land Court, Commonwealth of Massachusetts*
Hon. Diane R. Rubin, *Land Court, Commonwealth of Massachusetts*
Hon. Kevin T. Smith, *Land Court, Commonwealth of Massachusetts*
Hon. Howard P. Speicher, *Land Court, Commonwealth of Massachusetts*
Hon. Michael D. Vhay, *Land Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, October 17, 2023
2:00 pm–5:00 pm
Program # 2240039WBC

REBROADCAST

Wednesday, November 1, 2023
9:00 am–12:00 pm
Program # 2240039RB1

REBROADCAST

Thursday, November 9, 2023
1:00 pm–4:00 pm
Program Number: 2240039RB2

ON DEMAND WEBCAST

View after Thursday, November 9, 2023
Program # 2240039WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Real Estate Law Sourcebook & Citorator 2023 ebook, plus speaker materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Real Property Lien Law

When and how real estate liens come about

Filing a lien against a debtor's real property is an effective means of securing payment. In Massachusetts, liens may arise by operation of law or judicial orders. But which of these liens are enforceable and which have priority over others?

This program reviews liens filed against real estate, the priority of those liens, and when they expire, as well as which liens attach against after-acquired property, and liens that can gain priority over other liens.

The faculty discuss the effect of a foreclosure, deed in lieu of foreclosure, or bankruptcy filing on liens, as well as how a short sale may impact those liens, and what protection the Homestead Act provides to a homeowner. The panel examines liens created by divorce, death, and other probate actions. You also hear about challenges to the priority and validity of a lien, including discussion of equitable subrogation and other remedies affecting lien priority. Bring your questions and join the focused discussion.

Agenda

- Review of Liens and When They Expire
- Some Tricky Liens That Can “Jump” in Front of Existing Liens
- Which Liens Attach to After-Acquired Property
- How Foreclosure and Bankruptcy Affects Liens
- The Role That Homestead Declarations Play on Lien Attachment
- Challenges to Liens and Lien Priority
- Update on Recent Foreclosure Case Rulings
- Recent Caselaw and Legislation Review
 - *In the Matter of the Estate of Kendall*, 486 Mass. 522 (2020)
 - *An Act Clearing Titles to Foreclosed Properties* and the Resulting Revisions to G.L. c. 244, § 15
- “Ask the Experts” Q&A Session

Faculty

Lynne Murphy Breen, Esq., *FNF Family of Companies: Fidelity, Commonwealth & Chicago Title Insurance, Boston*

Francis J. Nolan, Esq., *Harmon Law Offices, PC, Newton*

Susan M. Walsh, Esq., *FNF Family of Companies: Fidelity, Commonwealth & Chicago Title Insurance, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, November 1, 2023
1:00 pm–4:00 pm
Program # 2240035WBC

REBROADCAST

Thursday, November 16, 2023
2:00 pm–5:00 pm
Program # 2240035RB1

REBROADCAST

Friday, December 1, 2023
9:00 am–12:00 pm
Program # 2240035RB2

ON DEMAND WEBCAST

View after Friday, December 1, 2023
Program # 2240035WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Real Estate Liens, plus speaker materials

- E-materials link emailed upon registration
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Residential Title Searches

Roadmap and best practices for preparing and reading residential title abstracts

This program provides new attorneys and paralegals just getting started in residential real estate and title examination, as well as experienced attorneys and paralegals in need of a refresher, with the “who, why, what, and where” of title examination. Learn not only how and where to find the documents necessary for your title examination, but also how to interpret them and avoid common pitfalls of examining title and reviewing abstracts. Get the skill set you need to succeed.

Agenda

- Indexing Standards
- Remote Online Notarization (RON) Online and In-Registry Searches
- Electronic Recordings and How They Affect Examinations and the Record
- Effect of Recording Delays
- Searches of “Other” Records
- Period of the Search
- Content of the Abstract
- Requirements of a Deed
- Tenancies
- Searches Involving Estates, Trusts, Divorces, Bankruptcy, and Entities
- Foreclosures
- Mechanic’s Liens and Other Liens Affecting Title
- Taxes, Tax Liens, Tax Takings, and Tax Sales
- Deeds of Distribution
- The Land Court
- Effect of REBA Title Standards
- “Ask the Experts” Q&A Session

Faculty

Julie M. Palmaccio, Esq., *SKM Title & Closing Services, PC, Woburn, Chair*
Jutta R. Deeney, Esq., *Stewart Title Guaranty Company, Waltham*
Carrie B. Rainen, Esq., *Rainen Law Office, PC, North Andover*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, December 6, 2023

2:00 pm–5:00 pm

Program # 2240038WBC

REBROADCAST

Thursday, December 21, 2023

1:00 pm–4:00 pm

Program # 2240038RB1

REBROADCAST

Friday, December 29, 2023

9:00 am–12:00 pm

Program # 2240038RB2

ON DEMAND WEBCAST

View after Friday, December 29, 2023

Program # 2240038WBA

Tuition *(includes written materials)*

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Materials

Real Estate Title Practice in Massachusetts ebook, plus speaker materials

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- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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Surviving & Thriving as Commercial Landlords & Tenants Post-Pandemic

Applying lessons learned to lease drafting and negotiation

The COVID-19 pandemic altered how we live and work in countless ways, and its impacts are still being felt. As the questions of how we work, where we work, and how we consume goods and services are reevaluated, we must also reexamine how commercial leases are structured and address the changing challenges presented by the pandemic.

This new program launches with a presentation of current conditions in the commercial real estate leasing market, with an emphasis on the office, retail, industrial, and biotech sectors in the Greater Boston area. The faculty then identify and discuss key commercial lease provisions implicated by the pandemic, and how these provisions are viewed and can be negotiated from each of the landlord's and tenant's perspectives. The program concludes with an open Q&A session; bring your questions and join the dynamic discussion.

Agenda

- **Overview of Current Conditions in the Greater Boston Leasing Market**
- **Effects of the Pandemic on Different Market Sectors**
- **Discussion of Key Lease Provisions Implicated by the Pandemic**
 - Force majeure clauses
 - Equitable doctrines
 - Rent relief clauses
 - Construction timing and delays
 - Term and rent commencement dates
 - Continuous operations clauses
 - Co-tenancy requirements
 - Casualty provisions
 - Tenant default clauses and landlord remedies
 - “Time is of the essence” concept
- **“Ask the Experts” Q&A Session**

Faculty

Zachary D. Drench, Esq., *Lerner & Holmes, PC, Boston, Chair*

Jennifer Ioli Connelly, Esq., *Sherin and Lodgen LLP, Boston*

Margaret Fee, *Associate Director, Newmark, Boston*

Michael Holiday, Esq., *Holiday Law Firm, PC, Wellesley*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, December 5, 2023

11:00 am–1:00 pm

Program # 2240041WBC

REBROADCAST

Wednesday, December 20, 2023

9:00 am–11:00 am

Program # 2240041RB1

REBROADCAST

Thursday, December 28, 2023

12:00 pm–2:00 pm

Program # 2240041RB2

ON DEMAND WEBCAST

View after Thursday, December 28, 2023

Program # 2240041WBA

Tuition *(includes written materials)*

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Taking Title Out of an Estate Pre & Post-MUPC

Practical, technical guidance for conveying clear title from a decedent's estate

There are a host of unique issues to be addressed before an estate can convey clear title to real property. The technical requirements for doing so are further impacted by whether the decedent died before or after the Massachusetts Uniform Probate Code (MUPC) was enacted. This new program provides the fundamental knowledge needed to effectively transfer real property in a variety of scenarios, including conveyances by fiduciaries, devisees, and heirs at law in pre-MUPC and post-MUPC estates. The faculty review the technical steps necessary to transfer title and discuss complex fact patterns to address common title issues and how to resolve them. Learn what questions to ask and what practical considerations to account for when representing estates in conveyancing.

Bring your questions for a dynamic discussion!

Agenda

- Overview
- Informal v. Formal Probate
- Limits of Fiduciary Powers
- Late and Limited Probate
- Deeds Under Power of Sale
- Deeds Under License to Sell
- Deeds of Distribution
- Fact Pattern Examples
- "Ask the Experts" Q&A Session

Faculty

Heather A. Reid, Esq., *Squillace & Associates, PC, Boston*, Chair

Annelle E. Benson, Esq., *Senior Underwriting Counsel, First American Title Insurance Company, Boston*

Jennifer A. Maggiamo, Esq., *Magistrate/AJCM, Norfolk County Probate and Family Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, September 19, 2023
9:00 am–11:00 am
Program # 2240046WBC

REBROADCAST

Wednesday, October 4, 2023
12:00 pm–2:00 pm
Program # 2240046RB1

REBROADCAST

Thursday, October 12, 2023
11:00 am–1:00 pm
Program # 2240046RB2

ON DEMAND WEBCAST

View after Thursday, October 12, 2023
Program # 2240046WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Probate Manual ebook, plus speaker materials

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Understanding & Negotiating Commercial Construction Contracts

Defly blending drafting, risk mitigation and dispute resolution skills

Construction law is a hybrid practice area, utilizing the contract drafting and negotiation skills of a corporate lawyer with the risk mitigation and dispute resolution expertise of a litigator. This program focuses on both areas: drafting key construction contract provisions and then using those provisions in the context of litigation.

First, the panel identifies the more widely used forms and structures of construction contracts, with a focus on some of the more commonly negotiated provisions. Next, the panel discusses the contract provisions that most often arise in claims and impact litigation strategy in the event of a project dispute. Then, the panel explains several key Massachusetts statutes which have a direct impact on the extent and enforceability of construction contract provisions. Finally, the panel addresses various strategies to use when negotiating construction contracts. Develop and sharpen your practice toolkit at MCLE.

Agenda

- **Fundamental Concepts of Construction Contracts**
 - Typical project delivery methods
 - Model contract forms (AIA, Consensus docs, Public/government project forms)
 - Common industry terminology
 - Basic contracting elements
- **Construction Contracting Strategies: Primary Goals and Selected Tools**
 - Time / schedule
 - Cost
 - Quality
- **Key Construction Terms**
 - Suspension / termination
 - Damages and delay provisions
 - Third party claims
 - Claims / dispute resolution
- **Massachusetts Statutory Provisions in Construction Contracts**
 - Prompt Payment, Retainage Act
- **Tips for Productive Contract Negotiations**

Faculty

Bradley L. Croft, Esq., *Ruberto, Israel & Weiner, PC, Boston*, Chair

Sara P. Bryant, Esq., *Murtha Cullina LLP, Boston*

Bruce I. Tribush, Esq., *Goodwin Procter LLP, Boston*



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Dates & Location

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LIVE WEBCAST

Tuesday, November 14, 2023
2:00 pm–5:00 pm
Program # 2240034WBC

REBROADCAST

Wednesday, November 29, 2023
9:00 am–12:00 pm
Program # 2240034RB1

REBROADCAST

Thursday, December 7, 2023
1:00 pm–4:00 pm
Program # 2240034RB2

ON DEMAND WEBCAST

View after Thursday, December 7, 2023
Program # 2240034WBA

Tuition *(includes written materials)*

- \$245
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Materials

Massachusetts Construction Law and Litigation ebook, plus speaker materials

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- Transcript & videorecording emailed 2 weeks post-program

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If you're unable to participate in a program on the date for which you registered, you will receive an email about how to access the program on demand via webcast and/or downloadable mp3 file, including the written materials in electronic form, in full satisfaction of the tuition paid. If you prefer a refund, let us know by the end of the business day prior to the program and we'll refund your tuition after deducting a \$40 processing fee. Limited enrollment programs may only be refunded, minus a \$100 processing fee, if we are able to fill your seat.

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Mandatory CLE Credits

States have varying credit requirements; individual attorneys are responsible for checking with their particular state CLE accreditation authority about whether and how much credit will be granted.

MCLE does regularly submit to Rhode Island and Maine.

Although MCLE does not pursue state-based credit (outside of Rhode Island and Maine), our programs are regularly approved in many jurisdictions; it is the responsibility of the individual attorney interested in CLE credit to submit the information and certifications required under the respective state rule to the appropriate state authorities in the jurisdictions in which they seek credit. MCLE live webcast programs do, however, feature periodic attendance prompts.

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