

Spring'24–Summer'24

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March 1, 2024–August 31, 2024

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Can't Attend Live?

Also available...



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Webcast or**



MP3 Recording

8th Annual Cannabis Law Conference 2024

Emergent corporate, regulatory, financing, and business considerations for cannabis practitioners

Nationally, the cannabis industry continues to experience unprecedented growth. Despite increasing numbers of states having legalized cannabis in some form, as well as widespread public approval for federal cannabis reform, the interplay between complex state regulatory schemes and continued federal prohibition continues to pose inherent legal uncertainties.

Counsel for marijuana or hemp businesses must address unique legal issues relating to regulatory compliance, state and local licensing, financing restraints, and federal prohibition and policy, while also addressing standard business law issues. This *Conference* analyzes advanced emerging topics in the cannabis industry pertinent to business law practitioners—including challenges, opportunities, and strategies encountered in licensing, permitting, compliance, debt and equity financing, mergers and acquisitions, tax considerations—and for the first time this year, the panel also discusses the new emerging focus on psychedelics and the movement at the state level to legalize such use. Hear the latest from expert panelists who provide insight into the complex business and legal issues underlying cannabis business operations.

Agenda

- State and Federal Law and Policy Updates, Including Psychedelics
- Emerging State Issues and Trends
 - License types and ownership limitations
 - Suitability and enforcement actions
 - Host community agreement reform
- Corporate Formation and M&A, Tax, and Regulatory Considerations
- Debt and Equity Financing Trends
- Workout and Receivership Developments
- Impact of Potential Rescheduling and Passage of the SAFER Bank Act
- Regulation of Hemp and Novel Cannabinoids, Including Treatment of Delta-8 and Delta-9
- “Ask the Experts” Q&A Session

Faculty

Adam D. Fine, Esq., *Vicente LLP, Boston, Cochair*

Scott H. Moskol, Esq., *Burns & Levinson LLP, Boston, Cochair*

Jessica H. Burgess, Esq., *Department of Agricultural Resources, Commonwealth of Massachusetts*

Andrew Carter, Esq., *Acting General Counsel, Cannabis Control Commission, Commonwealth of Massachusetts*

Mitzi S. Keating, CPA, CFE, *Citrin Cooperman, Providence, RI*

Erica Rice, Esq., *Foley Hoag LLP, Boston*

Michael P. Ross, Esq., *Prince Lobel Tye LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, April 4, 2024

1:00 pm–5:00 pm

Program Number: 2240162WBC

REBROADCAST

Friday, April 19, 2024

9:00 am–1:00 pm

Program Number: 2240162RB1

REBROADCAST

Monday, April 29, 2024

12:00 pm–4:00 pm

Program Number: 2240162RB2

ON DEMAND WEBCAST

View after Monday, April 29, 2024

Program Number: 2240162WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Members
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Materials

Massachusetts Cannabis Law Manual ebook, plus speaker materials

- E-materials link emailed upon registration
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25th Annual Nonprofit Law Conference 2024

Hot topics in nonprofit law and a deep dive into choice of entity and nonprofit impact investing

The *Conference* focuses on the new and noteworthy: Election year political activity and lobbying, the U.S. Supreme Court's affirmative action decisions and their fallout, a year-in-review roundup, and the new Division Chief of the Nonprofit Organizations, Public Charities Division of the Massachusetts Attorney General's Office. We also take a deep dive into choice of entity considerations and impact investing.

Agenda

- **Year in Review**
 - New Type III supporting organization and donor advised fund regulations have been issued, and significant cases are making their way through the courts. What do nonprofit attorneys need to know?
- **Impact Investing**
 - Investments promising a double bottom line have become an increasingly popular means of addressing some of today's most pressing challenges. What are the different structures nonprofits can use and what are some of the legal and practical challenges they are likely to face?
- **After the U.S. Supreme Court's Affirmative Action Decisions**
 - Nonprofits have historically promoted diversity and equity initiatives in their drive to make the world a better place. How are these efforts impacted by our new legal landscape? Hear from a panel of attorneys with employment, university, and charitable operations backgrounds.
- **Nonprofit Political Activity and Lobbying in an Election Year**
 - There has been much discussion of nonprofit political activity and lobbying. Are the legal limitations clear? Our panelists discuss areas of uncertainty and the need for statutory, regulatory, and other IRS guidance.
- **New Non-Profit Organizations/Public Charities Division Chief**
 - There is a new Division Chief at the Attorney General's Non-Profit Organizations/Public Charities Division. Hear Jonathan Green discuss the Office's plans for the future.
- **Choice of Entity**
 - Historically, new nonprofits have been faced with a choice between the corporate and trust form of organization. Those choices remain, but other options have developed, including several variations of limited liability companies. What are the pros and cons of each option?

Faculty

Franziska Hertel, Esq., *Ropes & Gray, Boston*, Cochair; Elka T. Sachs, Esq., *Krokidas & Bluestein LLP, Boston*, Cochair; Kunle Apampa, *Director and Head of Client Solutions & Partnerships, Capricorn Investment Group, New York, NY*; Ellen P. Aprill, *Professor of Law, Loyola Marymount University, Los Angeles, CA*; Laurie R. Bishop, Esq., *Hirsch Roberts Weinstein LLP, Boston*; Cameron Casey, Esq., *Choate Hall & Stewart LLP, Boston*; Brittany Cvetanovich, Esq., *Senior Associate General Counsel, The Ohio State University, Columbus, OH*; Jonathan Green, Esq., *Division Chief, Office of the Attorney General, Non-Profit Organizations/Public Charities Division, Commonwealth of Massachusetts*; Katherine L. Karl, Esq., *Caplin & Drysdale, Washington, D.C.*; Amber M. Koonce, Esq., *Assistant Counsel, NAACP Legal Defense Fund, Washington, DC*; Anita S. Lichtblau, Esq., *Casner & Edwards LLP, Boston*; Ezra W. Reese, Esq., *Elias Law Group, Washington, D.C.*; Carla A. Reeves, Esq., *Goulston & Storrs, Boston*; Harrison (Colby) Rogers, Esq., *Ropes & Gray LLP, Boston*



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Dates & Location

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LIVE WEBCAST

Wednesday, May 15, 2024
9:30 am–4:00 pm
Program # 2240161WBC

REBROADCAST

Thursday, May 30, 2024
9:30 am–4:00 pm
Program # 2240161RB1

REBROADCAST

Friday, June 7, 2024
9:30 am–4:00 pm
Program # 2240161RB2

ON DEMAND WEBCAST

View after Friday, June 7, 2024
Program # 2240161WBA

Tuition *(includes written materials)*

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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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Accounting & Finance Core Fluency

Advance client goals by understanding the numbers that affect lawyers

Accounting terms and concepts, financial statements, and basic finance are often misunderstood and confusing. The panelists explain the terms and jargon, basic accounting concepts, generally accepted accounting standards, and nuts and bolts of financial statements. You receive a complete pro forma set of financial statements and detailed explanation of the components, and how they relate. The faculty teaches you how to recognize “red flags” in financial statements—and avoid mistakes often made by attorneys when advising clients. Get clear explanations and answers to common accounting questions that your clients ask—so you can advise clients with confidence.

Business lawyers, corporate lawyers, family law practitioners, and litigators often find themselves challenged to explain financial statements to clients, or to use accounting information to prove a liability or damages, or even to impeach a witness. While engaging an accounting expert is useful, a lawyer must know the basics of accounting to effectively choose and utilize an expert. Whatever your specialty, you must understand financial concepts to understand your client’s goals, and the interests of other parties to the deal.

Agenda

- **The Basics:** Cash basis v. accrual basis and other important accounting concepts; Audits, reviews, and compilations—do the different reports matter? Who reads financial statement note disclosures? You should!
- **Unlocking the Mysteries of Accounting:** Public accountants, certified public accountants, and enrolled agents—how to use these experts effectively
- **Bank Financing:** What banks want to see when lending money; Covenants, ratios, warranties, and representations
- **Taxation:** Understanding common entity structures; High-level analysis of recent legislation and how that affects small business; Which tax credits or deductions might a small business qualify for? Individual taxation at-a-glance
- **Business Valuation:** Overview of valuation concepts and approaches; Valuation is purpose-specific; The continuum of value; Valuation—a qualitative and quantitative process
- “Ask the Experts” Q&A Session

Faculty

Kimberley A. Train, CPA/ABV, PKF O'Connor Davies, Boston, Chair
Joel I. Rothenberg, CPA, JD, LLM, PKF O'Connor Davies, Boston

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, May 2, 2024
2:00 pm–5:00 pm
Program # 2240160WBC

REBROADCAST

Friday, May 17, 2024
9:00 am–12:00 pm
Program # 2240160RB1

REBROADCAST

Tuesday, May 28, 2024
1:00 pm–4:00 pm
Program # 2240160RB2

ON DEMAND WEBCAST

View after Tuesday, May 28, 2024
Program # 2240160WBA

Tuition *(includes written materials)*

- \$245
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Materials

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Advising on the Purchase & Sale of a Family Business

Understand the planning process and points of negotiated interest attendant to the purchase and sale transaction of a family business

The market remains fertile for sophisticated business sales and transition transactions. This fast-paced new program teaches you how to strategize for and navigate the planning and preparation for a family business sale transaction. Hear the expert faculty discuss letters of intent and their importance, various deal structures that meet established buyer and seller objectives, tax benefits and consequences, and particular points of negotiated interest attendant to most every business transition transaction including a family business. The speakers teach you how to keep the big picture of the transaction front and center while guiding you through various scenarios and documents that speak to the client's particular objectives.

Agenda

- Preparation for Sale of the Family Business; Housekeeping Matters and Diligence
- Letters of Intent and Term Sheets
- Various Deal Structures Geared Toward Objectives and Results
- Certain Tax Benefits and Consequences Present in Sale Transactions
- Special Points of Interest and Negotiation in Definitive M&A Documents and Market Trends
- "Ask the Experts" Q&A Session

Faculty

John F. Cohan, Esq., *Gesmer Updegrove LLP, Boston*, Chair

Rodney A. Bedow, Esq., *Burns & Levinson LLP, Boston*

Zane Fernandez, Esq., *Gesmer Updegrove LLP, Boston*

Lauren M. Forster, Esq., *Burns & Levinson LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, April 1, 2024

2:00 pm–5:00 pm

Program # 2240168WBC

REBROADCAST

Tuesday, April 16, 2024

2:00 pm–5:00 pm

Program # 2240168RB1

REBROADCAST

Wednesday, April 24, 2024

9:00 am–12:00 pm

Program # 2240168RB2

ON DEMAND WEBCAST

View after Wednesday, April 24, 2024

Program # 2240168WBA

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

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Application & Approval Process for 501(c)3 Status

Learn which organizations are eligible to apply, how to apply, and what to expect after applying

Internal Revenue Code section 501(c)(3) describes a subset of nonprofits: those organized and operated exclusively for religious, charitable, scientific, testing-for-public safety, literary, or educational purposes, or to foster national or international amateur sports competition, or for the prevention of cruelty to children or animals.

Status as a 501(c)(3) organization confers many advantages, not the least of which are exemption from federal income tax and the ability to receive tax-deductible contributions. In most cases, nonprofit organizations must apply to the IRS to be recognized as exempt under section 501(c)(3). Learn which organizations are eligible to apply, how to apply, and what to expect after applying.

Agenda

- Requirements for Tax-Exempt Status Under Section 501(c)(3)
- Organizations Not Required to Obtain IRS Recognition of 501(c)(3) Status
- Which Application to File: Form 1023 (Long Form) or Form 1023-EZ (Short Form)
- Steps to Take Before Applying
- Completing the Application
- Submitting the Application
- Process and Timing of IRS Review and Approval
- Requesting Expedited IRS Review of Form 1023
- Effective Date of Exemption
- Obligations While the Application Is Pending
- Applying for Reinstatement of 501(c)(3) Status After Revocation
- Options if an Application Is Denied

Faculty

Eleanor A. Evans, Esq., *Hemenway & Barnes LLP, Boston*

Robert T. Leahy, Esq., *Hemenway & Barnes LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 18, 2024

12:00 pm–2:00 pm

Program # 2240171WBC

REBROADCAST

Tuesday, April 2, 2024

9:00 am–11:00 am

Program # 2240171RB1

REBROADCAST

Wednesday, April 10, 2024

2:00 pm–4:00 pm

Program # 2240171RB2

ON DEMAND WEBCAST

View after Wednesday, April 10, 2024

Program # 2240171WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

Guidebook for Boards of Directors of Massachusetts Nonprofits ebook, plus speaker materials

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

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Artificial Intelligence Symposium 2024

Introduction and overview of artificial intelligence for attorneys

Generative artificial intelligence (AI) applications have been a topic of discussion and think pieces since ChatGPT 3.5 entered the zeitgeist in December of 2022. These AI programs offer numerous labor-saving functions: drafting communications, conducting research, preparing documents, creating content for presentations and marketing, etc. As 2023 progressed, however, the perils of generative AI also emerged: embarrassingly wrong research, defamation suits, court sanctions, etc. And generative AI is not the only type of AI available; other AI applications have identified protein structures that support medication development, drive vehicles autonomously, and provide cybersecurity. But like generative AI, those applications also create certain risks.

Lawyers and other professionals have begun exploring how they can incorporate AI into their business operations, using a variety of functions. Law firms are adopting generative AI functions into their document management systems to make document production more efficient. Westlaw has introduced an AI program that assists with research. Litigators in certain fields rely on AI software to analyze court decisions to make more favorable venue choices. These applications introduce strengths and weaknesses to the practice of law. This program guides attorneys through the technology of AI and the concerns AI creates before discussing how we and our clients may use AI now and in the future. Our journey together includes discussion of: AI technology; examples of AI applications; training and ethical concerns; regulatory and legal concerns for developers; AI in the workplace; AI in discovery; the potential for malpractice; generative AI in the practice of law; and AI and access to justice in our courts.

Agenda

- Technology Overview: The Basics of Artificial Intelligence
- What, Me Worry? General Concerns with Artificial Intelligence
- Artificial Intelligence and Our Clients
- Artificial Intelligence in the Practice of Law
- Robots in Court: AI and Access to Justice
- “Ask the Experts” Q&A Session

Faculty

John F. Weaver, Esq., *McLane Middleton, Woburn, Chair*
 Peter Brown, Esq., *Peter Brown & Associates PLLC, New York, NY*
 Bruce de'Medici, Esq., *de'Medici Law, Chicago, IL*
 Rachel Dooley, *Chief Innovation Officer, Kirkland & Ellis LLP, New York, NY*
 Adam Gershenson, Esq., *Cooley LLP, Boston*
 Van Lindberg, Esq., *Taylor English Duma LLP, San Antonio, TX*
 Olga Mack, Esq., *Vice President & CEO, CounselLink CLM (formerly Parely Pro. Inc.), Los Altos, CA*
 Rachel Marmor, Esq., *Holland & Knight LLP, Boston*
 Huu Nguyen, Esq., *Co-Founder, ontocord.ai, New York, NY*
 Afton Pavletic, Esq., *Massachusetts Board of Bar Overseers, Boston*
 Lucian T. Pera, Esq., *Adams and Reese LLP, Memphis, TN*
 Jacob W.S. Schneider, Esq., *Holland & Knight LLP, Boston*
 Stephen S. Wu, Esq., *Silicon Valley Law Group, San Jose, CA*



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Dates & Location

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LIVE WEBCAST

Thursday, March 28, 2024
 1:00 pm–5:00 pm
 Program # 2240164WBC

REBROADCAST CC

Friday, April 12, 2024
 9:00 am–1:00 pm
 Program # 2240164RB1

REBROADCAST CC

Monday, April 22, 2024
 12:00 pm–4:00 pm
 Program # 2240164RB2

ON DEMAND WEBCAST CC

View after Monday, April 22, 2024
 Program # 2240164WBA

Tuition *(includes written materials)*

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Materials

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 including up to 0.5 ethics credit

Broker-Dealer Law Update 2024

Recent regulatory activity by the U.S. Securities and Exchange Commission (SEC), proposed new rules, and what both could mean for broker-dealers in 2024

Regulatory scrutiny of broker-dealers continued to increase throughout 2023 and by all indications will continue to do so in 2024. In what appears to have become the “new normal” there is seemingly heightened sensitivity among regulators towards activities which previously would likely not have resulted in enforcement actions. The increase in enforcement actions coupled with proposed new rules for broker-dealers provides a framework for how regulators envisage the future of the industry. This new program provides you with insights into patterns of enforcement actions, the latest proposed rule changes, and what both mean for broker-dealers going forward.

Agenda

- What Is a Broker?
- Regulation Through Enforcement: What Does It Mean and How Is It Implemented?
- Electronic Communications and Record Keeping Best Practices
- Disclosure and Suitability Reminder: Recent ESG Enforcement Activity
- Proposed New Rules for Broker-Dealers
- Regulatory and Enforcement Forecast
- “Ask the Experts” Q&A Session

Faculty

Theodore M. Grannatt, Esq., *McCarter & English LLP, Boston*, Chair
Joseph C. Donahue, Esq., *McCarter & English LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, March 13, 2024
12:00 pm–1:00 pm
Program # 2240170WBC

REBROADCAST

Thursday, March 28, 2024
3:00 pm–4:00 pm
Program # 2240170RB1

REBROADCAST

Friday, April 5, 2024
9:00 am–10:00 am
Program # 2240170RB2

ON DEMAND WEBCAST

View after Friday, April 5, 2024
Program # 2240170WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Members
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Materials

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Drafting More Effective & Flexible Contracts

The competitive edge that all transactional attorneys need

Drafting effective contracts is a basic function of all transactional attorneys. The goal is to draft a contract that accurately reflects the business deal, properly allocates risk, is readily understood, and stands up to hostile, rigorous post-execution examination—while educating your clients and meeting their aggressive timeline. Learn about best practices in drafting and negotiating processes, key terms and conditions, and common pitfalls. Hear what clients expect from outside counsel during negotiations and in codifying deals. Learn how to make the most effective use of current technologies. Hear the faculty explain tried-and-true techniques to remove impasses and discuss the ins-and-outs—from the initial email to the final executable—using practical, modern-world examples and critical analysis.

In a competitive, increasingly digitized environment with limited resources, the lawyer who efficiently strikes an effective balance between achieving the right level of contractual protection and negotiating to reflect their clients' risk tolerance is most likely to be repeatedly engaged. Bring your questions!

Agenda

- Massachusetts Professional Ethical Rules of Engagement
- Drafting in the Digital Age and Tools of the Trade
- Use of Artificial Intelligence (AI) Tools
- Contract Models and Flexible Contract Structures
- Modern Software as a Service (SaaS) Agreements
- Key Clauses and Drafting Tips
- Nuisances Under Massachusetts Common Law
- Data Privacy Clauses and Concerns
- Negotiating Archetypes
- “Ask the Experts” Q&A Session

Faculty

Frank S. Maniscalco, Esq., MBA, *Advocate Mercantile LLC, Boston*, Chair

Sara J. Lyons, Esq., *Advocate Mercantile LLC, Philadelphia, PA*

Paul Connors, Esq., *Right Arrow Legal LLC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, April 23, 2024

1:00 pm–4:00 pm

Program # 2240163WBC

REBROADCAST

Wednesday, May 8, 2024

9:00 am–12:00 pm

Program # 2240163RB1

REBROADCAST

Thursday, May 16, 2024

1:00 pm–4:00 pm

Program # 2240163RB2

ON DEMAND WEBCAST

View after Thursday, May 16, 2024

Program # 2240163WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

Drafting and Negotiating Massachusetts Contracts 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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Grant Agreements

Key considerations and nuances for funders and charities

Understanding the key components of a grant agreement is critical for both donors and nonprofit organizations that receive charitable grants. Whether you advise funders or charities, please join us online for a valuable overview of the considerations for preparing and entering into grant agreements from the perspective of both donors and grantees, followed by a deeper dive discussion of the nuances related to a few specific types of grants, including but not limited to advocacy, research, and international grants as well as grants made by private foundations.

Agenda

- Key Considerations for Preparing and Entering into Grant Agreements
- Discussion of Specific Types of Grants
- “Ask the Experts” Q&A Session

Faculty

Alyssa C. Fitzgerald, Esq., *Goodwin Procter LLP, Boston*, Cochair
Sharon C. Lincoln, Esq., *Casner & Edwards LLP, Boston*, Cochair
Jocelyn A. Bishop, Esq., *Jocelyn Bishop Consulting LLC, Westford*
Kendi E. Ozmon, Esq., *Ropes & Gray LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 7, 2024

9:00 am–11:00 am

Program # 2240166WBC

REBROADCAST

Wednesday, May 22, 2024

11:00 am–1:00 pm

Program # 2240166RB1

REBROADCAST

Thursday, May 30, 2024

12:00 pm–2:00 pm

Program # 2240166RB2

ON DEMAND WEBCAST

View after Thursday, May 30, 2024

Program # 2240166WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

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IP Law: Briefings & eBook Bundle

5 webcast programs + 1 value-added eBook = core fluency

Do you or your clients have questions about IP law? This curated bundle of 11 hours of fast-paced webcast programming paired with MCLE's comprehensive *Intellectual Property Practice* e-publication gives you a solid foundation in IP law. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **What Every Business Lawyer Must Know About Intellectual Property Law Pitfalls & Opportunities:** Intellectual property law overview; Copyright; Trademark; Trade Secrets; Patents; Intellectual property licensing; Ethics in intellectual property licensing
- **Licensing Landmines:** Rights licensed in technology sharing; Context for the business counselor; Key terms of a license agreement; Identifying licensing landmines
- **Protecting Copyrights & Thwarting Counterfeits:** Basics of copyrighting and piracy; Enforcement—choosing the right forum and remedy; Steps in prosecuting a case
- **How to Handle a Technology Copyright Infringement Claim:** Remedies and starting litigation; Experts, neutrals, and defenses; Fair use; Open source; Current developments
- **How to Create, Register & Enforce Trademark Rights:** Trademark selection for strong brand foundation; Proper trademark use internally and externally to your organization; Trademark registration—how, when, where, and why; New USPTO procedures and options for rights owners; Enforcement and defense of trademark rights

Unparalleled Expertise—Speakers & Authors

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

Dates & Location

Register at www.mcle.org

REBROADCAST

Monday, March 18, 2024
9:00 am–4:00 pm
& Tuesday, March 19, 2024
9:00 am–3:00 pm
Program # 2240172RB1

REBROADCAST

Tuesday, April 2, 2024
9:00 am–4:00 pm
& Wednesday, April 3, 2024
9:00 am–3:00 pm
Program # 2240172RB2

REBROADCAST

Wednesday, May 8, 2024
9:00 am–4:00 pm
& Thursday, May 9, 2024
9:00 am–3:00 pm
Program # 2240172RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

Intellectual Property Practice ebook, plus speaker materials

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

CLE Credits

Earn up to 11 CLE credits



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Learn more at www.mcle.org

LLC v. Corporation Decision Tree & Drafting Tips

Questions that attorneys should ask their clients before advising on whether a corporation or a limited liability company makes the most sense along with key drafting decisions

When determining the best form of entity to use when forming a new business, there are a number of considerations that clients should contemplate before drafting and filing the applicable formation documents. Will the company be providing a service or selling a product? How widely will equity in the business be shared? Will employees be given equity? Do you contemplate raising venture capital or angel financing? Will there be significant losses generated early that can offset other personal income? These are just a few of the questions that attorneys should be asking their clients before advising on whether a corporation or a limited liability company makes the most sense. Hear the faculty analyze these and other considerations and discuss key drafting decisions in forming these entities.

Agenda

- LLC or Corporation: Which Makes Sense for My Client?
- What Should My LLC Operating Agreement Include?
- What Should My Corporate Documents Include and Do I Need a Shareholders' Agreement?
- What Happens if I Have to Change My Form of Entity?
- "Ask the Experts" Q&A Session

Faculty

Joshua E. French, Esq., *Nutter McClennen & Fish LLP, Boston*, Chair
Elizabeth S. Myers, Esq., *Nutter McClennen & Fish LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 7, 2024
2:00 pm–5:00 pm
Program # 2240167WBC

REBROADCAST

Wednesday, May 22, 2024
12:00 pm–3:00 pm
Program # 2240167RB1

REBROADCAST

Thursday, May 30, 2024
9:00 am–12:00 pm
Program # 2240167RB2

ON DEMAND WEBCAST

View after Thursday, May 30, 2024
Program # 2240167WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

A Practical Guide to Massachusetts Limited Liability Companies 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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Learn more at www.mcle.org

Practical Application of the Fair Use Doctrine

Understand the copyright fair use doctrine and learn practical steps to avoid litigation exposure, especially in light of the ubiquitous use of generative artificial intelligence models

The fair use doctrine may garner increasing attention as tens of millions of users now have access to generative artificial intelligence (GAI) models, some trained from trillions of pieces of text, images, and sound, a portion of which may be protected by copyright. Use of these models through ChatBot prompts, smartphones, and social media site image enhancement, among other tools, may result in output of text, images, or sound, that with enough similarity and public visibility may draw copyright, trademark, and rights of privacy or publicity claims from others. Where competing economic value—including reputation—is at stake, expensive lawsuits or other disruption of business may result, even from innocent use of GAI to generate marketing materials or mundane computer code. Attend this new program to gain a general understanding of the copyright fair use doctrine and practical steps to avoid of it to avoid litigation exposure in assertion of copyright.

Agenda

- Types of Exclusive Uses Reserved to a Copyright Owner and How They Are Implicated in Contemporary Generation and Use of “Content”
- Role of the Fair Use Doctrine Under 17 U.S.C. § 107 Compared with Other Copyright Infringement Defenses
- The Current Perceived Contention Between Emphasis on “Transformative Use” or Market Displacement in Determining Fair Use Based on the Recent Supreme Court *Google* and *Warhol* Cases
- Tips for Positioning Your Client (or Yourself) Relative to Copyright Infringement Claims and Fair Use Defenses

Faculty

Stephen Y. Chow, Esq., CIPP/US, *Stephen Y. Chow, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 19, 2024

12:00 pm–1:00 pm

Program # 2240165WBC

REBROADCAST

Wednesday, April 3, 2024

9:00 am–10:00 am

Program # 2240165RB1

REBROADCAST

Thursday, April 11, 2024

3:00 pm–4:00 pm

Program # 2240165RB2

ON DEMAND WEBCAST

View after Thursday, April 11, 2024

Program # 2240165WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE Members
- \$72.50 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 1 CLE credit



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What to Do When Your Lease Goes into Default

How bankruptcy filings and lease provisions dramatically impact both landlord and tenant rights under commercial lease agreements

Both Chapter 7 and Chapter 11 bankruptcies alter rights for landlords and tenants. Understanding which lease provisions are affected is critical to managing lease obligations in bankruptcy, including landlords' rights to enforcement of lease restrictions and the ability to collect rents. Tenants can utilize the Bankruptcy Code's relief provisions to assume or reject a lease, limit breach and termination claims, and overcome anti-assignment provisions.

Agenda

- **Impact of Bankruptcy Filings on Landlord and Tenant Rights Under Commercial Lease Agreements**
 - Rent collection in bankruptcy
 - Relief from the automatic stay
 - Assumption and assignment of leases
 - Lease rejection claims
- **Lease Default Provisions and Remedies**
 - Default v. event of default
 - Monetary defaults and non-monetary defaults
 - Incurable defaults
 - Repeated defaults
 - Remedies available to landlord
 - Landlord defaults
- **"Ask the Experts" Q&A Session**

Faculty

Jennifer Ioli Connelly, Esq., *Sherin and Lodgen LLP, Boston*
Alex F. Mattera, Esq., *Pierce Atwood LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, May 16, 2024
12:00 pm–2:00 pm
Program # 2240169WBC

REBROADCAST

Friday, June 7, 2024
9:00 am–11:00 am
Program # 2240169RB1

REBROADCAST

Monday, June 17, 2024
2:00 pm–4:00 pm
Program # 2240169RB2

ON DEMAND WEBCAST

View after Monday, June 17, 2024
Program # 2240169WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

Bankruptcy 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



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26th Annual Personal Injury Law Conference 2024

Spotlight on the major issues that impact your practice

The signature *Conference* for the personal injury law bar brings you up-to-date on key topics and developments. Hear from nationally renowned authorities in the field of generative artificial intelligence. A *Conference* highlight is “AI: the Future of Personal Injury” presented by the cofounder of Justice HQ, Robert Simon, and cofounder of EvenUp, Raymond Mieszaniec.

The fast-paced agenda also provides timely caselaw updates, answers to ethics questions, and an opportunity to hear from and ask your questions to our judicial panel! Joseph Berman of the Board of Bar Overseers looks at the ethical issues facing personal injury lawyers and Judge Valerie Yarashus will go through updates and changes in the case law since last year.

This outstanding *Conference* is essential for both new and experienced practitioners to hear from the judiciary, learn from experts, and strengthen their skills. Take advantage of this valuable opportunity to become a more effective personal injury lawyer!

Agenda

- Caselaw Update
- Ask the Judge Judicial Panel
- Ethics in Personal Injury Law
- AI and the Future of Personal Injury Law

Faculty

Andrew C. Meyer, Jr., Esq., *Lubin & Meyer, PC, Boston*, Cochair

Adam R. Satin, Esq., *Lubin & Meyer, PC, Boston*, Cochair

Joseph S. Berman, Esq., *General Counsel, Office of the General Counsel, Massachusetts Board of Bar Overseers, Boston*

Hon. Catherine H. Ham, *Boston Municipal Court, Commonwealth of Massachusetts*

Hon. James F. Lang, *Superior Court, Commonwealth of Massachusetts*

Raymond Mieszaniec, Esq., *EvenUp Law, San Francisco, CA*

Robert Simon, Esq., *The Simon Law Group, Torrance, CA*

Hon. Brent A. Tingle, *Superior Court, Commonwealth of Massachusetts*

Hon. Valerie A. Yarashus, *Superior Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, May 10, 2024

9:30 am–4:30 pm

Program # 2240249WBC

REBROADCAST

Tuesday, May 28, 2024

9:30 am–4:30 pm

Program # 2240249RB1

REBROADCAST

Wednesday, June 5, 2024

9:30 am–4:30 pm

Program # 2240249RB2

ON DEMAND WEBCAST

View after Wednesday, June 5, 2024

Program # 2240249WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE 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

Massachusetts Personal Injury Law Sourcebook & Citator 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 1 ethics credit



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Learn more at www.mcle.org

Captivate the Courtroom: Presentation Techniques

Command performance and win the day

Remember Gregory Peck as Atticus Finch in *To Kill a Mockingbird*? Katherine Hepburn in *Adam's Rib*? Tom Cruise in *A Few Good Men*? What their characters all had in common was an uncanny ability to captivate the courtroom.

But in real life, many trials quickly devolve into endless paper blizzards and sidebar conferences—and jurors are often bored to tears by the first recess. What techniques do great trial lawyers use to grab and hold the jury's attention and, ultimately, obtain the desired verdict? Attend this unique online seminar featuring legends of the Boston trial bar to find out. The program also offers a view from the bench from a veteran Superior Court judge, and expert commentary from one of MCLE's most popular and engaging moderators, Richard Zielinski.

Agenda

- Effective Use of Themes to Engage and Persuade the Jury
- Effective Use of Technology
- Demonstrative Aids in the Courtroom
- Cross Examination of Opposing Parties and Expert
- Keeping Focus on the Jury
- Tips for Effective Openings and Closings

Faculty

Richard M. Zielinski, Esq., *Goulston & Storrs, PC, Boston, Chair*

Lisa G. Arrowood, Esq., *Arrowood LLP, Boston*

Clyde D. Bergstresser, Esq., *Bergstresser & Pollock LLC, Boston*

J.W. Carney, Jr., Esq., *Carney, Gaudet & Carney, Boston*

Elizabeth N. Mulvey, Esq., *Libby Hoopes Brooks & Mulvey, P.C., Boston*

Edward P. Schwartz, Esq., *Partner/Senior Litigation Consultant, Blueprint Trial Consulting, West Hartford, CT*

Hon. Debra A. Squires-Lee, *Superior Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 7, 2024

2:00 pm–5:00 pm

Program # 2240256WBC

REBROADCAST

Friday, March 22, 2024

9:30 am–12:30 pm

Program # 2240256RB1

REBROADCAST

Monday, April 1, 2024

2:00 pm–5:00 pm

Program # 2240256RB2

ON DEMAND WEBCAST

View after Monday, April 1, 2024

Program # 2240256WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 Courtroom Advocacy 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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Clerk's Tips on Interacting with the Court & Moving Your Case Through the Court System

Navigating the Superior Court in the digital age

In the post-pandemic world, business practices of the past have yielded to new modes of delivering essential services. The Massachusetts Superior Court is no exception. These changes have led to many advantages as well as some pitfalls. What are the benefits of electronic filing as opposed to filing with paper? Will I appear before the court in person or virtually? What is the most effective way of communicating with the court? Join our panel as we provide you with understanding and insight as to what has changed (and what hasn't) in the digital age and what you can do to successfully steer your case from start to finish.

Agenda

- Understanding and Navigating the Superior Court E-Filing System
- Best Practices: Should I E-File or Should I Appear in Court?
- Will My Hearing Be Held In-Person or Virtually?
- Electronic Notices and Phasing Out Paper
- Effective Communication with the Court
- "Ask the Experts" Q&A Session

Faculty

John E. Powers III, Esq., *Acting Clerk Magistrate, Suffolk Superior Court, Commonwealth of Massachusetts*, Chair

Margaret M. Buckley, Esq., *First Assistant Clerk Magistrate, Suffolk Superior Court, Commonwealth of Massachusetts*

Matthew Day, Esq., *Second Assistant Clerk Magistrate, Middlesex Superior Court, Commonwealth of Massachusetts*

Mary K. Hickey, Esq., *First Assistant Clerk Magistrate, Norfolk Superior Court, Commonwealth of Massachusetts*

Carlotta M. Patten, Esq., *First Assistant Clerk Magistrate, Essex Superior Court, Commonwealth of Massachusetts*

Michael A. Sullivan, Esq., *Clerk Magistrate, Middlesex Superior Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, April 3, 2024

2:00 pm–4:00 pm

Program # 2240261WBC

REBROADCAST

Thursday, April 18, 2024

12:00 pm–2:00 pm

Program # 2240261RB1

REBROADCAST

Friday, April 26, 2024

10:00 am–12:00 pm

Program # 2240261RB2

ON DEMAND WEBCAST

View after Friday, April 26, 2024

Program # 2240261WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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
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CLE Credits

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Court-Certified Conciliation Training

Expert training on conciliation in all practice areas

Conciliation is an important and potentially game-changing ADR process that touches upon many different practice areas and departments of the Trial Court. Trained conciliators can assist the judicial process by, among other things, improving communications, interpreting issues, encouraging parties to explore solutions, building trust, and helping to find mutually acceptable outcomes.

Rule 8 of the Uniform Rules on Dispute Resolution provides standards for court-connected ADR services. It also contains guidelines which establish training, evaluation, mentoring, and continuing education requirements for conciliators. Using Rule 8's guidelines, MCLE offers this one-day workshop for conciliators that is co-chaired by two former judges and includes a sitting judge and highly experienced attorneys and conciliators. Many of these expert practitioners have created and/or run conciliation programs around the state, so they understand what conciliators need to know—and do—to help achieve a successful outcome. They give you an in-depth overview of the court system, ADR processes, and the Uniform Rules, so you end up with the thorough training you need to fulfill Rule 8's requirements.

If you are interested in being a certified conciliator in Superior Court, District Court, and/or Probate and Family Court, this workshop is for you.

Agenda

- Explanation of the Structure and Processes of the Courts
- Overview of the Uniform Rules on Dispute Resolution, with Special Emphasis on the Role of Neutrals, Programs, and the Courts under the Rules
- Introduction to the Particular Court or Courts for Which the Conciliator Will Be Providing Services
- Court and Program Guidelines for Conducting Conciliations
- Dispute Resolution Techniques and the Application of Those Techniques to the Conciliation Program
- ADR Processes and Procedures
- Roles of the Parties, Conciliator, Court, and Approved Program in the Conciliation Process
- Common Procedural and Substantive Issues That Conciliators Face, Including Evidentiary Problems and Questions Regarding Damages
- “Ask the Experts” Q&A Session

Faculty

Hon. Paul A. Chernoff, *Superior Court, Commonwealth of Massachusetts (Ret.)*, Cochair

Hon. Mark D. Mason, *Superior Court, Commonwealth of Massachusetts (Ret.)*, Cochair

Arlene L. Bernstein, Esq., *Newton Center*

Hon. Thomas A. Connors, *Superior Court, Commonwealth of Massachusetts (Ret.)*

Hon. Daniel C. Crane, *Superior Court, Commonwealth of Massachusetts (Ret.)*

Steven S. Greenzang, Esq., *Pro Bono, Greenzang Law Offices, Brookline*

Martin F. Kane, II, Esq., *McGrath & Kane, Boston*

Robin D. Murphy, Esq., *Verrill Dana LLP, Boston*

Michael C. Najjar, Esq., *Marcotte Law Firm, Lowell*

Eugene A. Nigro, Esq., *Nigro, Pettepit & Lucas LLP, Wakefield*

Victoria C. Rothbaum, Esq., *Somerville*

Date & Location

Register at www.mcle.org

BOSTON

Thursday, March 14, 2024

9:00 am–5:00 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240257P01

Tuition *(includes written materials)*

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

OnlinePass subscribers: Use your annual *Plus 1* benefit to attend this program for free, contact Customer Service to register.

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 7 CLE credits

Including up to .5 ethics credit

Direct & Cross-Examination Skills Workshop 2024

On-your-feet training to get the most out of every witness

Who are the most important people at a trial? It is the testimony of the witnesses that ultimately determines the outcome. The examination of the witnesses is a key component of a winning strategy. The presentation of testimony is not to be taken lightly. It should be the product of careful planning, thorough preparation, and stylish execution. Anyone can improve their skills through practice and hard work.

In this two-day *Workshop*, expert litigators from various practice areas and judges from different state courts teach everything you need to know about direct and cross-examination. After lectures and a demonstration by the faculty each morning, you spend the rest of the day testing your skills in a mock courtroom setting, where you can try out what you have learned and get essential feedback on your performance.

Agenda

- Preparing for Direct Examination
- Questions for Direct Examination
- Direct Examination Outline
- Challenges During Direct Examination (And, How to Overcome Them)
- Managing Direct and Preparing for Re-Direct
- On-Your-Feet Direct Examination
- Preparing for Cross-Examination
- The Power of Leading Questions
- Controlling the Witness
- Goal-Oriented Questioning Sequences
- Cross-Examination Sequences
- The Power of Three
- Controlling the Runaway Witness
- On-Your-Feet Cross-Examination

Faculty

Jessica M. Dubin, Esq., *Lee & Rivers LLP, Boston*, Cochair
Jennifer C. Roman, Esq., *Tracey, Roman & Ramos, PC, Wellesley Hills*, Cochair
Hon. Christine D. Anthony, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Mary Rudolph Black, *Probate and Family Court, Commonwealth of Massachusetts*
Paula S. Bliss, Esq., *Justice Law Collaborative LLC, North Easton*
Hon. Anthony J. Campo, *Superior Court, Commonwealth of Massachusetts*
Wayne F. Dennison, Esq., *Brown Rudnick LLP, Boston*
Wendy O. Hickey, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*
Edward W. Krippendorf, Jr., Esq., *Eisenstadt Krippendorf Group LLP, Westwood*
Cheryl Boylan Pinarchick, Esq., *Fisher & Phillips LLP, Boston*
Russell X. Pollock, Esq., *Bergstresser & Pollock, PC, Boston*
Gary O. Todd, Esq., *Todd & Weld LLP, Boston*

Dates & Location

Register at www.mcle.org

BOSTON

Thursday, May 2, &
Friday, May 3, 2024
9:30 am–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240247P01

Tuition *(includes written materials)*

- \$595
- \$535.50 MCLE Members
- \$446.25 New Lawyers admitted to law practice within 5 years and Pending Admittees

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

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

Materials

Massachusetts Courtroom Advocacy, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for all registrants

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

Discovery & E-Discovery

Learn the law and acquire the skills to be successful

Everyone knows that discovery rules are designed to prevent the “trial by ambush” regularly depicted on television. Despite this theoretical simplicity, discovery and e-discovery present myriad challenges that can dramatically alter the trajectory of your case.

This program reviews the applicable Massachusetts and federal rules for discovery and e-discovery and offers insight into effectively using those rules to your advantage. The panelists discuss their vast experiences propounding discovery requests, negotiating discovery and e-discovery stipulations with opposing counsel, and drafting responsiveness and privilege review protocols. The panel offers practical insights regarding best practices for selecting and working with e-discovery vendors and contract reviewers while minimizing costs for your clients.

Agenda

- Primer on Massachusetts Discovery Rules
- Primer on Federal Discovery Rules
- Exploration of Massachusetts Discovery Rules Relating to E-Discovery
- Exploration of Federal Discovery Rule Relating to E-Discovery
- Panel Discussion of Massachusetts and Federal Discovery and E-Discovery in Practice
- “Ask the Experts” Q&A Session

Faculty

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

Hannah D. Carlin, Esq., *Kellogg Hansen Todd Figel & Frederick PLLC, Washington, DC*

Eliana Pfeffer, Esq., *Kellogg Hansen Todd Figel & Frederick PLLC, Washington, DC*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 15, 2024

2:00 pm–5:00 pm

Program # 2240255WBC

REBROADCAST

Thursday, May 30, 2024

2:00 pm–5:00 pm

Program # 2240255RB1

REBROADCAST

Friday, June 7, 2024

9:30 am–12:30 pm

Program # 2240255RB2

ON DEMAND WEBCAST

View after Friday, June 1, 2024

Program # 2240255WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 Discovery Practice 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

Enforcing Judgments

Turn winning judgments into cash

How do you evaluate collections claims? How many judgments do you have in your files? How can you turn those judgments into cash? Collection cases are increasingly common yet alarmingly complex. Regardless of the nature of a claim, from a simple contract action or collection of a promissory note, to the most complex antitrust case, civil actions are primarily designed to obtain financial remuneration. That basic fact is constant—but the circumstances are always changing. You want to collect the money as quickly and efficiently as possible, but debtors are guaranteed a network of legal rights which cannot be overlooked.

This seminar presents practical approaches to maximizing your ability to collect and enforce judgments without overstepping the bounds of law and professional responsibility. The experienced faculty convey how to use technology, procedure, and up-to-the-minute precedent to focus a successful collection campaign. You learn the options that are available and how, when, and why to select one strategy over another. In addition, you receive concrete examples to help guide the case from your first client communication to payment of the final bill.

Agenda

- How to Evaluate the Case and Plan Your Attack
- Effective Prejudgment Security Strategies
- What Information Is Lawfully Available and How to Use It in Negotiation
- What the Courts Expect
- What to Consider in Proceeding Against Individuals; Corporations; Trusts; LLCs; LLPs; and Proprietorships
- Post-Judgment Options
- How to Avoid Ethical Traps When Collecting Debt
- Remote Filings and Hearings
- Domesticating Foreign Judgments
- “Ask the Experts” Q&A Session

Faculty

Dana E. Casher, Esq., *Casher Law Offices, Wilbraham*, Chair

Jonathan H. Allen, Esq., *Allen Law, Springfield*

John O. Postl, Esq., *John Postl, PC, Quincy*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, June 26, 2024

2:00 pm–4:00 pm

Program # 2240258WBC

REBROADCAST

Thursday, July 11, 2024

12:00 pm–2:00 pm

Program # 2240258RB1

REBROADCAST

Friday, July 19, 2024

10:00 am–12:00 pm

Program # 2240258RB2

ON DEMAND WEBCAST

View after Friday, July 19, 2024

Program # 2240258WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

Collecting Civil Judgments 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

Handling Vehicle Accident Cases

A roadmap to the hot topics in motor vehicle torts

Millions of car crashes occur each year, resulting in injuries, disabilities, and loss of life. Cases arising from motor vehicle accidents are highly complex, and representing an injured client or defending an alleged tortfeasor can be much more involved than it might seem.

It is vitally important for attorneys to understand the typical and unusual issues that arise in car crash cases. The diverse panel guides you through the intricacies of motor vehicle torts, from understanding the basic auto insurance policy to valuing your client's case to preparing for trial. You leave with a deep understanding of not only the essentials but also of finely-tuned nuances—and enjoy the focused attention of experts so you can get your questions answered.

Agenda

- Initial Considerations in a Motor Vehicle Case: Taking It; Client Interview; Gathering Facts
- Coverages in the “Standard” Auto Insurance Policy: BI; PIP; Med Pay; UM; UIM
- Special Cases: MBTA; G.L. c. 258 Entities; Public Duty Rule
- G.L. c. 176D & 93A Considerations
- The Defense Perspective
- Hot Topics/Settlement Evaluation/Panel Discussion
- “Ask the Experts” Q&A Session

Faculty

Allison K. Gurley, Esq., *Harding Gurley LLP, Wellesley*, Chair
David R. Bikofsky, Esq., *Gillis & Bikofsky, PC, Newton*
Joseph P. Bonfiglio, Esq., *Bolden & Bonfiglio LLC, Salem*
Mark A. Cashman, Esq., *The Cashman Law Firm, Boston*
Melissa Curran, Esq., *Harding Gurley LLP, Dedham*
Scott A. Spencer, Esq., *MassDOT/MBTA Office of the General Counsel, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 5, 2024
2:00 pm–4:00 pm
Program # 2240259WBC

REBROADCAST

Wednesday, March 20, 2024
10:00 am–12:00 pm
Program # 2240259RB1

REBROADCAST

Thursday, March 28, 2024
12:00 pm–2:00 pm
Program # 2240259RB2

ON DEMAND WEBCAST

View after Thursday, March 28, 2024
Program # 2240259WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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 Motor Vehicle Torts: Liability and 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

Introducing & Excluding Evidence at Trial

The mechanics of offering or opposing the introduction of evidence

Every attorney who has tried a case has been faced with the question of how a certain, crucial piece of evidence can either be admitted or kept out from the trial. Perhaps it is a document originally written in Japanese with a translation, a photograph of an accident scene taken by a now-deceased photographer, a newspaper article, a police report, or blood test results. Similarly, attorneys are frequently faced with difficult witnesses that either require a great deal of preparation to put on the stand, or to elicit certain points during cross-examination.

This seminar provides both new and experienced practitioners with real-life examples and suggestions to demystify the trial courts, the handling of witnesses, and the effective use of evidence at trial. Taught by a panel of practitioners experienced in civil litigation, this seminar provides insight into how evidence can be used effectively at trial. In addition, the faculty discuss their experience in what works and, perhaps most importantly, what doesn't work! The seminar touches on the latest issues in the introduction of real and demonstrative evidence in both the criminal and civil contexts as well as the latest in electronic discovery.

Agenda

- Pre-Trial Considerations, Motions in Limine, and How to Get to the Courthouse in One Piece
- Direct Examination of Lay Witnesses and Expert Witnesses
- Cross-Examination of Lay Witnesses and Expert Witnesses
- Document Organization and Assembly of Records
- Real and Demonstrative Evidence
- Use of Experts at Trial
- Electronic Discovery and Unusual Legal Issues
- "Ask the Experts" Q&A Session

Faculty

Donald L. Pitman, III, Esq., *The Pitman Law Offices LLC, Newburyport, Chair*
Martha R. Bagley, Esq., *Weston Patrick, PA, Boston*
Kathy Jo Cook, Esq., *Sheff & Cook LLC, Boston*
Martin F. Kane II, Esq., *McGrath & Kane, Boston*
Christopher P. Sullivan, Esq., *Robins Kaplan LLP, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, June 13, 2024
1:00 pm–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240248P01

LIVE WEBCAST

Thursday, June 13, 2024
1:00 pm–5:00 pm
Program # 2240248WBC

REBROADCAST

Friday, June 28, 2024
9:00 am–1:00 pm
Program # 2240248RB1

REBROADCAST

Monday, July 8, 2024
1:00 pm–5:00 pm
Program # 2240248RB2

ON DEMAND WEBCAST

View after Monday, July 8, 2024
Program # 2240248WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

A Practical Guide to Introducing Evidence 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 4 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

Judge Young on Using the Rules of Evidence to Persuade

A unique opportunity to learn from one of the bench's most inspirational lecturers

Join Judge William G. Young of the U.S. District Court for this popular series on evidence and trial practice, which takes you through the essentials of discovery, motion practice, and trial.

Evidence and Discovery

- Theory and types of relevance; Burdens, standards, and methods of proof; Prima facie case; Burdens of production and persuasion; Habit and routine; Relevant but inadmissible; Guilty pleas; Collateral source; Rape shield provisions
- Trial preparation; Interrogatory and deposition practice; Requests for entry on land and admission; Litigation support services; Preparation of demonstrative aids; Timeline; "Waves" of discovery; Multi-district practice; Preparation of the trial book
- Experts; Law of expert testimony; GHOSTO rule; Qualifying the expert; Eliciting and explaining the expert opinion; Cross-examination of experts

Evidence and Motion Practice

- Motion practice; Forum shopping; District of Massachusetts Cost and Delay Reduction Plan; Utilizing motions; Class certification; Advocacy of motions
- Privileges and confidential data; Variety and manners of privileges
- Presumptions and judicial notice; Conclusive relationships based on social policy; Rule of deference to legislative fact-finding

Evidence at Trial

- Trial procedures; Jury empanelment; Taking objections and making the record; Motions for directed verdicts; Requests for jury instructions; Requests for findings and rulings; Time limits; Roles of the courtroom deputy clerk and court reporter
- Direct and cross-examination techniques and structure; The five W's; Leading questions; Order of witnesses; The adverse witness; Scope of interrogation
- Impeachment; Grounds for impeachment and techniques; Prior inconsistent statements and convictions; The three Cs; Impeachment through evidence
- Theory of rule against hearsay; The M theory; Four major groups of exceptions; Hearsay within hearsay; Rebutting hearsay testimony; Confrontation Clause; Prior statements of witnesses; "Reliable" and "necessary" exceptions
- Evidentiary foundations; ARBPHU rule; Submission and use of tangible evidence; Arguments at trial; Opening statement; Closing argument

Instructor

William G. Young, District Judge of the U.S. District Court for the District of Massachusetts, has been an active trial judge, serving on both the Massachusetts Superior Court and the U.S. District Court. A longtime teacher of evidence and trial advocacy, he is a member of the faculty of Boston College and Boston University Law Schools and has frequently served as a trial advocacy team leader at Harvard Law School and in MCLE's summer Trial Advocacy Workshop. He is the author of numerous MCLE publications, including the highly acclaimed *Reflections of a Trial Judge*. An electrifying lecturer, Judge Young has specifically crafted this program to distill the very best of his fifty years of teaching.

Dates & Location

Register at www.mcle.org

WEEKLY MEETINGS

Thursdays, March 28, April 4,
& April 11, 2024
4:00 pm–6:00 pm

John Joseph Moakley U.S. Courthouse,
Judge Young's Chambers
Courtroom 18—5th Floor,
1 Courthouse Way, Boston

Program # 2240250P01

Tuition *(includes written materials)*

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

OnlinePass subscribers: Use your annual *Plus 1* benefit to attend this program for free, contact Customer Service to register.

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

Materials

Massachusetts Evidence: A Courtroom Reference, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for all registrants

CLE Credits

Earn up to 6 CLE credits

Keys to Deposing a Corporation

Everything you need to know about 30(b)(6) depositions

A deposition of a corporate representative pursuant to Fed. R. Civ. P. 30(b)(6) is a powerful discovery tool, as the 30(b)(6) designee's testimony binds the corporate entity. Given the importance and complexity of Rule 30(b)(6) depositions, it is critical to understand how to prepare to take or defend the deposition, the significance of the enumerated topics and scope of the deposition, and potential pitfalls.

Join our expert panel as we discuss everything you need to know to successfully take or defend a 30(b)(6) deposition.

Agenda

- Differences Between 30(b)(6) Depositions and Fact Witness Depositions
- Noticing a 30(b)(6) Deposition and Objections
- Identifying and Preparing Corporate Witnesses
- Taking and Defending Corporate Witness Depositions
- "Ask the Experts" Q&A Session

Faculty

Emily E. Renshaw, Esq., *Morgan, Lewis & Bockius LLP, Boston*, Chair

Nathaniel Bruhn, Esq., *Morgan, Lewis & Bockius LLP, Boston*

Julie A. Davis, Esq., *Lubin & Meyer, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 29, 2024

2:00 pm–4:00 pm

Program # 2240254WBC

REBROADCAST

Thursday, June 13, 2024

12:00 pm–2:00 pm

Program # 2240254RB1

REBROADCAST

Friday, June 21, 2024

10:00 am–12:00 pm

Program # 2240254RB2

ON DEMAND WEBCAST

View after Friday, June 21, 2024

Program # 2240254WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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 Deposition Practice 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



Subscribe to the MCLE OnlinePass®

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

Learn more at www.mcle.org

Making Objections Workshop 2024

On-your-feet training on when to object—and when to stay silent

Knowing when to make objections, and how to support and oppose them, is a vital courtroom skill. Equally important is knowing when to keep silent. In this program, expert litigators teach you not only how to understand the proper grounds for making objections—and how to effectively argue and oppose them—but also how to decide when it is in your best interests to do so. Attend this workshop in-person in Boston to take advantage of the exclusive opportunity to test your knowledge in a mock courtroom setting, where you can try out the skills you have learned and get essential feedback on your performance.

Agenda

- Hearsay Objections
- Foundation Objections
- Business Records Issues
- When to Use Motions *in Limine*
- When and How to Challenge the Competency of a Witness
- What an Expert May Rely Upon When Giving an Opinion
- When to Ask the Court to Take Judicial Notice
- When and How to Object to Improper Arguments to a Jury
- “Ask the Experts” Q&A Session

Faculty

Michael P. Sams, Esq., *Kenney & Sams, PC, Boston*, Chair

Peter E. Ball, Esq., *Fitch Law Partners LLP, Boston*

Hon. Rosemary Connolly, *Superior Court, Commonwealth of Massachusetts*

Jack W. Pirozzolo, Esq., *Sidley Austin LLP, Boston*

Date & Location

Register at www.mcle.org

BOSTON

Tuesday, April 9, 2024

12:00 pm–5:00 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240253P01

Tuition *(includes written materials)*

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

OnlinePass subscribers: Use your annual *Plus 1* benefit to attend this workshop for free, contact Customer Service to register.

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

Materials

A Practical Guide to Introducing Evidence in Massachusetts, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for all registrants

CLE Credits

Earn up to 5 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

Medical Records: Everything Lawyers & Paralegals Need to Know

Collection, review, and analysis

Medical records are necessary for the analysis and pursuit of many types of claims, including personal injury, worker's compensation, and disability. Paralegals and attorneys require knowledge of how to request, collect, and interpret medical records and associated materials, such as radiology images, medical bills, and the like, as well as the skills to ensure these materials are prepared in a condition suitable for admission in evidence.

Our legal experts discuss the methods necessary to collect and prepare medical records and associated materials for admission, while our medical expert provides insight into how to review and analyze medical records and when to recruit medical experts as part of the process.

Agenda

- Requesting and Collecting Medical Records
- Medical Records and Litigation
- Key Features of Medical Records and Why They Matter

Faculty

Maria Laura Mazur, Esq., *Lubin & Meyer, PC, Boston*, Cochair

Mary Wenham, *Medical Paralegal, Lubin & Meyer, PC, Boston*, Cochair

Dr. Wendy Ketner, MD, *Senior Vice President, The Expert Institute, New York, NY*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 7, 2024

2:00 pm–4:00 pm

Program # 2240252WBC

REBROADCAST

Wednesday, May 22, 2024

12:00 pm–2:00 pm

Program # 2240252RB1

REBROADCAST

Thursday, May 30, 2024

10:00 am–12:00 pm

Program # 2240252RB2

ON DEMAND WEBCAST

View after Thursday, May 30, 2024

Program # 2240252WBA

Tuition *(includes written materials)*

- \$295
- \$265.50 MCLE Members
- \$147.50 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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for instant access to this program and everything else MCLE offers online.

Learn more at www.mcle.org

Motion Practice in Superior Court

Types of pre-trial motions and what to expect when moving or opposing them

Any civil case filed in a Massachusetts Superior Court almost certainly requires some form of motion practice, whether to seek injunctive relief, obtain discovery or a dispositive decision, or limit evidence at trial. The motions themselves, the strategic decisions regarding when and whether to file them, and the Superior Court Rules governing them can be some of the most complex and confusing areas of civil practice—and also the most interesting.

Join our expert litigators as we look at the different types of pre-trial motions and what to expect when moving or opposing them.

Agenda

- Know the Superior Court Rules
- Motions for Injunctive Relief
- Discovery Motions
- Dispositive Motions
- Motions *in Limine*
- “Ask the Experts” Q&A Session

Faculty

Alexis P. Theriault, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*, Chair

Gregory M. Boucher, Esq., *Saul Ewing LLP, Boston*

Michelle M. Byers, Esq., *Campbell Conroy & O’Neil, PC, Boston*

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

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, July 10, 2024

3:00 pm–5:00 pm

Program # 2240264WBC

REBROADCAST

Thursday, July 25, 2024

3:00 pm–5:00 pm

Program # 2240264RB1

REBROADCAST

Friday, August 2, 2024

10:00 am–12:00 pm

Program # 2240264RB2

ON DEMAND WEBCAST

View after Friday, August 2, 2024

Program # 2240264WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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 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

Practical Uses for AI in Trial Preparation & Legal Practice

Learn how and when to use ChatGPT and other modern generative AI-powered tools to boost your productivity and improve your legal work

This new program teaches lawyers how to use AI in their practice. The program covers a variety of topics, such as AI in document automation, the use of AI in a small- or medium-sized firm, AI in complex litigation, and the use of Clearbrief for AI-powered pleadings. We close with your questions and answers from the expert panel.

Learn how to use AI to improve your productivity and legal work. Get the knowledge and skills needed to use AI effectively in your practice.

Agenda

- AI in Document Automation
- Using AI in a Small or Medium-Sized Law Firm
- AI in Complex Litigation
- Using Clearbrief for AI-Powered Pleadings
- “Ask the Experts” Q&A Session

Faculty

Quinten Steenhuis, Esq., *Adjunct Professor, Legal Innovation and Technology Lab, Suffolk University Law School, Boston, Chair*

Jared Jaskot, Esq., *Jaskot.Law, Baltimore, MD*

Jacqueline G. Schafer, JD, *Founder and CEO, Clearbrief, Seattle, WA*

Adam B. Ziegler, *Senior Director, BRYTER Inc., New York, NY*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, June 6, 2024

2:00 pm–4:00 pm

Program # 2240260WBC

REBROADCAST

Friday, June 21, 2024

10:00 am–12:00 pm

Program # 2240260RB1

REBROADCAST

Monday, July 1, 2024

2:00 pm–4:00 pm

Program # 2240260RB2

ON DEMAND WEBCAST

View after Monday, July 1, 2024

Program # 2240260WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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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for instant access to this program and everything else MCLE offers online.

Learn more at www.mcle.org

Preparing Witnesses for Depositions & Trial

From nervous Nellie into calm Carrie

Explore the essential strategies and techniques required to effectively prepare witnesses for the critical stages of deposition and trial. In today's dynamic legal landscape, the success of a case often hinges on the credibility and poise of the witnesses presented. This program aims to equip attorneys with the skills necessary to guide and empower their witnesses, ensuring they communicate their testimony confidently and accurately.

Participants in this program gain comprehensive insight into witness preparation methodologies. Experienced legal instructors delve into the nuances of witness demeanor, communication styles, and the psychological aspects of testimony delivery. Attendees learn how to address potential challenges such as hostile questioning, objections, and the intricacies of cross-examination.

Agenda

- Witness Demeanor
- Communication Styles
- Psychological Aspects
- Hostile Questioning
- Objections
- Cross-Examination
- Ethics of Witness Preparation
- When to Assert the Fifth Amendment Privilege Against Self-Incrimination

Faculty

Bryna S. Klevan, Esq., *Klevan Law Office, Newton Center, Chair*

Matthew P. Barach, Esq., *Barach Law Group LLC, Framingham*

Edward C. Cooley, Esq., *Giarrusso, Norton, Cooley & McGlone, PC, North Quincy*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 26, 2024

12:00 pm–1:00 pm

Program # 2240262WBC

REBROADCAST

Wednesday, April 10, 2024

10:00 am–11:00 am

Program # 2240262RB1

REBROADCAST

Thursday, April 18, 2024

12:00 pm–1:00 pm

Program # 2240262RB2

ON DEMAND WEBCAST

View after Thursday, April 18, 2024

Program # 2240262WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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 Deposition Practice Manual 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



Subscribe to the MCLE OnlinePass®

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

Learn more at www.mcle.org

Trial Advocacy Workshop 2024

Initiation rite for rising and determined trial lawyers

Five intense days of personalized, comprehensive training provide you with fundamental courtroom skills from several venerable judges and experienced practitioners. This intense, rigorous, and challenging *Workshop*—as many of the state’s best trial lawyers attest—is vital for eager trial attorneys entering practice and for those who want to brush up on their trial skills.

Spend the week “on your feet,” arguing, questioning, and developing your skills in a mock trial setting. From opening statements to closing arguments, direct and cross examinations, expert witnesses, and eyewitnesses, improve your trial techniques under the close scrutiny of trial judges and leading attorneys. Most of your trial performance is videorecorded, so you can watch yourself in action throughout the day and receive constructive feedback from multiple faculty members, including judges. The tips, videos, demonstrations, lectures, and group discussions throughout the *Workshop* culminate with a full jury trial on the final day. After your performance, you watch a live jury deliberation via closed-circuit TV before the verdict is delivered. This *Workshop* is your chance to hear what the mock jury thought of your skills, arguments, and courtroom demeanor. Supportive critique continues even after the trial as the presiding judge gives you unique, personalized feedback on your efficacy. You emerge with well-honed trial skills and the ability to face your first—or next—jury trial with confidence.

This *Workshop* features distinguished trial court judges, expert litigators, and experienced lawyers who share their deep knowledge of trial practice, along with their practical and encouraging critique, as your personal mentors throughout the week. Networking opportunities continue at the closing reception, with both students and faculty attending. You leave this *Workshop* with a sense of accomplishment along with greater confidence in your new-found trial practice skills.

Faculty

Hon. Beverly J. Cannone, *Superior Court, Commonwealth of Massachusetts*, Cochair
Hon. Paul A. Chernoff, *Superior Court, Commonwealth of Massachusetts (Ret.)*, Cochair
Michael B. Barkley, Esq., *Adler, Cohen, Harvey, Wakeman & Guekguezian LLP, Boston*
Crispin Birnbaum, Esq., *General Counsel, Access to Justice Fellow, Watertown*
Jeffrey N. Catalano, Esq., *Keches Law Group, PC, Bridgewater*
Sandra Gant, Esq., *Federal Public Defender Office, Boston*
John P. Graceffa, Esq., *Morrison Mahoney LLP, Boston*
A. Bernard Guekguezian, Esq., *Adler, Cohen, Harvey, Wakeman & Guekguezian LLP, Boston*
Robert M. Higgins, Esq., *Lubin & Meyer, PC, Boston*
Leonard H. Kesten, Esq., *Brody, Hardoon, Perkins & Kesten LLP, Boston*
Mark Tan Lee, Esq., *Suffolk District Attorney’s Office, Commonwealth of Massachusetts*
Mary M. Logalbo, Esq., *Assistant General Counsel (Ret.), MBTA Legal Department*
Nigel W. Long, Esq., *Compliance Officer, Liberty Mutual Insurance Group, Boston*
Steven V. Loughlin, Esq., *Middlesex Superior Court, Commonwealth of Massachusetts*
Christine M. Martin, Esq., *MBTA Legal Department, Boston*
Carolyn I. McGowan, Esq., *Committee for Public Counsel Services, Malden*
Andrew C. Meyer, Jr., Esq., *Lubin & Meyer, PC, Boston*
Jennifer L. Mikels, Esq., *Goulston & Storrs, PC, Boston*
Evan C. Ouellette, Esq., *Northeastern University/Office of University Counsel, Boston*
Jeremy Silverfine, Esq., *Jeremy Silverfine, Attorney at Law, Belmont*
Graham G. Van Epps, Esq., *Middlesex District Attorney’s Office, Woburn*
Anne S. Yas, Esq., *Norfolk District Attorney’s Office, Commonwealth of Massachusetts*
Ellen J. Zucker, Esq., *Burns & Levinson LLP, Boston*

Dates & Location

Register at www.mcle.org

BOSTON

Monday, July 15, 2024
through Friday, July 19, 2024
8:30 am–5:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240246P01

Tuition *(includes written materials)*

- \$1,495
- \$1,345.50 MCLE Members
- \$1,121.25 New Lawyers admitted to law practice within 5 years and Pending Admittees

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

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

Materials

All registrants receive a full set of problems and case materials published by T. Mauet, et al., as well as a copy of MCLE’s *Massachusetts Courtroom Advocacy*, which can be downloaded via the link emailed to you upon registration. Attendees also receive a print copy.

Registration notes

Space is limited and available on a first come, first served basis. Registration by July 7 is highly encouraged. Persons who register by that date will be mailed the special *Workshop* materials. If you wish to register after July 7, please first contact MCLE Customer Service at 617-482-2205.

Cancellations may only be refunded, minus a \$100 processing fee, if we are able to fill your seat.

You’re encouraged to bring one or two volunteer jurors with you to MCLE on the final day of the *Workshop*—it’s a fun learning experience for them as well! Jurors need not be lawyers or law students and no advance preparation is necessary.

CLE Credits

Earn up to 40 CLE credits

Trying Civil Cases

A behind-the-scenes immersive experience

Successful trial lawyers always tell novice attorneys that an excellent way to become a better trial lawyer is to sit in court and observe veteran trial lawyers in action. But have you ever sat in court and wondered why an attorney was pursuing a particular line of questioning? Have you ever wished that a seasoned litigator was sitting by your side and explaining trial strategy to you? If you have ever wanted to hear a trial critiqued by the experts, don't miss this unique opportunity to spend a "day in court" with veteran trial attorneys and a sitting Superior Court judge.

Trying Civil Cases presents a one-day trial from start to finish. Each step of the trial is preceded by a brief narrative highlighting what is expected during that particular phase of the trial. After each segment, the faculty critique the attorneys' performances. Instead of listening to lecturers present the do's and don'ts of trial advocacy, you actually have the opportunity to learn by observing the experts and benefitting from the expert trial commentary provided by the panel of litigators and judge. Bring your questions to personalize your learning experience!

Agenda

- **Opening Statements:** Lecture; Demonstration of plaintiff's opening statement; Demonstration of defendant's opening statement; Analysis and critique
- **Direct and Cross-Examination:** Lecture; Demonstration of direct and cross-examination of plaintiff; Analysis and critique; Demonstration of direct and cross-examination of defendant's expert; Analysis and critique
- **Closing Arguments:** Lecture; Demonstration of defendant's closing argument; Demonstration of plaintiff's closing argument; Analysis and critique
- **"Ask the Experts" Q&A Session**

Faculty

Hon. Paul D. Wilson (Ret.), *Superior Court, Commonwealth of Massachusetts*, Chair

Peter J. Ainsworth, Esq., *Meehan, Boyle, Black & Bogdanow, PC, Boston*

Warren F. Fitzgerald, Esq., *Fitzgerald Dispute Resolution LLC, Boston*

Grace V.B. Garcia, Esq., *Morrison Mahoney LLP, Boston*

Marsha V. Kazarosian, Esq., *Kazarosian Costello LLP, Haverhill*

Dates & Locations

Register at www.mcle.org

BOSTON

Tuesday, May 14, 2024

9:30 am–4:30 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240251P01

LIVE WEBCAST

Tuesday, May 14, 2024

9:30 am–4:30 pm

Program # 2240251WBC

REBROADCAST

Wednesday, May 29, 2024

9:30 am–4:30 pm

Program # 2240251RB1

REBROADCAST

Thursday, June 6, 2024

9:30 am–4:30 pm

Program # 2240251RB2

ON DEMAND WEBCAST

View after Thursday, June 6, 2024

Program # 2240251WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 Courtroom Advocacy 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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for instant access to this program and everything else MCLE offers online.

Learn more at www.mcle.org

24th Annual Criminal Law Conference 2024

Updates, practical takeaways, and tangible instruction from practitioners, judges, and experts

MCLE is pleased to present the *24th Annual Criminal Law Conference 2024!*

Hear from top legal minds from across the state speaking on current and emerging practice issues and hot topics. A *Conference* highlight is Dennis Maher and J. W. Carney, Jr.'s featured presentation: "The Fight for Innocence: Experience of an Exoneree."

The always popular caselaw update not only teaches you the updates in the law but provides practical applications for use in court. We look at the new pilot program, Restorative Justice in Practice, and put a spotlight on practical skills: obtaining and admitting evidence; defending an OUI; obtaining interlocutory review; and how to get the best sentence for your client.

Don't miss this opportunity to identify the trends, learn about the developments in the field, and hone your practical skills on array of criminal law topics in this ever-changing legal landscape. Learn what the experts are doing to ensure the Constitutional rights of their criminal defendants.

Agenda

- Caselaw Update: 2023 and 2024 Appellate Decisions
- Restorative Justice in Practice—A New Pilot Program
- Obtaining and Admitting Electronic Evidence (Instagram, Facebook, Snapchat)
- **Featured Presentation:** The Fight for Innocence: Experience of an Exoneree (Dennis Maher and J. W. Carney, Jr.)
- Defending an OUI—Drugs Prosecution
- Advanced Sentencing Advocacy: How to Get the Best Sentence
- Obtaining Interlocutory Review

Faculty

Kevin Chapman, Esq., *Committee for Public Counsel Services, Salem*, Cochair
Reyna Ramirez, Esq., *Ramirez and Sunnerberg LLC, Weymouth*, Cochair
Adela Aprodu, Esq., *Aprodu | Conley, PLLC, Danvers*
Nat Carney, Esq., *Carney, Gaudet & Carney, Boston*
J. W. Carney, Jr., Esq., *Carney, Gaudet & Carney, Boston*
Alexander C. Conley, Esq., *Aprodu | Conley, PLLC, Danvers*
Joshua F. Grammel, Esq., *Committee for Public Counsel Services, Salem*
Kristen Graves, Esq., *Committee for Public Counsel Services, Children and Family Law Program, Salem*
Hon. Peter B. Krupp, *Superior Court, Commonwealth of Massachusetts*
Hon. Dennis M. Maher, *Department of Industrial Accidents, Commonwealth of Massachusetts*
Nicole J. Oribhabor, Esq., *NJO Law LLC, Quincy*
Joseph R. Smith, Esq., *Law Office of Joseph R. Smith, Lynn*
Hannah L. Taylor, Esq., *Hedges and Tumposky LLP, Boston*
Marc Tohme, Esq., *Chief of Municipal and District Courts, Suffolk County District Attorney's Office, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, May 9, 2024
9:00 am–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240223P01

LIVE WEBCAST

Thursday, May 9, 2024
9:00 am–5:00 pm
Program # 2240223WBC

REBROADCAST

Friday, May 24, 2024
9:00 am–5:00 pm
Program # 2240223RB1

REBROADCAST

Monday, June 3, 2024
9:00 am–5:00 pm
Program # 2240223RB2

ON DEMAND WEBCAST

View after Monday, June 3, 2024
Program # 2240223WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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 & Citator 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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for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Counsel's Guide to Arrest, Search & Seizure Law

A comprehensive guide to litigating suppression

This program enhances your expertise in the complex and ever-evolving realm of suppression litigation in criminal cases and encourages practitioners to think outside the box. We examine the scope and protections of arrest, search, and seizure laws, providing attorneys with a nuanced understanding of the constitutional principles that govern these critical aspects of criminal investigations. Through a combination of theoretical discussions, case analyses, and practical scenarios, participants gain valuable insights into the latest legal developments, court decisions, and legislative changes shaping the landscape of arrest and evidence gathering.

Seasoned legal experts and practitioners guide participants through real-world examples and hypothetical situations, equipping them with the knowledge and skills necessary to navigate challenges related to arrests, searches, and seizures in today's legal environment. This program aims to empower attorneys with the tools they need to effectively advocate for their clients, uphold constitutional rights, and navigate the complexities of criminal law practice.

Agenda

- “Stop and Frisk” and “Threshold Inquiries”: When is Reasonable Suspicion Enough?
- Litigating “High Crime Areas”: Using FOIA, Public Records, and Statistics
- *Commonwealth v. Long* and Litigating Equal Protection Claims in Motions to Suppress: Strategies and Roadblocks
- Search Warrant Requirements and Exceptions, with a focus on Digital Devices
- Discovery Litigation for Suppression
- Practice Tips and “Ask the Experts” Q&A Session

Faculty

Sandra Gant, Esq., *Assistant Federal Public Defender, Federal Public Defender Office, Boston, Chair*
Philip Cheng, Esq., *Assistant United States Attorney, United States Attorney's Office for the District of Massachusetts, Boston*

Carolyn L. Hely, Esq., *Assistant District Attorney, Norfolk District Attorney's Office, Commonwealth of Massachusetts*

Austin C. Tzeng, Esq., *Law Office of Austin C. Tzeng, Quincy*

Steven Van Dyke, Esq., *Trial Attorney, Committee for Public Counsel Services, Malden*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, March 6, 2024

2:00 pm–5:00 pm

Program # 2240230WBC

REBROADCAST

Thursday, March 21, 2024

2:00 pm–5:00 pm

Program # 2240230RB1

REBROADCAST

Friday, March 29, 2024

9:30 am–12:30 pm

Program # 2240230RB2

ON DEMAND WEBCAST

View after Friday, March 29, 2024

Program # 2240230WBA

Tuition *(includes written materials)*

- \$195
- \$175.500 MCLE Members
- \$97.5 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 Arrest, Search, and Seizure 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



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Learn more at www.mcle.org

Criminal Cases: District Court Judicial Forum 2024

Insight and tips for defense attorneys and prosecutors

Attorneys of all experience levels benefit from hearing directly from the judges in this fast-paced panel format. Judges share their views about the changes happening in District Court and discuss those changes with each other. Hear the view from the bench about the pressing issues of the day, including *Martin* hearings, *Batson-Soares* challenges, and requests for early termination of probation.

Prosecutors and defense attorneys face uncertainty when new cases, statutes, or rules go into effect. This expert panel of judges wades into the water with you to ensure you are up-to-date. Don't miss this opportunity to gain invaluable insight into judicial perspective and be better prepared the next time you walk into court!

Agenda

- 5th Amendment—*Martin* Hearings
- Amending or Revisiting a Prior Ruling from Another Judge
- *Carter* in *Batson-Soares* Challenges
- Petitions by Incarcerated Individuals for Transfer to Inpatient Facilities
- Ruling on the Question of Whether a Defendant is “Dangerous”
- Inability to Post Cash Bail
- Requests for Early Termination of Probation
- Proof of Nonlicensure in Firearms Trials
- Appropriate Attire in Court
- Rebuttal Closing Argument by Defendants

Faculty

Benjamin B. Selman, Esq., *Committee for Public Counsel Services, Boston, Chair*

Hon. Cesar Augusto Archilla, *First Justice, Haverhill District Court, Commonwealth of Massachusetts*

Hon. Michelle Fentress, *Brockton District Court, Commonwealth of Massachusetts*

Hon. Sarah M. Joss, *Lynn District Court, Commonwealth of Massachusetts*

Hon. Emily A. Karstetter, *Acting First Justice, Malden District Court, Commonwealth of Massachusetts*

Hon. Kareem A. Morgan, *Cambridge District Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, June 12, 2024

2:00 pm–5:00 pm

Program # 2240222WBC

REBROADCAST

Thursday, June 27, 2024

9:30 am–12:30 pm

Program # 2240222RB1

REBROADCAST

Monday, July 8, 2024

2:00 pm–5:00 pm

Program # 2240222RB2

ON DEMAND WEBCAST

View after Monday, July 8, 2024

Program # 2240222WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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

Criminal Model Jury Instructions for Use in the District Court 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

Criminal Lawyer's Attorney-Conducted Voir Dire Workshop

Using deselection to select a jury

This program is designed to provide practicing attorneys with comprehensive insights and practical skills to enhance their proficiency in the critical process of attorney-conducted voir dire. This pivotal stage in criminal trials allows attorneys to assess potential jurors and identify biases that may impact the trial outcome. This program addresses both the legal principles governing jury selection and the practical strategies that attorneys can employ.

Participants benefit from a detailed exploration of Massachusetts-specific rules and regulations governing voir dire, as well as the latest updates and case law developments. There is also a demonstration of attorney-conducted voir dire by the panel and a Q&A session with practitioners who have experience with attorney-conducted voir dire. Attendees leave the program equipped with a heightened ability to navigate the intricacies of attorney-conducted voir dire.

Agenda

- Welcome and Introduction to Attorney-Conducted Voir Dire and the Deselection Method
- Lecture: Overview of Statute and Superior and District Court Rules Regarding Attorney-Conducted Voir Dire
- Attorney-Conducted Voir Dire by Panel: Why Should You Ask For It
- Demonstration of Attorney-Conducted Voir Dire
- "Ask the Experts" Q&A Panel

Faculty

Adrian Angus, Esq., *Committee for Public Counsel Services, Worcester, Chair*
Hon. Jennifer L. Ginsburg, *Worcester District Court, Commonwealth of Massachusetts*
Arielle Sharma, Esq., *Committee for Public Counsel Services, Worcester*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 14, 2024
2:00 pm–5:00 pm
Program # 2240227WBC

REBROADCAST

Wednesday, May 29, 2024
9:00 am–12:00 pm
Program # 2240227RB1

REBROADCAST

Thursday, June 6, 2024
2:00 pm–5:00 pm
Program # 2240227RB2

ON DEMAND WEBCAST

View after Thursday, June 6, 2024
Program # 2240227WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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



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Expanding Your Practice & Skills from State to Federal Court

Navigating the federal frontier

Perhaps you are a state criminal practitioner considering federal criminal practice, but you do not know where to start. How is federal criminal practice different from what you are already doing? What is the basic procedure for a federal criminal case? The panel of federal criminal attorneys familiarizes you with what goes on inside our U.S. District Courts with the hope of empowering you to continue exploring your curiosity about federal criminal law. Utilize this program as a starting point to build a bridge to expand your current practice to reach the complex, important, and fascinating world of federal criminal law.

Agenda

- How a Federal Criminal Case Begins and the Differences from State Practice, Including Bail and Detention Issues
- Basic Primer and Discussion of the Federal Sentencing Guidelines
- Restorative Justice and Other Programs Available to Federal Inmates and How to Integrate Similar Policies into State Practice
- Federal Sentencing Practices, Including the Differences from State Court and How Federal Practice Can Inform and Elevate State Sentencing Practices
- Resources and Information on Becoming Involved in Federal Practice

Faculty

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

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

Sandra Gant, Esq., *Federal Public Defender Office, Boston*

Alyssa T. Hackett, Esq., *Law Office of Alyssa T. Hackett, Boston*

Erin R. Opperman, Esq., *Law Offices of Erin R. Opperman, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, June 25, 2024

10:00 am–12:00 pm

Program # 2240263WBC

REBROADCAST

Wednesday, July 10, 2024

12:00 pm–2:00 pm

Program # 2240263RB1

REBROADCAST

Thursday, July 18, 2024

2:00 pm–4:00 pm

Program # 2240263RB2

ON DEMAND WEBCAST

View after Thursday, July 18, 2024

Program # 2240263WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

Handling OUI Cases

See how the evidence is gathered and learn how to try and defend the case!

Operating under the influence cases have remained high stakes litigation, whether you are the defense counsel or the prosecutor assigned to the case. This year's OUI program begins with the basics, and then delves into the nuances to bring you up to speed on recent developments, including OUI drug cases. Attorneys for the prosecution and the defense provide an overview of how to handle an OUI case from start to finish. Panelists address preparation for handling the trial, including discussions about field sobriety tests, discovery issues, drug recognition experts, and breath and blood testing.

Whether you specialize in OUI cases or handle only one or two of these types of cases a year, you don't want to miss the opportunity to hone your skills with the experts. Not only do you get a skills refresher—you come away with practice tips and advice that help you handle your next case with confidence. Bring your questions for the District Court judges to take advantage of this unique opportunity to find out what they are looking for in OUI cases.

Litigation regarding the admissibility of breath test results has continued to evolve over the past year. Attend this program to get ahead of the curve on where OUI litigation is now and where it is headed.

Agenda

- OUI Drugs
- Client Intake
- Trial Preparation
- Discovery
- Field Sobriety Tests
- Breath Tests
- Blood Tests
- Getting Evidence Admitted or Excluded at Trial
- View from the Bench
- "Ask the Experts" Q&A Session

Faculty

James M. Milligan, Jr., Esq., *Law Office of James M. Milligan, Jr., Hanover, Chair*
Hon. Michael D. Brennan, *Taunton District Court, Commonwealth of Massachusetts*
Brian R. Degan, Esq., *Barnstable District Attorney's Office, Barnstable*
John M. Fanning, *Lieutenant, Massachusetts State Police, Framingham*
Hon. Edward H. Sharkansky, *Wareham District Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 21, 2024
9:30 am–4:30 pm
Program # 2240224WBC

REBROADCAST

Friday, April 5, 2024
9:30 am–4:30 pm
Program # 2240224RB1

REBROADCAST

Monday, April 15, 2024
9:30 am–4:30 pm
Program # 2240224RB2

ON DEMAND WEBCAST

View after Monday, April 15, 2024
Program # 2240224WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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

Trying OUI and Other Motor Vehicle Offenses 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



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

Handling Sexual Assault Cases

Skillfully navigating sexual assault cases from investigation to trial

Sexual assault cases are extremely challenging, emotionally charged, and potentially devastating to all involved. In order to prepare and try a case properly, prosecutors must be able to get their evidence before the jury and be aware of and able to anticipate defense strategies. Defense counsel must know what pretrial motions need to be filed and how to argue them, and what evidentiary issues may arise, and how to cross examine the government's expert.

See expert faculty demonstrate the way through difficult issues inherent in handling a sex offense charge from case preparation to trial. This program prepares you to handle your next sexual assault case, whether it is in Juvenile Court, District Court, or Superior Court. Don't miss the opportunity to hone your skills by watching the best!

Agenda

- Caught on Camera: Digital Evidence, Phones, Surveillance, and TikTok
- Who's on First?—First Complaint and *King* (18 years later)
- Survey of Consent in Sexual Assault Cases
- Race, Culture, and Language: Obstacles for Clients and Complainants
- Views from the Bench: Judicial Panel Q&A

Faculty

Julie A. Buszuwski, Esq., *Committee for Public Counsel Services, Framingham*, Cochair
Kate B. MacDougall, Esq., *Essex District Attorney's Office, Commonwealth of Massachusetts*,
Cochair

Additional faculty to be announced soon!

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, June 27, 2024
9:30 am–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240226P01

LIVE WEBCAST

Thursday, June 27, 2024
9:30 am–4:30 pm
Program # 2240226WBC

REBROADCAST

Friday, July 12, 2024
9:30 am–4:30 pm
Program # 2240226RB1

REBROADCAST

Monday, July 22, 2024
9:30 am–4:30 pm
Program # 2240226RB2

ON DEMAND WEBCAST

View after Monday, July 22, 2024
Program # 2240226WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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

Trying Sex Offense 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



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

Impact of SCOTUS Decision in *Counterman v. Colorado* on Defining a True Threat

Protecting both free speech and victims of threats

In June 2023, the U.S. Supreme Court issued its decision in *Counterman v. Colorado*, overturning a stalking conviction based on hundreds of Facebook messages sent by the defendant to a local female musician. The Colorado stalking statute mandated an objective test for whether communications were threatening, penalizing those that would cause “a reasonable person to suffer serious emotional distress.” The Supreme Court concluded that constitutional protections for free speech required something more, namely that the government prove the defendant’s subjective intent to threaten. Specifically, the Court held that the government must prove at least a mental state of “recklessness” in order to obtain a criminal conviction based on speech. The ruling represented a shift in the law about “true threats,” a long-standing exception to First Amendment protections.

Join our instructors as they dive into the details of the decision and explore its implications for both First Amendment jurisprudence and practical issues in criminal and civil law.

Agenda

- Prior Caselaw about “True Threats,” Including *Virginia v. Black* and *United States v. Elonis*
- How True Threats Compare to Other First Amendment Exceptions, Like Fighting Words, Incitement, and Speech Integral to the Commission of a Crime
- Factual Situation in *Counterman* and Proceedings Below
- Meaning of the Recklessness *Mens Rea* Standard and the Court’s Reasoning in Favor of It
- Implications for Massachusetts Practice, Including the Government’s Burden in Criminal Cases and the Standard for Restraining Orders under 209A and 258E

Faculty

Chichi Lee, Esq., *Middlesex District Attorney’s Office, Woburn*
Tom Miller, Esq., *Zalkind, Duncan & Bernstein LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, May 30, 2024
3:00 pm–4:00 pm
Program # 2240228WBC

REBROADCAST

Friday, June 14, 2024
10:00 am–11:00 am
Program # 2240228RB1

REBROADCAST

Monday, June 24, 2024
12:00 pm–1:00 pm
Program # 2240228RB2

ON DEMAND WEBCAST

View after Monday, June 24, 2024
Program # 2240228WBA

Tuition (includes written materials)

- \$125
- \$112.50 MCLE 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 1 CLE credit



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

Playbook to 58A Dangerousness Hearings

And what to do after the hearing

Handling the arraignment session in a courthouse can sometimes feel overwhelming for both prosecutors and defense counsel. Bail isn't the only mechanism for ensuring a defendant's appearance pretrial. When should the Commonwealth consider filing a motion to hold a defendant based upon dangerousness pursuant to G.L. c. 276, § 58A? What should defense counsel do if such a motion is filed? What happens next? Are there alternatives to a defendant being held without bail if a judge finds the defendant dangerous? Join our experienced panel as they discuss the ins-and-outs of dangerousness hearings.

Agenda

- Overview of G.L. c. 276, § 58A
 - Timing of filing motions
 - Qualifying offenses
 - Continuances
 - Burden of proof
- Rules of Evidence and Types of Evidence to Present
- Potential Outcomes After Hearing and Alternatives to Holding a Defendant without Bail
- Strategies and Tips—Prosecutor Perspective
- Strategies and Tips—Defense Perspective
- “Ask the Experts” Q&A Session

Faculty

Tara B. Burdman, Esq., *Assistant District Attorney, Bristol District Attorney's Office, Fall River, Chair*

Dana Pierce, Esq., *Chief of Boston Municipal Court/ District Courts, Suffolk District Attorney's Office, Commonwealth of Massachusetts*

Lefteris K. Travayiakis, Esq., *Law Offices of Lefteris K. Travayiakis, West Roxbury*

Jessica L. Tripp, Esq., *The Law Office of Jessica L. Tripp, Dorchester*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, June 5, 2024

2:00 pm–4:00 pm

Program # 2240229WBC

REBROADCAST

Thursday, June 20, 2024

12:00 pm–2:00 pm

Program # 2240229RB1

REBROADCAST

Friday, June 28, 2024

10:00 am–12:00 pm

Program # 2240229RB2

ON DEMAND WEBCAST

View after Friday, June 28, 2024

Program # 2240229WBA

Tuition *(includes written materials)*

- \$160
- \$144 MCLE Members
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Materials

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Prosecuting & Defending Homicide Trials

Current science and strategies in homicide trials

In your criminal law practice, the stakes are highest when homicide is the charge—a life has been lost. Another may face the strictest sentencing our legal system can impose. No matter which side of the counsel table you hail from—prosecution or defense—this program amps up your awareness of the most determinative scientific and social factors in homicide trials. Our panel brings you current on what is happening in Massachusetts courts on both fronts. They present the latest on digital evidence, discuss the strategy in defending murder cases, examine effective motions in limine, and look at managing expert witnesses. You come away from this program savvier, more aware, and more knowledgeable.

Raise your homicide practice to a higher level.

Agenda

- Digital Evidence
- Strategy in Defending Murder Cases
- Effective Motions in Limine Practice
- Expert Witnesses in Mental Health (MH) Cases
- Expert Witnesses in Other Cases
- “Ask the Experts” Q&A Session

Faculty

Debra Dewitt Ahern, Esq., *Ahern Law Offices, Lowell*, Cochair

Suzanne M. Wiseman, Esq., *Middlesex District Attorney's Office, Commonwealth of Massachusetts*, Cochair

Hon. Patrick M. Haggan, *Superior Court, Commonwealth of Massachusetts*

Daniel J. Harren, Esq., *Middlesex District Attorney's Office, Commonwealth of Massachusetts*

Daniel J. Loper, *EnCE®, GASF, CCME, Forensic Expert & Private Investigator, Intellenet, NALI, NHLI, LPDAM, Boston*

Kate B. MacDougall, Esq., *Essex District Attorney's Office, Commonwealth of Massachusetts*

Lorenzo Perez, Esq., *Law Office of Lorenzo Perez, PC, Boston*

Mark W. Shea, Esq., *Shea & LaRocque, Cambridge*

Austin C. Tzeng, Esq., *Law Office of Austin C. Tzeng, Quincy*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, April 24, 2024

9:30 am–4:30 pm

Program # 2240221WBC

REBROADCAST

Thursday, May 9, 2024

9:30 am–4:30 pm

Program # 2240221RB1

REBROADCAST

Friday, May 17, 2024

9:30 am–4:30 pm

Program # 2240221RB2

ON DEMAND WEBCAST

View after Friday, May 17, 2024

Program # 2240221WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Members
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Materials

Trying Murder and Other Homicide Cases in Massachusetts ebook, plus speaker materials

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Toxicology for Lawyers: Drug & Alcohol Testing

Understanding the reports and interpreting the results

Understanding toxicological testing is becoming a necessary part of many legal practices. The goal of this training is to assist attorneys in learning how to read lab reports, interpret results, contest opposing counsel's claims, read relevant scientific literature, and ultimately know when and how to consult with an expert. These skills are becoming more and more vital to the success of many cases in adult criminal or juvenile courts, child custody or other care and protection cases, violation of probation hearings, or other legal matters involving drug or alcohol evidence. The program focuses on addressing the testing of urine to monitor for drug and alcohol use, as well as the potential for more specialized testing of other sample types (hair, saliva, sweat, etc), along with the use of testing to claim impairment in other cases. The program includes a section on the legalization of marijuana and how that can affect legal cases.

Gaining this basic familiarity with the language of toxicological testing will allow an attorney to more accurately assess the allegations in their case and gauge the weight of relevant scientific evidence that can be brought into the court—resulting in enhanced research of specific issues and improved drafting of relevant motions and in asking for additional discovery.

Join our experts as we look at the fields of analytical chemistry, toxicology, pharmacokinetics, and statistics, and their roles in both criminal and care and protection cases. Learn how to evaluate the evidence, know when to obtain and use your own experts, and practical litigation tips.

Agenda

- Testing Overview: Urine, Saliva, Blood, Sweat, and Hair
- Reading a Toxicology Reports and Researching the Field
- Potentials for False Positives and More...
- Following Up: Confirmatory Testing, Retesting, or Getting Testing of Your Own
- The Special Case of Marijuana Testing
- "Ask the Experts" Q&A Session

Faculty

Nathan Tamulis, Esq., *Committee for Public Counsel Services, Boston*, Chair
Dr. Laura C. Green, Ph.D, D.A.B.T., *Green Toxicology LLC, Brookline*
Celeste Wareing, MS, *Boston University School of Medicine, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, April 2, 2024
2:00 pm–5:00 pm
Program # 2240225WBC

REBROADCAST

Wednesday, April 17, 2024
9:30 am–12:30 pm
Program # 2240225RB1

REBROADCAST

Thursday, April 25, 2024
2:00 pm–5:00 pm
Program # 2240225RB2

ON DEMAND WEBCAST

View after Thursday, April 25, 2024
Program # 2240225WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Members
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Materials

Trying Drug Cases in Massachusetts ebook, plus speaker materials

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Avoiding HR Landmines That Can Lead to Lawsuits

Best practices for human resources professionals and managers to proactively address employment-related issues

Employment laws continuously evolve; human resources professionals must take proactive steps to be familiar with and understand applicable employment-related laws, monitor legal developments, and understand practical implications of the legal landscape. These proactive steps are critical to ensure that HR professionals and managers bring palpable value to an organization and proactively avoid potential landmines that can lead to expensive lawsuits and legal exposure. The Massachusetts Wage Act, Earned Sick Time Law, Equal Pay Act, and discrimination laws—just to name a few—should be front-of-mind when exploring strategies to address personnel matters and in day-to-day decision-making processes.

Join an expert panel to explore the employment law and HR management issues affecting businesses and employees from the outset of an employment relationship. Learn best practices for proactively addressing employment-related issues to avoid HR landmines that can lead to lawsuits.

Agenda

- Considerations Regarding the Hiring Process
- The Basics: Applicable Employment Law Framework
 - At-will employment doctrine and the exceptions
 - Discrimination
 - Retaliation
 - Leaves of absence
 - Wage and hour
 - Earned sick time
 - Personnel records statute
- Severance Considerations
- Best Practices
- “Ask the Experts” Q&A Session

Faculty

Michelle M. De Oliveira, Esq., *Kenney & Sams, PC, Southborough*
Andrea Evans Zoia, Esq., *Morgan, Brown & Joy LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 14, 2024
12:00 pm–2:00 pm
Program # 2240181WBC

REBROADCAST

Friday, March 29, 2024
9:00 am–11:00 am
Program # 2240181RB1

REBROADCAST

Monday, April 8, 2024
2:00 pm–4:00 pm
Program # 2240181RB2

ON DEMAND WEBCAST

View after Monday, April 8, 2024
Program # 2240181WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
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Materials

Massachusetts Employment Law ebook, plus speaker materials

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DEIB Initiatives in the Workplace After SCOTUS Decisions Prohibiting Race-Conscious Admissions in Higher Education

Implementing DEIB initiatives in workplaces while avoiding legal pitfalls

The events of the last few years have elevated the national dialogue on the impact of systemic racism. Workplaces have attempted to address this critical issue and improve diversity, equity, and inclusion. While efforts have been made, missteps, including half-hearted initiatives and quota systems, continue. Efforts to make positive change have sometimes served to do the opposite and even potentially create legal exposure. More recently, the U.S. Supreme Court's decision effectively ending affirmative action in college admission programs has created further concern and confusion about the ability to maintain these initiatives in workplaces. Learn about the legal issues surrounding DEIB efforts in workplaces and the impact the Supreme Court's recent decisions may have on these initiatives. Hear from both sides of the employment bar about the legal issues to consider when advising clients in this area.

Agenda

- Learn About the Supreme Court's Decisions in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina*, and What They May Mean for Workplace DEIB Efforts
- Understanding the Legal Issues Involved in Implementing a DEIB Program
- Considerations and Pitfalls for Advising Clients on DEIB Initiatives

Faculty

Jaclyn L. Kugell, Esq., *Morgan, Brown & Joy LLP, Boston*, Cochair
Keerthi Sugumaran, Esq., *Jackson Lewis, PC, Boston*, Cochair
Joshua N. Robbins, Esq., *Maura Greene Law Group, Boston*
Jessie Saintcy, Esq., *Saintcy Consulting LLC, Irving, TX*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 12, 2024
12:00 pm–2:00 pm
Program # 2240182WBC

REBROADCAST

Wednesday, March 27, 2024
9:00 am–11:00 am
Program # 2240182RB1

REBROADCAST

Thursday, April 4, 2024
2:00 pm–4:00 pm
Program # 2240182RB2

ON DEMAND WEBCAST

View after Thursday, April 4, 2024
Program # 2240182WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

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Discrimination Law: Briefings & eBooks Bundle

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Do you or your clients have questions about discrimination law? This curated bundle of 5 hours of fast-paced webcast programming paired with MCLE's e-publications, *Employment Discrimination in Massachusetts* and *Representing Clients Before the MCAD*, gives you a solid foundation in discrimination law. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **Proving Employment Discrimination & Retaliation: Issue-Spotting & Tracking Evidence:** 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; Discrimination issue-spotting tips from plaintiff and management counsel's perspectives; 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; Approaches to proof of claims and defenses at the agency level v. court; Guidance on preservation requests and litigation holds; Best practices for organizing evidence for use in discovery, summary judgment, and trial
- **Bringing & Defending a Religious Discrimination Claim:** Who is entitled to protection under religious discrimination laws?; Law of religious reasonable accommodation; Best practices for analyzing and responding to employee accommodation requests; Defenses to religious discrimination claims; Developing a trial theme and strategy; Trial preparation, strategy, and techniques

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Dates & Location

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REBROADCAST

Monday, June 10, 2024

9:00 am–3:00 pm

Program # 2240183RB1

REBROADCAST

Tuesday, July 16, 2024

9:00 am–3:00 pm

Program # 2240183RB2

REBROADCAST

Thursday, August 8, 2024

9:00 am–3:00 pm

Program # 2240183RBC

Tuition *(includes written materials)*

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Materials

Employment Discrimination in Massachusetts and *Representing Clients Before the MCAD* ebooks, plus speaker materials

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

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How to Make Your Online Hearing at the DIA More Efficient & Effective

Establish a solid foundation and strategy for success online

This program provides a thorough introduction to workers' compensation virtual practice. Judges who rule on these matters on a daily basis and an experienced attorney who concentrates in the field draw on their expertise to give you substantive explanations and practical advice on how to handle these cases in an online setting. Emphasis is placed on evaluating and litigating workers' compensation claims. Establish a solid foundation and learn pointers and strategy from the expert panelists at MCLE.

Agenda

- Overview of the DIA Requirements, Standards, and New Procedures
- Overview of Technology Required for Practice in Handling Workers' Compensation Cases
- When Are Proceedings Online and When Are Proceedings in Person?
- How Best to Present Online as Counsel
- Conciliators' and Judges' Expectations
- Deposing Impartial Examiners, Vocational Consultants, and Other Witnesses Online
- Resolving Claims Online with Lump Sum Settlements
- "Ask the Experts" Q&A Session

Faculty

Hon. Omar Hernández, *Department of Industrial Accidents, Commonwealth of Massachusetts*, Cochair

Judson L. Pierce, Esq., *Pierce, Pierce & Napolitano, Salem*, Cochair

Hon. John J. Barrett III, *Department of Industrial Accidents, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, April 9, 2024

12:00 pm–1:30 pm

Program # 2240178WBC

REBROADCAST

Wednesday, April 24, 2024

9:30 am–11:00 am

Program # 2240178RB1

REBROADCAST

Thursday, May 2, 2024

2:00 pm–3:30 pm

Program # 2240178RB2

ON DEMAND WEBCAST

View after Thursday, May 2, 2024

Program # 2240178WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Workers' Compensation Sourcebook & Citator 2024 ebook, plus speaker materials

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

CLE Credits

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Independent Contractor Law

Understanding and assessing worker classification issues and tactics in the US DOL, the MA Attorney General's Office and private litigation

Massachusetts' independent contractor regulations are among the toughest in the nation and significantly restrict the use of independent contractors. As a consequence, the state has seen significant wage and hour class action litigation focused on alleged misclassification of independent contractors. Meanwhile, state and federal agencies continue to prioritize eliminating improper classification of workers as independent contractors, both in Massachusetts and around the country. This has included concerted action to recoup unpaid wages and other benefits as a result of alleged misclassification. Multiple, sometimes conflicting, Massachusetts and federal statutes continue to pose complex problems in applying independent contractor rules. Practitioners must be up to date on the latest developments in an area that continues to present compliance difficulties and significant legal liability for employers.

This comprehensive, fast-moving program explores a range of common independent contractor issues—and strategic tactics for dealing with them—in a highly focused setting. The seminar is led by experienced employment class action litigation counsel and a key regulatory official. Join us online to learn how to better handle the next independent contractor issue your client faces—from initial investigation through verdict or settlement.

Agenda

- Overview of Massachusetts Wage and Hour and Related Laws Affecting Independent Contractors
- Latest Court Decisions Interpreting G.L. c. 149, § 148B—the Statute That Presents the Greatest Legal Hurdle for Most Businesses Utilizing Independent Contractors
- The Developing Federal Law on Worker Classification
- Intersection of Independent Contractor and Joint Employment Doctrines
- Strategic Tactics from Initial Investigation to Litigation, and Verdict or Settlement
- “Ask the Experts” Q&A Session

Faculty

Andrea Evans Zoia, Esq., *Morgan, Brown & Joy LLP, Boston*, Chair
Lori A. Jodoin, Esq., *Kotin, Crabtree & Strong LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, April 8, 2024
2:00 pm–5:00 pm
Program # 2240175WBC

REBROADCAST

Tuesday, April 23, 2024
9:00 am–12:00 pm
Program # 2240175RB1

REBROADCAST

Wednesday, May 1, 2024
1:00 pm–4:00 pm
Program # 2240175RB2

ON DEMAND WEBCAST

View after Wednesday, May 1, 2024
Program # 2240175WBA

Tuition *(includes written materials)*

- \$245
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Materials

Massachusetts Wage and Hours Handbook ebook, plus speaker materials

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CLE Credits

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Massachusetts Leave Laws Made Simple

The contours and intersection of Massachusetts leave laws and their interplay with employers' private plans and policies

In Massachusetts, employees are eligible for paid and unpaid leave in a range of situations, benefiting from the protection of a myriad of state and federal laws. These include the Massachusetts Paid Family and Medical Leave Act (PFML), federal Family and Medical Leave Act (FMLA), Massachusetts Earned Sick Time Law, Massachusetts Domestic Violence Leave Act (DVLA), and the Massachusetts Pregnant Workers Fairness Act (PWFA), among others. Often, these leave laws intersect with each other, creating many questions for employers and employees. Learn about the contours of each law and their intersection, as well as their interplay with employers' private plans and policies. The panelists provide hypothetical examples to highlight the practical nuances seen in the workplace. Ask your questions to personalize the agenda.

Agenda

- Overview of Leave Laws: FMLA, PFML, Earned Sick Time, DVLA, PWFA, and Leave as a Reasonable Accommodation Protected by G.L. c. 151B, § 4(16) and the Americans with Disabilities Act Amendments Act (ADAAA)
- PFML in Depth: Benefit and Allotment Calculation, Portability of Eligibility and Benefits Following a Change in Employment or Change in Provider, and Employers' Notice Obligations
- Benefits Coordination: Interplay of PFML with Private Plans, Internal Policies, Short-Term Disability and the FMLA

Faculty

Gavriela M. Bogin-Farber, Esq., *Segal Roitman LLP, Boston*, Chair

William J. Alpine, Jr., Esq., *Director, Department of Paid Family and Medical Leave, Commonwealth of Massachusetts*

Carla A. Reeves, Esq., *Goulston & Storrs, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, April 5, 2024

9:00 am–12:00 pm

Program # 2240173WBC

REBROADCAST

Monday, April 22, 2024

2:00 pm–5:00 pm

Program # 2240173RB1

REBROADCAST

Tuesday, April 30, 2024

9:00 am–12:00 pm

Program # 2240173RB2

ON DEMAND WEBCAST

View after Tuesday, April 30, 2024

Program # 2240173WBA

Tuition *(includes written materials)*

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Materials

Employee Leave and Accommodations Law in Massachusetts ebook, plus speaker materials

- E-materials link emailed upon registration
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Preventing & Litigating Wage & Hour Cases

Avoid common mistakes and learn key strategies for bringing and defending claims

Wage and hour litigation under the federal Fair Labor Standards Act and Massachusetts law continues to be one of the most active areas of litigation in employment law. The statutes are complex and have many non-intuitive requirements. In addition, state and federal laws often impose differing obligations, and employers are expected to comply with the law that is the most protective of employees. Compounding the risks of non-compliance is the availability of multiple damages, including automatic treble damages under state law. The Supreme Judicial Court's 2022 decision in *Reuter v. City of Methuen* highlights that treble damages are automatic even on late payments.

Because wage and hour disputes often involve groups of employees, court cases are often brought as putative class or collective actions. In light of recent U.S. Supreme Court decisions, however, employers are using mandatory arbitration programs as a means of avoiding class and collective litigation.

This program provides an overview of federal and state wage and hour laws and identifies common compliance issues and theories of liability. Learn strategies for when litigation is commenced, and for pursuing and defending against class and collective actions. Whether you represent aggrieved workers, are responding to a lawsuit or governmental investigation, or are advising companies on how to minimize risk, this program helps you identify the issues and understand the latest litigation strategies.

Agenda

- Overview of State and Federal Wage and Hour Law
- Latest Court Decisions Interpreting State and Federal Wage and Hour Laws
- Proposed Changes to the FLSA Overtime Exemptions
- Joint Employment Under Federal and State Law
- Use of Independent Contractors
- Novel Theories of Liability Under Massachusetts Law
- Bringing and Responding to Wage and Hour Lawsuits, Including Types of Claims Seeking Class Treatment and Employer Defenses
- Discovery in Wage and Hour Cases, Including the Use of Experts
- Certification of Class and Collective Actions
- Mandatory Arbitration Programs after *Epic Systems*
- Damages and Settlements
- "Ask the Experts" Q&A Session

Faculty

Robert A. Fisher, Esq., *Seyfarth Shaw LLP, Boston*, Chair
David I. Brody, Esq., *Sherin and Lodgen LLP, Boston*
Deepa K. Desai, Esq., *Fisher & Phillips LLP, Boston*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, June 13, 2024
2:00 pm–5:00 pm
Program # 2240176WBC

REBROADCAST

Friday, June 28, 2024
9:00 am–12:00 pm
Program # 2240176RB1

REBROADCAST

Monday, July 15, 2024
1:00 pm–4:00 pm
Program # 2240176RB2

ON DEMAND WEBCAST

View after Monday, July 15, 2024
Program # 2240176WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Wage and Hours Handbook ebook, plus speaker materials

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

CLE Credits

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Roadmap to the ADA Interactive Process

Understand the rights of employees with disabilities seeking accommodations in the evolving landscape of paid family and medical leave, remote work, and workplace redesign

Counsel for employers and employees grapple daily with how to engage in the interactive process under the Americans with Disabilities Act (ADA) and parallel state law. The process has been complicated by the evolving workplace layered on top of new leave statutes and the post pandemic work environment. Employment lawyers must advise clients about medical leave, remote work, and workplace redesign in the context of determining the rights of employees with disabilities seeking accommodations.

Agenda

- What Triggers the Employer's Obligations to Engage in the Interactive Process?
- Best Practices for Seeking and Conducting the Interactive Process
- What Is Considered an "Accommodation"—and What Isn't—in the Changing Workplace?
- Accommodations for Mental Health Issues
- "Ask the Experts" Q&A Session

Faculty

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

Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Newton*, Cochair

Simone R. Liebman, Esq., *Hearing Officer, Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, June 6, 2024

9:30 am–12:30 pm

Program # 2240179WBC

REBROADCAST

Friday, June 21, 2024

2:00 pm–5:00 pm

Program # 2240179RB1

REBROADCAST

Monday, July 1, 2024

1:00 pm–4:00 pm

Program # 2240179RB2

ON DEMAND WEBCAST

View after Monday, July 1, 2024

Program # 2240179WBA

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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Materials

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Successfully Trying & Negotiating Employment Cases

Strategies and pitfalls for planning and presenting your case in court, at arbitration, and in mediation

The fight is on! Learn tactics to give your clients their best shot at prevailing in an employment case. Whether your employment case is “tried” before a judge, jury, or arbitrator, or is brought to mediation—there are basic “dos and don’ts” for advocates resolving a dispute.

With the increasing prevalence of forced arbitration clauses, employment cases are often tried by an arbitrator, while other cases proceed to traditional jury trials. As the majority of employment cases settle short of trial, however, most never see a courtroom jury or arbitration hearing—but instead are negotiated or mediated.

How do you prepare a case in the early stages to best mobilize for court or arbitration? How do you determine if a case is primed for settlement? If given the choice, would it be better to have a jury trial or arbitrate before a neutral? What are the similarities and differences in strategies and approaches between trying a case in court versus arbitration?

Hear from seasoned litigators providing both plaintiff’s-side and management-side perspectives, as well as an experienced Superior Court judge turned mediator and arbitrator. The panel shares best practices in how to plan and present your case and provides practical tips on avoiding common pitfalls in each of these venues.

Agenda

- **Preparing for Mediation:** Timing and logistics; Selecting a good neutral; Tips on the mediation memo and how to present your case to a mediator to obtain the best settlement for your client
- **Pros and Cons of Arbitration:** Cost-benefit of less delay versus potentially lower damages; Selecting a good arbitrator; Tips for presenting your case at a hearing without a jury and through proposed fact findings and conclusions of law
- **Preparing for Trial:** Courtroom logistics and getting to know the judge; Preparing your client’s story for a jury; Use of witnesses and experts; Use of chalks and other visuals; Arguing legal issues through motions *in limine*, trial memos, and jury instructions
- **Top Ten Dos and Don’ts for Mediation, Arbitration, and Trial**
- **“Ask the Experts” Q&A Session**

Faculty

David E. Belfort, Esq., *Bennett & Belfort, PC, Cambridge*, Cochair

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

Lynn A. Kappelman, Esq., *Seyfarth Shaw LLP, Boston*

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



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, June 5, 2024

9:30 am–11:30 am

Program # 2240174WBC

REBROADCAST

Thursday, June 20, 2024

2:00 pm–4:00 pm

Program # 2240174RB1

REBROADCAST

Friday, June 28, 2024

12:00 pm–2:00 pm

Program # 2240174RB2

ON DEMAND WEBCAST

View after Friday, June 28, 2024

Program # 2240174WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

Massachusetts Courtroom Advocacy 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

Understanding How the Mental Health Parity & Addiction Equity Act Impacts Employer Benefits

What parity means under MHPAEA for employer benefits

The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) is a federal law that prevents most group health plans and health insurers that provide mental health or substance use disorder (MH/SUD) benefits from imposing less favorable benefit limitations on those benefits than on medical/surgical benefits. This program provides an overview of the requirements of the MHPAEA, the practical implications for employees, and tips for the unwary for employers.

Plans must apply comparable copays for mental health (MH) and substance use disorder (SUD) care and physical health care. For example, there can be no limit on the number of visits for outpatient MH/SUD care, if there is no visit limit for outpatient physical healthcare. Parity also applies to rules related to how MH/SUD treatment is accessed and under what conditions treatment is covered. The following are subject to parity: Copayments, deductibles, yearly visit limits, prior authorization requirements, and proof of medical necessity. Parity requires that the processes related to plan benefit determinations be comparable.

Attend to hear a detailed analysis of the Act's implications for employer benefits so you can better field client questions about this complex area.

Agenda

- **Overview of the Mental Health Parity and Addiction Equity Act (MHPAEA)**
 - Equity in the provision of mental health and substance abuse disorder benefits and benefits for physical conditions
 - Who is exempt from the provisions of the MHPAEA?
- **MHPAEA Requirements for Group Health Plans**
 - Provision of information regarding coverage
 - An explanation of the basis for denial
 - Disclosure of information supporting the basis for the denial
- **For Employers: Is Your Plan Compliant and What Is Your Liability if It Is Not?**
 - What is an employer's role and liability under the MHPAEA?
 - The Department of Labor's Self-Compliance Tool

Faculty

Mala M. Rafik, Esq., *Rosenfeld & Rafik, PC, Boston*



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Dates & Location

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LIVE WEBCAST

Thursday, March 21, 2024
12:00 pm–1:00 pm
Program # 2240180WBC

REBROADCAST

Friday, April 5, 2024
9:00 am–10:00 am
Program # 2240180RB1

REBROADCAST

Tuesday, April 16, 2024
3:00 pm–4:00 pm
Program # 2240180RB2

ON DEMAND WEBCAST

View after Tuesday, April 16, 2024
Program # 2240180WBA

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

Earn up to 1 CLE credit

What We Know About Noncompetes, Confidentiality & Nondisparagement Provisions a Year Later

How to proceed in light of increasing limitations on restrictive covenants

In 2023, noncompete clauses in employee agreements came under heavy scrutiny not only by state legislatures, but by both the Federal Trade Commission and the National Labor Relations Board. In early 2023, the FTC announced that it was pursuing so-called “enforcement actions” against several companies for their use of noncompetes. Immediately after the announcement, the FTC issued a notice that it was considering a rule to ban virtually all noncompetes and other employee restrictions that could inhibit employee mobility. Soon thereafter, the NLRB issued the *McLaren Macomb* decision stating that the confidentiality and nondisparagement provisions included in the severance agreement infringed on employees’ rights, rendering the severance agreement unlawful. Following that decision, the NLRB General Counsel issued a memo stating that the use of noncompetes and potentially other restrictive covenants is an unfair labor practice. The NLRB then followed up with an unfair labor charge against a company using a noncompete and other restrictive covenants. Since then, California passed two laws purporting to apply California’s anti-restrictive covenant policy across the country, allowing employees to “flee” to California to sanitize themselves from their contractual obligations.

The FTC and NLRB General Counsel’s actions fundamentally alter the landscape for nondisclosure agreements, noncompetes, and other restrictive covenants that have been developed and refined for over 200 years. And, California potentially upends the entire system with its expansive rejection of other states’ restrictive covenant laws. Learn what happened, how companies have responded, and how to move forward in light of the increasing limitations on restrictive covenants.

Agenda

- What Actions Have the FTC and NLRB Taken Since Their Respective Proposed Rulemaking and General Counsel Memorandum in 2023?
- Changes and Impacts from State Legislative Changes Across the Country
- Continuing Risks of Using Restrictive Covenants in Employee Agreements, and How to Safely Implement Them
- Updated Best Practices for Using Agreements to Protect Trade Secrets and Confidential Information
- “Ask the Experts” Q&A Session

Faculty

Russell Beck, Esq., *Beck Reed Riden LLP, Boston*, Chair; Nicole Corvini Daly, Esq., *Beck Reed Riden LLP, Boston*; Carla A. Reeves, Esq., *Goulston & Storrs, PC, Boston*; Katherine G. Rigby, Esq., *Epstein Becker & Green, PC, Boston*; David S. Rubin, Esq., *Nutter McClennen & Fish LLP, Boston*; Patricia A. Washienko, Esq., *Washienko Law Group LLC, Boston*



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Dates & Location

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LIVE WEBCAST

Tuesday, June 4, 2024
2:00 pm–5:00 pm
Program # 2240177WBC

REBROADCAST CC

Wednesday, June 19, 2024
9:30 am–12:30 pm
Program # 2240177RB1

REBROADCAST CC

Thursday, June 27, 2024
12:00 pm–3:00 pm
Program # 2240177RB2

ON DEMAND WEBCAST CC

View after Thursday, June 27, 2024
Program # 2240177WBA

Tuition (includes written materials)

- \$245
- \$220.50 MCLE Members
- \$122.50 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
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

Earn up to 3 CLE credits

25th Annual Estate Planning Conference 2024

Estate planning, trust administration and fiduciary litigation all in one Conference!

Join estate planning practitioners, fiduciary counsel, and fiduciary litigators as we celebrate this year's *25th Annual Estate Planning Conference 2024*. The Conference distills the key issues, new developments, court trends, and practice tips you need to know about for the upcoming year. We look forward to seeing you there!

Agenda

- **Focus on Ethics—Identifying and Resolving Ethical Issues in Estate Planning, Estate and Trust Administration, and Fiduciary Litigation:** Join our panelists for a discussion about the importance of managing ethical issues in all phases of planning, administration, and litigation. Navigating complicated family relationships, unrepresented constituents, clients with questionable capacity, and joint representations present estate planners and litigators with a host of potential ethical issues. Our experts discuss real world examples (and take audience questions) to illustrate best practices for managing and solving difficult ethical issues in a way that protects clients and lawyers.
- **Just Because You Can Doesn't Mean You Should:** Our panelists discuss typical provisions that are often included in estate planning documents but that might not be appropriate in every case. These may include so-called "boilerplate" provisions, but could also include meticulously crafted language meant to address particular concerns of the testator or settlor that ultimately are difficult or even impossible to administer.
- **Common Tax Reporting Tips and Traps:** Even the best estate planning ideas and negotiated settlements can ultimately fail if they are not accompanied by careful consideration of tax consequences and accurate and timely tax reporting. Join our seasoned panelists for a discussion of common mistakes made in fiduciary, gift, and estate tax reporting, and how to prevent, identify, and even resolve them after the fact.
- **Fiduciary Conundrums—Foreseeing, Avoiding, and Managing Difficult Situations in Trust and Estate Administration:** Our panelists discuss recurring family patterns and circumstances that can lead to difficult and often costly administration of trusts and estates, as well as strategies for identifying potential issues before they become current problems, mitigating conflicts and finding your way out of conundrums quickly and efficiently.

Faculty

Suma V. Nair, JD, *Chief Fiduciary Officer, Fiduciary Trust Company, Boston, Cochair*
Marshall D. Senterfitt, Esq., *Holland & Knight LLP, Boston, Cochair*
Sarah M. Allen, JD, LL.M., *Rice, Heard & Bigelow, Inc., Boston*
Marc J. Bloostein, Esq., *Choate Hall & Stewart LLP, Boston*
Eric P. Hayes, Esq., *Goodwin Procter LLP, Boston*
Matthew R. Hillery, Esq., *Goulston & Storrs, PC, Boston*
Jillian B. Hirsch, Esq., *Hirsch Law LLC, Newton*
Anne Katsas, JD, *Vice President & Trust Counsel, Fiduciary Trust Company, Boston*
Renat V. Lumpau, Esq., *Choate Hall & Stewart LLP, Boston*
Sahri Zeger, JD, MBA, *CohnReznick LLP, Cambridge*

Dates & Locations

Register at www.mcle.org

BOSTON

Tuesday, April 23, 2024
9:30 am–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240184P01

LIVE WEBCAST

Tuesday, April 23, 2024
9:30 am–4:30 pm
Program # 2240184WBC

REBROADCAST

Wednesday, May 8, 2024
9:30 am–4:30 pm
Program # 2240184RB1

REBROADCAST

Thursday, May 16, 2024
9:30 am–4:30 pm
Program # 2240184RB2

ON DEMAND WEBCAST

View after Thursday, May 16, 2024
Program # 2240184WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE 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

Massachusetts Probate Law Sourcebook & Citor 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

Including up to 1 ethics credit

Conveying Title from Trusts

Resolving common title problems involving trusts

Over the last 50 years, it has become increasingly common for real estate conveyancers and estate planning attorneys to have their clients take title to real property in trust or to put title to real property into trust, either by inter vivos conveyance or by a testamentary devise in the client's will. The forms of title holding trusts are not as uniform as they once were and the recording of trustee's certificates under G.L. c. 184, § 35 has become more common than recording the actual trust instruments. As a result, title problems frequently arise when the real property is being conveyed out of a trust, especially when the original trustees have deceased or become incompetent and the trust has terminated. This program analyzes these common title problems, how they arise, and how they can be resolved in order to facilitate the conveyance of the trust's real property.

Agenda

- **Review of Basic Trust Concepts Relating to Identification and Appointment of the Trustees and the Power and Authority of Trustees to Sell, Mortgage, Convey, and Transfer Trust Property**
- **Overview of the More Common Forms of Title-Holding Trusts**
 - Including a discussion of the difference between inter vivos trusts and testamentary trusts and between “true trusts” and “nominee trusts”
- **Discussion of Important Trust Provisions to Look for Relating to Appointment and Succession of Trustees, Trustees' Powers, Amendment, Modification, and Termination**
- **When the Trust Lacks the Necessary Provisions to Deal with a Particular Trustee Succession or Power of Sale Issue**
 - What statutory rules under G.L. c. 203E (the Massachusetts Uniform Trust Code) and other statutes can help?
- **Review of the More Common (and Some Not So Common) Title Problems Relating to Conveying Title Out of a Trust and How to Resolve Them without Having to Resort to a Court Proceeding if Possible**
- **When All Else Fails: Remedies Available through the Courts**
 - The faculty focus particularly on remedies available through the Probate Court for such matters as appointing successor trustees, confirming appointment of successor trustees, authorizing a sale or transfer in cases where the trust lacks a sufficient power, or ratifying a doubtful act of a trustee who previously conveyed without the requisite authority

Faculty

Ward P. Graham, Esq., *New England Underwriting Counsel, Westcor Land Title Insurance Company, Andover, Chair*

Scott J. Clifford, Esq., *Lipsey & Clifford, PC, Hanover*

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



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 21, 2024

9:00 am–11:00 am

Program # 2240195WBC

REBROADCAST

Wednesday, June 5, 2024

12:00 pm–2:00 pm

Program # 2240195RB1

REBROADCAST

Thursday, June 13, 2024

2:00 pm–4:00 pm

Program # 2240195RB2

ON DEMAND WEBCAST

View after Thursday, June 13, 2024

Program # 2240195WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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

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

Earn up to 2 CLE credits



Elder Law: MCLE BasicsPlus!

Two days of intensive training for advising older clients

This thorough two-day program provides the perfect introduction to the key concepts necessary to properly advise older clients on everything from estate planning to long-term care. Expert panelists cover topics on the substantive law relating to Medicaid eligibility, including updates on federal and state changes; planning for long-term incapacity; advising clients on making estate planning and extraordinary medical decisions on behalf of incapacitated individuals; responding to financial and physical elder abuse; and using supplemental needs trusts. You receive a step-by-step guide through the basic tools every elder law practitioner needs to know.

The program features many opportunities to have your specific questions answered directly by the faculty and case study sessions featuring real-life examples of issues unique to the elder law world. You also examine specific case studies in detail so that you see the practical implications of the law. Get the latest updates in this in-depth, two-day program—and be well-prepared to address your elder clients' complex, myriad needs.

Agenda

- Community Care Options for Your Elder Client
- Planning for Incapacity
- Nursing Home Residents' Rights and Medicaid
- Issues to Consider Regarding the House
- Long-Term Care Insurance
- Elder Abuse
- Medicaid and Irrevocable Trust Planning Strategies
- Elder Law Legislative and Policy Updates
- Guardianship and Substitute Decision Making
- Case Studies
- "Ask the Experts" Q&A Session

Faculty

Steven M. Cohen, Esq., *Rubin and Rudman LLP, Boston*, Cochair
Eric R. Oalican, Esq., *Oalican Law Group LLC, Raynham*, Cochair
Rachel S. Brown, Esq., *Senior Supervising Attorney, Community Legal Aid, Worcester*
John J. Ford, Esq., *Northeast Justice Center, Lynn*
Nomita Ganguly, Esq., *Gregory & Associates, Boston*
Kate Granigan, MSW, LICSW, C-ASWCM, *Chief Executive Officer, LifeCare Advocates, Newton*
Pamela B. Greenfield, Esq., *Seegel Lipshutz Lo & Martin LLP, Wellesley Hills*
David F. Keefe III, CLU, ChFC, *4-Point Financial, Waltham*
Adam C. LaFrance, Esq., *Assistant Bar Counsel, Office of Bar Counsel*
Matthew J. Marcus, Esq., *Colucci, Colucci, Marcus & Flavin, PC, Milton*
Patricia Keane Martin, Esq., *Seegel Lipshutz Lo & Martin LLP, Wellesley Hills*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 25, &
Tuesday, March 26, 2024
9:30 am–4:30 pm
Program # 2240189WBC

REBROADCAST

Tuesday, April 9, &
Wednesday, April 10, 2024
9:30 am–4:30 pm
Program # 2240189RB1

REBROADCAST

Wednesday, April 24, &
Thursday, April 25, 2024
9:30 am–4:30 pm
Program # 2240189RB2

ON DEMAND WEBCAST

View after Thursday, April 25, 2024
Program # 2240189WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Members
- \$137.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

Elder and Disability Law 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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Estate Administration Client Checklist

Navigating the estate administration process with the client experience in mind

Advising a client through the estate administration process requires a solid understanding of probate, tax, and trust laws, as well as empathy, attention-to-detail, and responsiveness. Sometimes the burden of the estate administration process can be eased with some strategic planning before death. Even the most thorough estate plans can, however, still have surprises that require an unanticipated probate proceeding.

When helping clients through the legal responsibilities that follow a loved one's death, estate planning attorneys are issue-spotting, advocating, and explaining. Internal and external checklists are essential to mitigate risk, to meet the demands of an estate administration practice, and to ensure the client's experience exceeds expectations. Using checklists and samples, this seminar provides practical advice to help estate planning attorneys navigate the estate administration process with the client experience in mind.

Agenda

- **Preparing for the First Meeting**
 - Internal Checklists: Presentation documents; Agenda
 - External Checklists: Engagement letter; Preliminary information request form
- **Mapping the Estate**
 - Internal Checklists: Information gathering; Internal tracking, assignment of tasks and calendaring; Issue-spotting
 - External Checklists: Information gathering; Detailed estate administration memo and meeting(s)
- **Keeping Updated**
 - Internal Checklists: Estate status reviews; Ongoing tracking probate, creditors, tax compliance, and implementation
 - External Checklists: Client-friendly status checklist; Managing client involvement; Assisting client with implementation; Meetings and communications
- **Crossing the Finish Line**
 - Internal Checklists: Closing memo
 - External Checklists: Explanatory memo and meeting(s); Ongoing advice

Faculty

Jennifer A. Civitella Hilario, Esq., Attorney at Law, JC Hilario, PC, Cambridge

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 7, 2024

9:30 am–10:30 am

Program # 2240197WBC

REBROADCAST

Friday, March 22, 2024

12:00 pm–1:00 pm

Program # 2240197RB1

REBROADCAST

Monday, April 1, 2024

3:00 pm–4:00 pm

Program # 2240197RB2

ON DEMAND WEBCAST

View after Monday, April 1, 2024

Program # 2240197WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Probate Manual 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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Estate Planner's Guide to Planning for Children's & Grandchildren's Education

Learn about particular approaches to education funding, along with the advantages and disadvantages of each

Education can change the trajectory of a person's life, but education can be expensive. Proper planning can help make the associated costs more manageable. This new seminar explores approaches to saving for education and discussion of how to actually pay for the costs. Hear the faculty analyze the reasons particular approaches may be utilized, along with the advantages and disadvantages of each. Learn to properly counsel a variety of your clients on how to approach education funding in their particular situation.

Agenda

- **What Are Some of the Approaches in Saving for Future Education Costs?**
 - 529 Plans
 - Irrevocable trusts
 - UTMA accounts
 - Parental savings
- **How to Actually Pay for Education Costs**
 - Filing the FAFSA (Free Application for Federal Student Aid) and its recent changes
 - Completing school-specific financial aid forms (such as CSS Profile)
 - Grants
 - Scholarships (merit and needs-based)
 - Savings (including vehicles noted above)
 - Gifts (tuition versus other costs)
 - Types of loans (and how to pay them off)
 - Gifts
 - Stipends for graduate school
 - Employment income
- **"Ask the Experts" Q&A Session**

Faculty

Jody R King, JD, CPA, AEP®, CDFA®, RLP®, *Director of Wealth Planning, Fiduciary Trust Company, Boston, Chair*

Amy K Phelan, CPA, MST, *Tonneson + Co, Wakefield*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, June 18, 2024

9:30 am–11:30 am

Program # 2240191WBC

REBROADCAST

Wednesday, July 3, 2024

9:00 am–11:00 am

Program # 2240191RB1

REBROADCAST

Thursday, July 11, 2024

12:00 pm–2:00 pm

Program # 2240191RB2

ON DEMAND WEBCAST

View after Thursday, July 11, 2024

Program # 2240191WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
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Materials

- E-materials link emailed upon registration
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Estate Planning: MCLE BasicsPlus!®

Developing a plan for the intermediate estate

A successful estate planning practice requires knowledge of federal and state statutes, rulings, and case law on a variety of substantive areas including taxation, trust, will, and property law. You must also possess finely-tuned interview skills, as well as the ability to elicit and effectively use a substantial body of financial and personal data for each client.

This program gives you an overview of planning for a modest estate and the in-depth knowledge you need to plan for a variety of estate matters and effectively run your practice. The faculty focus on the practical application of the law and skills involved in planning an estate value of less than \$2,000,000, although concerns that arise in larger estates are also covered. You learn the impact of both the Massachusetts and the federal estate tax exemptions. You also get advice on preparing wills, trusts, health care proxies, and powers of attorney based on your client's financial situation.

Agenda

- Initial Steps, Fundamentals, and Estate Planning Documents
- Medicaid and Long-Term Care Planning
- Fiduciary Income Tax Planning
- Planning with Life Insurance
- Estate, Gift, and GST Tax Planning
- Business Succession Planning
- Post-Mortem Planning
- Charitable Planning
- Ethics Hypotheticals
- "Ask the Experts" Q&A Session

Faculty

Katherine M. Sheehan, J.D., AEP, *Managing Director, Wealth Strategist, Crestwood Advisors, Boston, Chair*

Patricia C. D'Agostino, Esq., *Margolis Bloom & D'Agostino, Wellesley*

Brian J. DesRosiers, Esq., *DesRosiers & Tierney LLC, Boston*

Kelly J. Guarino, Esq., *Vice President & Trust Counsel, Fiduciary Trust Company, Boston*

Amy R. Loneragan, Esq., *Day Pitney LLP, Boston*

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

James M. Tierney, Esq., CPA, LL.M., *DesRosiers & Tierney LLC, Duxbury*

Christopher A. Voukides, Esq., *Day Pitney LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, May 23, &

Friday, May 24, 2024

9:30 am–4:30 pm

Program # 2240188WBC

REBROADCAST

Monday, June 10, &

Tuesday, June 11, 2024

9:30 am–4:30 pm

Program # 2240188RB1

REBROADCAST

Tuesday, June 18, &

Wednesday, June 19, 2024

9:30 am–4:30 pm

Program # 2240188RB2

ON DEMAND WEBCAST

View after Wednesday, June 19, 2024

Program # 2240188WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Members
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- **FREE** for MCLE OnlinePass Subscribers

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

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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Handling & Disposing of Tangible Assets

Proper planning for tangible personal property

This often-overlooked aspect of estate planning needs careful consideration to avoid bickering family members fighting over family heirlooms. Be sure your clients have properly planned the disposition of their tangible personal property for their loved ones, whether via the use of a Personal Property Memorandum or otherwise. Learn how to navigate this frequently forgotten estate planning process.

Agenda

- Tangible Assets Defined
- G.L. c. 190B, § 2-513
- Tangible Personal Property Memorandum
 - Formalities for validity
 - Contents
- Planning for Valuable Tangible Assets
- Planning for Emotional Value
- Expenses: Covering Shipping and Storage of Personal Property
- Tax Consequences
 - Lifetime gifts
 - Sale of tangible assets
- Pitfalls for the Unwary

Faculty

Shani Rea Collymore, Esq., *Cody, Cody & McCarthy LLC, Quincy*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, April 3, 2024

9:00 am–10:00 am

Program # 2240198WBC

REBROADCAST

Thursday, April 18, 2024

12:00 pm–1:00 pm

Program # 2240198RB1

REBROADCAST

Friday, April 26, 2024

9:00 am–10:00 am

Program # 2240198RB2

ON DEMAND WEBCAST

View after Friday, April 26, 2024

Program # 2240198WBA

Tuition *(includes written materials)*

- \$145
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Materials

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CLE Credits

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Handling Real Estate Issues in Probate Estates

Practical guidance on what is required to sell, refinance, or vest real property from a decedent's estate

Representation of an estate in real estate transactions can present a host of issues and requirements. This program reviews the fundamentals of conveyances by fiduciaries, devisees, and heirs at law—with a focus on formal versus informal probates and deaths that occur pre-MUPC versus post-MUPC enactment.

Learn about the powers and limitations of the personal representative, as well as how to draft required documents and tips for avoiding common traps for the unwary. The expert faculty also explain how to solve title issues created by fiduciaries, devisees, and heirs at law who do not establish, or have not established, record authority for their action. Bring your questions to customize the dialogue!

Agenda

- Overview
- How to File a Probate in 2024
- Informal v. Formal Probates
- Limits of Fiduciary Powers
- Drafting Documents
- Late and Limited Probates
- Land Court Probate Rules
- Self-Dealing
- Nominal Consideration Transfers
- Delegation of Power
- Massachusetts Health Liens
- Claims of Legatees and Costs of Administration
- Deeds of Distribution
- Traps for the Unwary
- “Ask the Experts” Q&A Session

Faculty

Lynne Murphy Breen, Esq., *FNF Family of Companies: Fidelity, Commonwealth & Chicago Title Insurance, Boston*, Chair

Scott J. Clifford, Esq., *Lipsey & Clifford, PC, Hanover*

Emmanuel T. Ebot, Esq., *Stiles & Associates LLC, Marshfield*

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



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Dates & Location

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LIVE WEBCAST

Monday, April 1, 2024
9:30 am–12:30 pm
Program # 2240185WBC

REBROADCAST

Tuesday, April 16, 2024
2:00 pm–5:00 pm
Program # 2240185RB1

REBROADCAST

Wednesday, April 24, 2024
1:00 pm–4:00 pm
Program # 2240185RB2

ON DEMAND WEBCAST

View after Wednesday, April 24, 2024
Program # 2240185WBA

Tuition *(includes written materials)*

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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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How to Structure Revocable Living Trusts

Understand the trust structure, language, and administration considerations that best suit life's changing scenarios

A revocable living trust is typically the central document of an estate plan, so being able to counsel clients as to the best structure for their specific circumstances is an important skill. Clients look to their attorney for guidance on how best to implement their wishes with respect to the disposition of their property without creating an administrative mess.

This program gives you the essential foundational knowledge and understanding that you need to effectively structure a revocable living trust for a variety of client scenarios. In addition to providing information on advising clients and drafting options, the expert panelists examine revocable living trusts from a trust administration standpoint to flag what works and what doesn't work. Hone your craft at MCLE with expert guidance!

Agenda

- Overview of Massachusetts Estate Tax and Federal Estate, Gift, and GST Tax Laws
- Overview of Basic Trust Terminology
- Provisions While Grantor Is Living
- Structure for Surviving Spouse—Credit Shelter Trust and Marital Trust
- Structure for Children and More Remote Descendants—Creditor Protection Considerations
- Trustee Selection
- Trustee Guidance v. Distribution Limitations/Restrictions
- Retirement Benefit Provisions
- Miscellaneous Provisions Integral to Trust Administration
- Trust Funding
- “Ask the Experts” Q&A Session

Faculty

Pamela L. Halter, J.D., LL.M., *Chief Fiduciary Officer, Howland Capital Management, Inc, Boston*,
Chair

Dara Lynn S. Freytag, Esq., LL.M., *Tarlow, Breed, Hart & Rodgers, PC, Boston*

James W. Murphy, J.D., CFP®, AEP®, *Northeast Investment Management, Inc, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, April 30, 2024

9:30 am–12:30 pm

Program # 2240190WBC

REBROADCAST

Wednesday, May 15, 2024

1:00 pm–4:00 pm

Program # 2240190RB1

REBROADCAST

Thursday, May 23, 2024

9:00 am–12:00 pm

Program # 2240190RB2

ON DEMAND WEBCAST

View after Thursday, May 23, 2024

Program # 2240190WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Members
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Mechanics of E-Filing in the Probate Court

Tips to help you get your cases accepted for filing on the first try

Did you know that you have a secret weapon when it comes to probating estates? It is filing your probate cases, whether they be formal, informal, or voluntary, using the Probate Court's e-filing process.

Learn why it makes sense to file your cases using the e-filing process. Get step-by-step instruction on what it takes to file an Informal Probate, a Formal Probate and a Voluntary Administration using the Probate Court's e-filing system. Come away with the tips needed to have your cases accepted for filing on the first try.

Equipped with this knowledge, you can effortlessly file your probate cases from the comfort and convenience of your office, home, or anywhere you have secure access to the Internet at any hour of the day on any day of the week.

Agenda

- Benefits of E-Filing
- Preparing the Documents to Be Filed and Electronic Signatures
- Setting Up Your E-Filing Account
- Submitting a New Probate Case
 - Voluntary with a will and without
 - Informal with a will and without
 - Formal with a will and without
- Adding a Filing to an Existing Case That Was E-Filed
- What to Do If Your Filings Are Rejected
- Common Mistakes to Avoid
- How to Check on a Case That Has Been E-Filed Using the Attorney Portal
- Using the Probate Court Virtual Registry to Resolve Issues with an E-Filed Case

Speakers

Karen B. Johnson, Esq. *Madge & Johnson, PC, Westford*

Vincent Procopio, *Assistant Deputy Court Administrator, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, June 7, 2024

12:00 pm–1:00 pm

Program # 2240186WBC

REBROADCAST

Monday, June 24, 2024

3:00 pm–4:00 pm

Program # 2240186RB1

REBROADCAST

Tuesday, July 2, 2024

9:00 am–10:00 am

Program # 2240186RB2

ON DEMAND WEBCAST

View after Tuesday, July 2, 2024

Program # 2240186WBA

Tuition *(includes written materials)*

- \$145
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Onboarding Estate Planning Clients

Exploring the logistical issues and ethical considerations present in onboarding new estate planning clients

This new program provides a deep dive into the process of onboarding new estate planning clients, from ethical considerations such as conflicts, joint representation, initial communications, and continuing obligations following the execution of documents, to the logistical steps of engagement letters, fee estimates, information gathering, information storage, testamentary capacity evaluations, and other steps necessary to be completed prior to and immediately following the initial client meeting. Bring your questions and join the dialogue!

Agenda

- Initial Client Contact
- Conflict of Interest Check
- Engagement Letter
- Information Gathering
- Importance of Complete Information from the Client
- Joint Representation
- Fees and Billing
- Initial Meeting
- Testamentary Capacity Issues
- “Ask the Experts” Q&A Session

Faculty

Nikolaus S. Schuttauf, Esq., *Day Pitney LLP, Boston*
Christopher A. Voukides, Esq., *Day Pitney LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 1, 2024
9:00 am–10:00 am
Program # 2240196WBC

REBROADCAST

Thursday, May 16, 2024
12:00 pm–1:00 pm
Program # 2240196RB1

REBROADCAST

Friday, May 24, 2024
9:30 am–10:30 am
Program # 2240196RB2

ON DEMAND WEBCAST

View after Friday, May 24, 2024
Program # 2240196WBA

Tuition *(includes written materials)*

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Preventing & Handling Domicile Audits

How to help your clients successfully establish a new domicile

Changing your client's domicile to avoid Massachusetts estate taxes may not be as easy as your client might think. Beyond changing domiciliary intent and following the six-months-and-a-day rule, seemingly simple daily activities, and how your client owns real estate can impact their ability to successfully avoid Massachusetts estate tax. Explore common and thorny scenarios; learn how to help your clients successfully establish a new domicile.

Agenda

- Role of Mental Intent in Becoming a Resident of Another State
 - Is it okay to split residence between states and not spend 6 months and a day in any one state? (i.e., New Hampshire and Florida)
 - What happens when only one spouse changes domicile to a new state?
- Does Maintaining Club Affiliations and Spending Holidays with Children and Grandchildren Who Live in Massachusetts Create a Problem?
- How Important Is It to Use Credit Card Receipts for Routine Staples to Document Days Spent in the New State?
- How Important Is It to Change Driver's License, Voter Registration, Investment Advisors, Doctors, Dentists, Accountants, and Hair Stylists/Barbers to Your New State?
- Do You Need to Change Your Estate Planning Documents to the State of Residency?
 - Basic estate planning documents (i.e., Will, healthcare proxy, HIPAA form, and living will; Do you also have to redo your trust?)
 - Trust situs for revocable or irrevocable trusts
- Declaring Homestead Exemption in Your New State; Do You Have to Relinquish Your Homestead from Your Old Home State?
- Impact of Remote Work in Massachusetts
 - Having a Massachusetts income source; Stock options granted while working in Massachusetts; Maintaining health insurance in Massachusetts
- Impact of Staying in Massachusetts for Medical Reasons
 - Treating illness or entering a Massachusetts nursing home, even for one day
- Maintaining Property in Massachusetts
 - Should it be owned in an LLC? Must the LLC carry on a business and file income tax returns? Can the LLC be single member?
- Is There a Potential Audit-Triggering Impact of Marking Your Final Massachusetts Resident Return? Role of Anticipatory Preparation
 - How Important Is It to File Your Income Tax Returns Using the New State's Home Address?
- Can Your Client Be a Resident for Income, But Not for Estate, Tax Purposes?
- What Constitutes a "Resident" Person and Trust in Massachusetts, and Steps Massachusetts DOR May Take to Continue to Treat Your Client as a Resident

Faculty

Todd E. Lutsky, Esq., LL.M., *Cushing & Dolan, PC, Waltham*, Chair; Shari A. Levitan, Esq., *Holland & Knight LLP, Boston*; Jon E. Steffensen, Esq., *McLane Middleton, Boston*



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Dates & Location

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LIVE WEBCAST

Tuesday, April 2, 2024
9:00 am–11:00 am
Program # 2240193WBC

REBROADCAST CC

Wednesday, April 17, 2024
12:00 pm–2:00 pm
Program # 2240193RB1

REBROADCAST CC

Thursday, April 25, 2024
2:00 pm–4:00 pm
Program # 2240193RB2

ON DEMAND WEBCAST CC

View after Thursday, April 25, 2024
Program # 2240193WBA

Tuition *(includes written materials)*

- \$175
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Materials

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Probate Practice: MCLE BasicsPlus!®

Comprehensive guide for administering an estate

The complex rules of the Massachusetts Uniform Probate Code (MUPC) and the Massachusetts Uniform Trust Code (MUTC) make it essential for practitioners to fully understand the ins and outs of the law and procedure. This *comprehensive two-day review* gives you a strong foundation in the complete administration of an estate. Trust and estate experts discuss key provisions of the MUPC and the MUTC and offer essential tips and key techniques. Learn about the entire estate administration process, from pre-probate considerations to allowance of the final account, with special emphasis on handling the modest estate. Hear expert advice on trust related issues. Get valuable forms, checklists, and pointers, as well as the chance to have all your questions answered. Be ready for your next probate client!

Agenda

- Chronology of Estate Administration: Preliminary Matters; Managing Client Relationship/Educating the Personal Representative; Checklist Probate Manual
- Options to Open an Estate; Will Contests and Other Objections
- Collection and Management of the Estate; Sale of Real Estate; Debts and Creditor Claims
- Spousal Elective Share
- Taxation of the Estate
- Post-Mortem Planning
- Trusts—Testamentary and Interplay Between Trusts and Estates
- Final Distribution of the Estate; Options to Close; Probate Accounts
- Probate Litigation
- Digital Assets and Estate Administration
- “Ask the Experts” Q&A Session

Faculty

Evelyn J. Patsos, Esq., *Deputy Legal Counsel, Probate and Family Court, Commonwealth of Massachusetts*, Cochair; Mary H. Schmidt, Esq., *Verrill Dana LLP, Boston*, Cochair; Julie E. Braverman-Bruno, Esq., *Verrill Dana LLP, Boston*; Darian M. Butcher, Esq., *Butcher Law LLC, Boston*; Pamela Casey-O'Brien, *Register of Probate, Essex Probate and Family Court, Commonwealth of Massachusetts*; Hon. Edward F. Donnelly, Jr., *Middlesex Probate and Family Court, Commonwealth of Massachusetts (Ret.)*; Kristin N.G. Dzialo, Esq., *Rubin and Rudman LLP, Boston*; Jennifer Z. Flanagan, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Worcester*; Jennifer T. Fleming, Esq., *Prince Lobel Tye LLP, Boston*; Ryan P. McManus, Esq., *Hemenway & Barnes LLP, Boston*; Catherine Olender Neijstrom, Esq., *Gilmore, Rees & Carlson, PC, Wellesley*; Heather Reid, Esq., *Squillace & Associates, PC, Boston*; Lisa M. Rico, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick*; Marshall D. Senterfitt, Esq., *Holland & Knight LLP, Boston*; Ryan J. Swartz, Esq., *McLane Middleton, Woburn*; Karen L. Witherell, Esq., *Bove & Langa, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 7, &
Wednesday, May 8, 2024
9:30 am–4:30 pm
Program # 2240187WBC

REBROADCAST CC

Wednesday, May 22, &
Thursday, May 23, 2024
9:30 am–4:30 pm
Program # 2240187RB1

REBROADCAST CC

Thursday, June 6, &
Friday, June 7, 2024
9:30 am–4:30 pm
Program # 2240187RB2

ON DEMAND WEBCAST CC

View after Friday, June 7, 2024
Program # 2240187WBA

Tuition *(includes written materials)*

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Materials

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Strategies for Fixing Dysfunctional Trusts

Reasons, methods and drafting tips for modifying irrevocable trusts

Irrevocable trusts are a common estate planning tool for transferring wealth to future generations while reducing transfer taxes. In exchange, the grantor of an irrevocable trust must give up the ability to amend or revoke the trust. However, despite their name, irrevocable trusts can still be modified in many ways, particularly when they are no longer working as effectively as they should. This panel discusses potential reasons to modify a trust, such as fixing a scrivener's error or ambiguity, reflecting changes in the law, or addressing unforeseen beneficiary circumstances. The speakers also review the multitude of judicial and non-judicial methods for modifying an irrevocable trust's terms or altering important aspects of the trust's administration, as well as drafting considerations to head off potential issues in advance.

Agenda

- **Reasons to Modify an Irrevocable Trust**
 - Change in circumstances
 - Tax benefits
 - Administrative changes
 - Asset protection benefits
- **Drafting Flexibility into Trusts**
 - Trustee powers
 - Powers of appointment
 - Trustee succession
 - Trust protector
- **Methods to Modify Irrevocable Trusts**
 - Judicial proceedings
 - Non-Judicial proceedings

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*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, August 5, 2024

12:00 pm–2:00 pm

Program # 2240194WBC

REBROADCAST

Tuesday, August 20, 2024

9:00 am–11:00 am

Program # 2240194RB1

REBROADCAST

Wednesday, August 28, 2024

9:30 am–11:30 am

Program # 2240194RB2

ON DEMAND WEBCAST

View after Wednesday, August 28, 2024

Program # 2240194WBA

Tuition *(includes written materials)*

- \$175
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Trusts: Briefings & eBooks Bundle

4 webcast programs + 3 value-added eBooks = core fluency

Do you or your clients have questions about trusts? This curated bundle of 9 hours of fast-paced webcast programming paired with MCLE's comprehensive e-publications, *Understanding and Using Trusts*, *Drafting Wills and Trusts in Massachusetts*, and *Drafting Irrevocable Trusts in Massachusetts*, gives you a solid foundation in trust law. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **Understanding & Using Trusts: MCLE BasicsPlus!®:**
 - Basic Estate Planning: Probate v. non-probate property; Intervivos v. testamentary; Family issues, dispositive and non-tax aspects; Transfer tax v. income tax issues
 - Transfer Taxes: Gift tax, estate tax, and GST tax
 - Introduction to Trusts: What is a trust? Choice of trustee; Funded v. unfunded revocable trusts; Fiduciary responsibility and liability; Ethical issues
 - Marital Deduction Planning and Funding Trusts: Requirements for marital deduction; Administering a marital trust
 - Distributions from Trusts: Settlor's intent; Determining beneficiaries; Mandatory v. discretionary
 - Charitable Trusts: Intervivos v. testamentary; Income and estate tax advantages; Splitting trusts at death
 - Alphabet Soup of Other Trusts: Brief description of GRATs, LATs, and IDGTs; Income and estate tax advantages and disadvantages
 - Medicaid Planning and Elder Law Issue Spotting
- **How to Make Directed Trusts Work:** Types of directed trusts in Massachusetts (review and discussion of G.L. c. 203E, § 808); New Hampshire (review and compare RSA § 564-B:7-711); Picking the right law for your directed trust and evaluating whether you can draft for RSA § 564-B:7-711 without being a New Hampshire trust
- **When & How to Use Nominee Trusts in Estate Planning:** What are nominee trusts? Why and how are nominee trusts utilized? Drafting nominee trusts; Title requirements for real estate transfers to a nominee trust; Trustee certificates; Traps for the unwary
- **How to Terminate a Trust:** Non-judicial options for terminating a trust; Petition to revoke non-charitable trust (G.L. c. 203E, § 411); Unanticipated circumstances (G.L. c. 203E, § 412); Uneconomic trust (G.L. c. 203E, § 414); Reformation to correct mistakes (G.L. c. 203E, § 415); Petition to terminate; Protecting the trustee from future liability

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Dates & Location

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REBROADCAST

Tuesday, June 11, 2024
9:00 am–4:00 pm
& Wednesday, June 12, 2024
9:00 am–12:00 pm
Program # 2240199RB1

REBROADCAST

Wednesday, July 17, 2024
9:00 am–4:00 pm
& Thursday, July 18, 2024
9:00 am–12:00 pm
Program # 2240199RB2

REBROADCAST

Thursday, August 15, 2024
9:00 am–4:00 pm
& Friday, August 16, 2024
9:00 am–12:00 pm
Program # 2240199RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Members
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Materials

Understanding and Using Trusts, *Drafting Wills and Trusts in Massachusetts*, and *Drafting Irrevocable Trusts in Massachusetts* eBooks, plus speaker materials

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

CLE Credits

Earn up to 9 CLE credits

Understanding Fiduciary Notification Responsibilities

Rules and best practices for drafters and fiduciaries

This program provides an overview of Massachusetts statutes governing fiduciary obligations for providing notice to beneficiaries, co-trustees, government agencies, and other interested parties. The faculty discuss standard approaches to incorporating notice provisions into a trust instrument and when (and how) to consider drafting around or changing certain notice requirements otherwise mandated by Massachusetts law. Learn about best practices for professional trustees, particularly corporate trustees, for providing notice when administering a trust beyond what is mandated by law. Lastly, the faculty review notice requirements in special circumstances, including distinctions between Massachusetts law and the laws of popular asset protection jurisdictions like New Hampshire and Delaware, as well as in special cases, such as special needs trusts and trusts designed for elder law asset protection purposes.

Agenda

- Notice Requirements in the Massachusetts Uniform Probate Code (MUPC) and Massachusetts Uniform Trust Code (MUTC)
- Incorporating Notice Provisions in Drafting
- Notice Best Practices in Trust Administration and Considerations for Corporate Trustees
- Notice Requirements in Special Situations
 - Special notice rules and regulations in popular asset protection jurisdictions, with a focus on New Hampshire and Delaware
 - Special needs trusts and elder law considerations
- “Ask the Experts” Q&A Session

Faculty

Aimee Fukuchi Bryant, Esq., *Fiduciary Trust Company, Boston*
Annette K. Eaton, Esq., *The Northern Trust Company, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, June 3, 2024
9:30 am–11:30 am
Program # 2240192WBC

REBROADCAST

Tuesday, June 18, 2024
2:00 pm–4:00 pm
Program # 2240192RB1

REBROADCAST

Wednesday, June 26, 2024
12:00 pm–2:00 pm
Program # 2240192RB2

ON DEMAND WEBCAST

View after Wednesday, June 26, 2024
Program # 2240192WBA

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27th Annual Family Law Conference 2024

Learning, networking, socializing

MCLE is pleased to present its twenty-seventh annual comprehensive *Conference* developed exclusively for family law practitioners! This year's *Family Law Conference*, featuring leading practitioners, experts, and judges, examines a number of sophisticated issues and provides timely, practical information for all levels of practice. *Conference* highlights include sessions on ethics surrounding financial statements, guardian ad litem issues, and courtroom civility.

Additional *Conference* features are the annual caselaw review, a fireside chat on the state of the Probate and Family Court with Chief Justice John D. Casey, and a discussion of the *Jones* case. In-person attendees receive a complimentary print copy of the *Massachusetts Family Law Sourcebook & Citator 2024* included with their tuition.

Agenda

- State of the Court with Chief Justice John D. Casey
- Caselaw Update
- Financial Statements: Ethics and the Art of Disclosure
- Civility in the Courtroom and Beyond
- Guardian ad Litem Issues
- *Jones* Case and How to Handle Trusts and Inheritance

Faculty

Jennifer Sevigney Durand, Esq., *Durand Family Law LLC, Canton*, Cochair; Steven E. Gurdin, Esq., *Fitch Law Partners LLP, Boston*, Cochair; Carlos A. Maycotte, Esq., *Fitch Law Partners LLP, Boston*, Cochair; Barbara Zicht Richmond, Esq., *HealyFiske LLP, Waltham*, Cochair; Hon. John D. Casey, *Chief Justice, Probate and Family Court, Commonwealth of Massachusetts*; Premela G. Deck, Esq., *SD Family Services, Inc., Canton*; W. Sanford Durland, III, Esq., *Warner, Federico & Ryan LLP, Boston*; Phyllis E. Federico, Esq., *Warner, Federico & Ryan LLP, Boston*; Jonathan E. Fields, Esq., *Fields and Dennis LLP, Wellesley*; David M. Friedman, Esq., *Rubin and Rudman LLP, Boston*; Hon. Melanie J. Gargas, *Associate Justice, Middlesex Probate and Family Court, Commonwealth of Massachusetts*; Hon. Frances M. Giordano, *First Justice, Essex Probate and Family Court, Commonwealth of Massachusetts*; Dr. Jessica P. Greenwald O'Brien, *SD Family Services, Inc, Canton*; Calvin J. Heinle, Esq., *Gibbs Heinle Maiona LLP, Wellesley Hills*; Dr. Mira Z. Levitt, Ph.D., *Co-Parenting Assessment Center, Natick*; Richard M. Novitch, Esq., *Todd & Weld LLP, Boston*; Kathleen A. Rice, L.M.H.C., *Woburn*; Mary H. Schmidt, Esq., *Verrill Dana LLP, Boston*; Dr. Jeff Stein, *Psychological Consulting Services LLC, Salem*; Carolyn Van Tine, Esq., *Davis Malm & D'Agostine, PC, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, May 16, 2024
9:30 am–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240231P01

LIVE WEBCAST

Thursday, May 16, 2024
9:30 am–4:30 pm
Program # 2240231WBC

REBROADCAST

Friday, May 31, 2024
9:30 am–4:30 pm
Program # 2240231RB1

REBROADCAST

Monday, June 10, 2024
9:30 am–4:30 pm
Program # 2240231RB2

ON DEMAND WEBCAST

View after Monday, June 10, 2024
Program # 2240231WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Members
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Materials

Massachusetts Family Law Sourcebook & Citator ebook, plus speaker materials

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- Complimentary print book for in-person registrants
- Transcript & videorecording emailed 2 weeks post-program

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Discovery & Depositions in Family Law Cases

Getting the knowledge you need about your case

The process of discovery and depositions in family law differs from that of other practices of law. This seminar is a discovery primer for attorneys starting out in family law practice. It delves into the process of discovery in a family law case and the different forms of both formal and informal discovery as well as different practices in taking and defending depositions.

Join our experts as we examine the options, different forms of discovery in family law, and each of their goals.

Agenda

- The Basics—Rule 401 and Rule 410
- Formal v. Informal Discovery—RPDs, Interrogatories, Depositions, and When to Relax and Enforce the Rules
- Depositions of Parties—Stipulations, Different Methods and Tactics and When to Use Them
- Depositions of Third Parties—Who to Depose and Why in Cases Involving Prenuptial Agreements, Custody Battles, and Financial Questions
- Discovery Masters—When to Request One and How to Utilize a Discovery Master
- Keeper of Records Subpoenas—The Pluses and Minuses and When to Use Them
- Expert Discovery—Expert Interrogatories, Expert Reports, Deposing an Expert and the Expert's File
- When Is Discovery Enough to Evaluate Settlement
- Talking to Your Client about the Cost of Discovery and Evaluating the Costs and Benefits
- “Ask the Experts” Q&A Session

Faculty

Amanda Vanderhorst, Esq., *Kates & Barlow, PC, Boston*, Chair

Peter J. Jamieson, Esq., *Hastings, Jamieson & Lipschutz Family Law Group LLP, North Andover*

Grace C. Roessler, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Boston*



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Dates & Location

Register at www.mcle.org

BOSTON

Tuesday, June 25, 2024

12:00 pm–4:00 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240237P01

LIVE WEBCAST

Tuesday, June 25, 2024

12:00 pm–4:00 pm

Program # 2240237WBC

REBROADCAST

Wednesday, July 10, 2024

9:00 am–1:00 pm

Program # 2240237RB1

REBROADCAST

Thursday, July 18, 2024

1:00 pm–5:00 pm

Program # 2240237RB2

ON DEMAND WEBCAST

View after Thursday, July 18, 2024

Program # 2240237WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE 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

Massachusetts Deposition Practice Manual 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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Domestic Violence: Briefings & eBook Bundle

3 webcast programs + 1 value-added eBook = core fluency

Do you or your clients have questions about handling domestic violence situations in family law? This curated bundle of 6 hours of content-rich webcast programming paired with MCLE's comprehensive *Obtaining, Enforcing, and Defending c. 209A Restraining Orders in Massachusetts* e-publication gives you a solid foundation in dealing with this issue. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **Obtaining, Enforcing & Defending c. 209A Restraining Orders in Massachusetts:** Differences between 209A, 258E, and other restraining orders; Procedural outline of the various steps in the restraining order process; including jurisdictional issues; practice tips for working with survivors of domestic and sexual violence; 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
- **Handling Domestic Abuse Claims:** What is domestic violence; Who are the victims; Recognizing the signs of domestic violence; Why victims stay with abusers; How you can help victims of domestic abuse; Handling divorce and custody issues; How to keep safe—safety measures for your client and their children
- **Mock Trial of a Domestic Abuse Case:** 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

Unparalleled Expertise—Speakers & Authors

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

Dates & Location

Register at www.mcle.org

REBROADCAST

Tuesday, July 23, 2024

9:30 am–4:30 pm

Program # 2240245RB1

REBROADCAST

Wednesday, August 7, 2024

9:30 am–4:30 pm

Program # 2240245RB2

REBROADCAST

Thursday, August 15, 2024

9:30 am–4:30 pm

Program # 2240245RBC

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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

Obtaining, Enforcing, and Defending c. 209A Restraining Orders in Massachusetts ebook, plus speaker materials

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

CLE Credits

Earn up to 6 CLE credits



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Drafting & Litigating Prenups and Postnups

How you can choose the playing field

Negotiating and drafting agreements play a significant role in any domestic relations practice. Family Court practitioners are often tasked with the significant undertaking of drafting pre-nuptial and post-nuptial agreements for their clients. In many instances, the existence of a pre-nuptial or post-nuptial agreement dictates the litigation and ultimate resolution of a divorce case.

The art of skillfully negotiating a pre-nuptial or post-nuptial agreement for a client involves not only thorough knowledge of the law, but also a strong attorney-client relationship and an amicable relationship with the opposing counsel. The seminar begins with an overview of pre-nuptial and post-nuptial agreements, the tax considerations involved in drafting pre-nuptial and post nuptial agreements, and factors to consider in addressing future inheritance and interests in trust.

The faculty then discuss what considerations an attorney should undertake when drafting pre-nuptial and post-nuptial agreements for their clients. What documents must an attorney have a thorough command of prior to entering into a negotiation for an agreement? What are the tax considerations a practitioner should be aware of as one negotiates these agreements? How can an attorney prepare a client for the inevitable compromise(s) required to reach an agreement? What dynamics occur when clients are present (either virtually or in person) in real time as a negotiation unfolds? What must an attorney consider when faced with the prospect of litigating a pre-nuptial or post-nuptial agreement in a divorce proceeding? What is the most important case law an attorney should know with respect to pre-nuptial and post-nuptial agreements? This program is a must-attend for attorneys who practice in domestic relations law in either a collaborative law or litigation setting.

Agenda

- Overview of Pre-Nuptial and Post-Nuptial Agreements
- Questions to Consider When Negotiating Pre-Nuptial and Post-Nuptial Agreements
- Tax Considerations of Pre-Nuptial and Post-Nuptial Agreements
- Documents Necessary from Your Client and the Opposing Party Prior to Commencing Negotiation
- Tactics for Conducting Pre-Negotiation Client Meetings, Tips for Drafting Agreements, and Negotiation Strategies
- Inheritance, Trusts, and Marital Property
- "Ask the Experts" Q&A Session

Faculty

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

Jennifer C. Roman, Esq., *Tracey, Roman & Ramos, PC, Wellesley Hills*

Claire C. Tutwiler, Esq., *D'Amico Tutwiler, PC, Wellesley Hills*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, April 5, 2024

1:00 pm–5:00 pm

Program # 2240239WBC

REBROADCAST

Monday, April 22, 2024

12:00 pm–4:00 pm

Program # 2240239RB1

REBROADCAST

Tuesday, April 30, 2024

10:00 am–2:00 pm

Program # 2240239RB2

ON DEMAND WEBCAST

View after Tuesday, April 30, 2024

Program # 2240239WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Members
- \$97.50 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

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

CLE Credits

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Evidence Admissibility in Family Law

Offering or opposing the introduction of evidence

Family law is evolving and so is the evidence available for trial. What evidence is allowed in and how do you get it in? What is hearsay and what are the exceptions? What privileges have exceptions and when can they be waived?

This seminar provides both new and experienced practitioners with real-life examples and suggestions to demystify the Probate and Family Court and the effective use of evidence at trial. With a panel of experienced practitioners, this seminar gives you insight into how evidence can be used effectively at trial. In addition, the panelists discuss their experience in what works and, perhaps most importantly, what does not work. The seminar also touches on the latest issues in the introduction of real and demonstrative evidence as well as the latest in electronic discovery.

Agenda

- 209A Hearings
- Privilege
- Text Messages and Social Media
- Chalks
- Direct and Cross Examination
- How to Use Depositions at Trial
- “Ask the Experts” Q&A Session

Faculty

Julie K. Murphy, Esq., *Rico, Murphy, Diamond & Bean LLP, Natick*, Chair
Hon. Christine D. Anthony, *Probate and Family Court, Commonwealth of Massachusetts*
Nicole C. Armstrong, Esq., *Armstrong Law, PC, Lowell*
Tiffany M. Bentley, Esq., *Day Pitney LLP, Boston*
Michael P. Judge, Esq., *Casner & Edwards LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 19, 2024
2:00 pm–5:00 pm
Program # 2240235WBC

REBROADCAST

Wednesday, April 3, 2024
9:30 am–12:30 pm
Program # 2240235RB1

REBROADCAST

Thursday, April 11, 2024
2:00 pm–5:00 pm
Program # 2240235RB2

ON DEMAND WEBCAST

View after Thursday, April 11, 2024
Program # 2240235WBA

Tuition *(includes written materials)*

- \$225
- \$202.50 MCLE Members
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Materials

Massachusetts Guide to Evidence ebook, plus speaker materials

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

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Family Court Judicial Forum 2024

Insight into judicial thinking and discretion

Be Better Prepared for Your Next Trip to Court

Judicial decision-making is the complex result of many influences and factors. That's why it is often a mystery to a lawyer what happens between "I'll take it under advisement," and the issuance of the opinion. Have you ever asked yourself, "What is the judge thinking about this case?" Then you need this Forum to find out. Hear the Probate and Family Court judges speak out on recent developments and legal issues that impact their decisions every day.

Gain Insight into Issues Critical to Your Clients

Through hypotheticals and questions posed by expert practitioners, the judges address a series of issues important to your clients and your practice, such as:

- What are the parameters of a property division?
- Will certain assets be excluded or included in the division?
- Will there be any alimony obligation, and, if so, how will it be calculated?
- How will gifted and inherited assets be treated?
- How does the issuance of a restraining order affect a custody determination?
- What about child support obligations, children's education, and extraordinary expenses?
- What are the parameters for removing a child from the Commonwealth?
- How does removal affect support?
- To what extent are pre-nuptial agreements enforceable?

The Family Law Judicial Forum is a unique opportunity for you to take stock of your legal strategies in light of the very latest legal developments. Don't miss this opportunity to hear from the court!

Faculty

Steven E. Gurdin, Esq., *Fitch Law Partners LLP, Boston, Chair*
Hon. Christine D. Anthony, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Lee M. Peterson, *Probate and Family Court, Commonwealth of Massachusetts*
Hon. Nan M. Sauer, *Probate and Family Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 7, 2024
4:00 pm–7:00 pm
Program # 2240236WBC

REBROADCAST

Wednesday, May 22, 2024
9:00 am–12:00 pm
Program # 2240236RB1

REBROADCAST

Thursday, May 30, 2024
2:00 pm–5:00 pm
Program # 2240236RB2

ON DEMAND WEBCAST

View after Thursday, May 30, 2024
Program # 2240236WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE Members
- \$97.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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Materials

Massachusetts Family Law Sourcebook & Citator 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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Family Law Trial Advocacy Workshop 2024

Five days—one trial—countless trial skills learned

“An amazing array of judges and very experienced lawyers providing the benefits of their wisdom and knowledge.”

This intensely challenging course gets you “on your feet” under the rigorous scrutiny of judges and leading practitioners. Join the scores of divorce lawyers who have polished their courtroom efficacy in this Workshop’s supportive environment, learning trial advocacy from motion practice—to expert witness examination—to final argument. You won’t find another training experience quite like this one. In each class session, you perform as trial counsel in phases of an ongoing trial. Day 1 begins with admitting exhibits and demonstrative evidence. By Day 4, you’re examining actual real estate and psychological experts.

Throughout the week, you observe expert domestic relations practitioners demonstrate effective trial techniques. Between “courtroom” performances, the faculty lectures on family law trial topics. On the final day of this intensive experience, you’re the leading counsel in a full-blown divorce trial. All the skills you learned during the week are on display before a Probate and Family Court judge, who concludes the session with a frank, no-holds-barred critique of your trial performance and newly-found advocacy skills.

Open to lawyers only, this program gives you a newfound confidence in yourself.

Faculty

Hon. Mary Rudolph Black, *Essex Probate and Family Court, Commonwealth of Massachusetts*, Cochair

Hon. David G. Sacks, *ADR Provider / Retired Judge, Holyoke*, Cochair

Nicole C. Armstrong, Esq., *Armstrong Law, PC, Lowell*

James L. Brick, Esq., *Brick, Jones, McBrien & Hickey LLP, Newton*

Merril S. Chin, Esq., *The Law Office of Merrill S. Chin LLC, Danvers*

Phyllis E. Federico, Esq., *Warner, Federico & Ryan LLP, Boston*

Regina M. Hurley, Esq., *Verrill Dana LLP, Boston*

Martin F. Kane, II, Esq., *McGrath & Kane, Boston*

Angela M. LeBlanc-Murdock, Esq., *Murdock & Associates, Gloucester*

Lisa J. Marino, Esq., *Wilson, Marino & Bonnevie, PC, Newton*

Mary M. McDonough, *Probation Officer, Essex Probate and Family Court, Commonwealth of Massachusetts*

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

Linda A. Ouellette, Esq., *Kates & Barlow, PC, Boston*

Christina Paradiso, Esq., *Supervising Attorney, Community Legal Aid, Worcester*

Kathleen A. Rice, *L.M.H.C., Woburn*

Steven J. Ryan, Esq., *Warner, Federico & Ryan LLP, Boston*

Karen Watts Stuntz, Esq., *McEvoy & Stuntz, PC, Concord*

Hon. Elizabeth Teixeira, *Suffolk Probate and Family Court, Commonwealth of Massachusetts*

Gary O. Todd, Esq., *Todd & Weld LLP, Boston*

Amanda Vanderhorst, Esq., *Kates & Barlow, PC, Boston*

Andrea M. Wells, Esq., *Turco Legal, Newburyport*

Dates & Location

Register at www.mcle.org

BOSTON

Monday, June 3, 2024

through Friday, June 7, 2024

9:15 am–5:00 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240232P01

Tuition *(includes written materials)*

- \$1,495
- \$1,345.50 MCLE Members
- \$1,121.25 New Lawyers admitted to law practice within 5 years and Pending Admittees

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

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

Materials

The materials for this program include MCLE’s *Massachusetts Courtroom Advocacy*, as well as a faculty-prepared program book of *Workshop* materials, including case files and motions, and a handout of exercises and directions, distributed approximately one week prior to the *Workshop* so you have time to prepare.

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 30 CLE credits

Family Trusts in a Divorce

Consideration of trust interests in determining support and property division

To what extent is a trust vulnerable to or immune from attack in divorce? Trusts present unique challenges when dividing marital assets in a divorce and may also be a factor in determining support. Some trusts are considered marital property subject to division, while others are protected from division but may still impact the court's overall financial analysis. The case law on this topic is continuously evolving and the past few years have seen a cascade of decisions from appellate courts. Trusts are so commonplace and yet often quite sophisticated and nuanced. When handling a divorce, it is critical to read the trust, understand its terms, and understand the law as it pertains to the ability to attack a trust and how to defend against such an attack.

Our panel of family law and trust litigation experts discuss best practices when representing divorcing parties who have an interest in or seek to claim an interest in a spouse's trust. The panel reviews trust terms, landmark decisions, and strategies on both sides of trust-related claims in divorce.

Agenda

- What Are the Key Words and Concepts to Understand When Analyzing a Trust Incident to Divorce Litigation?
- How Are Trust Interests Treated When Equitably Dividing Assets?
- What Are the Landmark Decisions in This Area, and How Has the Law Evolved?
- Can a Prenuptial or Postnuptial Agreement Limit One Spouse's Access to the Other's Trust Interests?
- "Ask the Experts" Q&A Session

Faculty

Tiffany M. Bentley, Esq., *Day Pitney LLP, Boston*, Cochair

Lisa M. Cukier, Esq., *Burns & Levinson LLP, Boston*, Cochair

Hon. Randy J. Kaplan (Ret.), *Probate and Family Court, Commonwealth of Massachusetts*

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

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, May 20, 2024

3:00 pm–5:00 pm

Program # 2240234WBC

REBROADCAST

Tuesday, June 4, 2024

10:00 am–12:00 pm

Program # 2240234RB1

REBROADCAST

Wednesday, June 12, 2024

2:00 pm–4:00 pm

Program # 2240234RB2

ON DEMAND WEBCAST

View after Wednesday, June 12, 2024

Program # 2240234WBA

Tuition *(includes written materials)*

- \$160
- \$144 MCLE Members
- \$80 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

Earn up to 2 CLE credits



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How to Handle Refuse/Resist Matters

Understand the dynamics and learn effective advocacy in the courtroom and during negotiations. Family law attorneys confront many challenges when representing the parent of a child who refuses or resists parenting time. Understanding the complex dynamics of these “refuse/resist” cases—as well as the interplay between parents, the child, mental health professionals, and the courts—is imperative to provide effective advocacy in what can be the most difficult of cases. Identifying and implementing workable, realistic, timely, and effective solutions requires a practical understanding of the many family dynamics and practical exigencies associated with problems in parent-child contact. Real world hurdles—including a shortage of skilled providers, tremendous delays in obtaining affordable services, built-in delays in court processes, the increasingly intractable nature of the resist/refuse dynamic over time, inequitable access to trained professionals, and the “good guy/bad guy” bias of the adversarial system—must also be addressed. This program helps family law attorneys be better prepared to manage cases that present these complicated and challenging issues.

The distinguished panel includes a mental health professional with many years of experience in refuse and resist cases and attorneys who practice in the Probate & Family Court. Hear from the best as they share their expertise and experiences and help guide attorneys through these complex cases.

Agenda

- Overview of the Dynamics Regarding Problems in Parent-Child Contact
- The Fallacy and Inadmissibility of Parental Alienation Syndrome
- Recognizing and Avoiding a “Binary” Approach to the Polarized Child
- Defining How Evaluations of Problems in Parent-Child Contact Should Be Conducted
- Effectively Advocating for Parties Throughout the Process in the Courtroom and During Negotiations
- “Ask the Experts” Q&A Session

Faculty

Linda A. Ouellette, Esq., *Kates & Barlow, PC, Boston*, Chair

Dr. Benjamin D. Garber, Ph.D., *Consulting Family Law Expert, Family Law Consulting PLLC, Hollis, NH*

Kimberley J. Joyce, Esq., *Law Office of Kimberley J. Joyce, Wellesley Hills*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 5, 2024

1:00 pm–4:00 pm

Program # 2240242WBC

REBROADCAST

Wednesday, March 20, 2024

10:00 am–1:00 pm

Program # 2240242RB1

REBROADCAST

Thursday, March 28, 2024

12:00 pm–3:00 pm

Program # 2240242RB2

ON DEMAND WEBCAST

View after Thursday, March 28, 2024

Program # 2240242WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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



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Maximizing the Role of Counseling in Co-Parenting & Custody Plans

Best practices for involving professionals in step-up plans and co-parenting

Most legal professionals recognize that the adversarial nature of family court is not conducive to successful family dynamics and co-parenting. As a result, lawyers, parenting coordinators, and court professionals may refer families for therapeutic support to resolve familial disputes. Often, parent coordinators are appointed to oversee treatment compliance and provide case management for the many professionals involved. Therapists and parenting coordinators can help or hinder the successful functioning of court-involved families and often the success of the providers involved depends on the underlying stipulations or orders to engage in therapy. This program considers the many ways a family may engage in therapeutic support while court-involved as well as the limitations of therapists in working in these cases.

Agenda

- Considerations in Selecting an Appropriate Child Therapist, Family Therapist, Individual Therapist, or Co-Parenting Coach
- Benefits and Means of Involving Support Professionals with Counsel as They Collaborate to Create Effective Parenting Plans
- Changes to Existing Parenting Plans That May Be Needed to Support Therapeutic Work and How Those Changes are Suggested and Made
- Various Ways Therapeutic Privilege Impacts Work with Court-Involved Therapists and Legal Professionals
- Pros and Cons of Step-Up Parenting Plans; How to Draft Successful Step-Up Parenting Plans; and What Providers Can or Cannot Do Within a Step-Up Parenting Plan

Faculty

Premela G. Deck, Esq., *SD Law, PC, Canton*

Anthony R. Pelusi, Jr., Esq., *Professional Coach and Parenting Coordinator, Tony Pelusi & Associates, North Andover*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, July 11, 2024
12:00 pm–1:00 pm
Program # 2240244WBC

REBROADCAST

Friday, July 26, 2024
10:00 am–11:00 am
Program # 2240244RB1

REBROADCAST

Monday, August 5, 2024
2:00 pm–3:00 pm
Program # 2240244RB2

ON DEMAND WEBCAST

View after Monday, August 5, 2024
Program # 2240244WBA

Tuition *(includes written materials)*

- \$125
- \$112.50 MCLE 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

Earn up to 1 CLE credit



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Preparing Rule 401 Financial Statements

The do's and don'ts for litigants appearing in Probate and Family Court in the Commonwealth

Every litigant who appears in Probate and Family Court on a financial issue in connection with a divorce, child support, alimony, financial contempt, or financial modification is required to submit a Rule 401 Financial Statement form. For those who are W-2 wage earners with limited assets, the form is not hard. For those with different types of income such as self-employment, overtime or bonus compensation, and equity compensation, the forms are harder to complete. Add to the confusion the proper way to reflect assets and/or liabilities held in more complex situations, and pro se litigants and lawyers alike might unintentionally create a situation which is not truly accurate, or which confuses—or worse, annoys—the judge hearing the case.

Join our experts as we examine how to properly reflect income of the parties, including that of self-employed litigants, how to properly reflect asset values (including how to reflect beneficial interests in trusts, unvested stock, and jointly titled assets), and how to generally best capture your clients' financial circumstances in a financial statement.

Agenda

- Understanding How to Use a Tax Return, Tax Reporting Documents (W-2, 1099, K-1, etc.), and Paystubs to Assist in Accurately Reflecting Income on a Financial Statement
- Understanding How and When to Use Schedule A
- Best Practices for Properly Reflecting Assets and/or Liabilities on the Financial Statement
- Practical Tips for Properly Reflecting Expenses of the Different Family Members Involved in the Matter
- Practical Tips on What to Do or NOT Do to Avoid Annoying Your Judge
- “Ask the Experts” Q&A Session

Faculty

Wendy O. Hickey, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham, Chair*

Gina J. Calabro, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*

Hon. Randy J. Kaplan (Ret.), *Probate and Family Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, April 23, 2024

10:00 am–12:00 pm

Program # 2240241WBC

REBROADCAST

Wednesday, May 8, 2024

2:00 pm–4:00 pm

Program # 2240241RB1

REBROADCAST

Thursday, May 16, 2024

12:00 pm–2:00 pm

Program # 2240241RB2

ON DEMAND WEBCAST

View after Thursday, May 16, 2024

Program # 2240241WBA

Tuition *(includes written materials)*

- \$160
- \$144 MCLE Members
- \$80 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 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

Probate & Family Court Lawyer for the Day Training

Give back to your community by assisting unrepresented litigants

Whether you are just starting out or already have an established family law practice, volunteering as a Lawyer for the Day in the Probate and Family Court is an excellent way to sharpen your skills while giving back to your community. This program provides everything you need to know to effectively assist litigants who appear unrepresented in the Probate and Family Court—and is also helpful in your private practice.

Hear from court personnel and expert family law practitioners in this training designed to provide you with the tools to become a more effective Lawyer for the Day and stronger family law practitioner. Topics include divorce, child support, alimony, paternity, grandparent visitation, and guardianships. Particular attention is paid to both relevant law and practice and procedure.

This program explains how to respond to the most common questions presented to Lawyers for the Day, and provides an opportunity to have your own questions answered.

Don't miss this chance to sharpen your skills and help people, while simultaneously assisting the court with an unmet need.

Agenda

- Overview of the Lawyer for the Day Program, Including the Virtual Lawyer for the Day Program
- Substantive Matters Regularly Handled by the Probate and Family Court—Divorce, Paternity, Child Support, Alimony, Grandparent Visitation, and Guardianships
- Procedural Requirements Encountered in the Practice of Probate and Family Law
- Services Offered by the Department of Revenue
- Discussion of Common Issues and Questions Encountered by Lawyers for the Day in the Probate and Family Court
- “Ask the Experts” Q&A Session

Faculty

Hon. Maureen H. Monks, *First Justice, Middlesex Probate and Family Court, Commonwealth of Massachusetts*, Cochair; Brian R. Pariser, Esq., *Probate and Family Court Administrative Office, Commonwealth of Massachusetts*, Cochair; Janet Fennell, Esq., *Department of Revenue Child Support Enforcement, Commonwealth of Massachusetts*; Geraldine Gruvis-Pizarro, Esq., *Volunteer Lawyers Project of the Boston Bar Association (VLP), Boston*; Carolin Hetzner, Esq., *Senior Manager of Court Service Centers, Court Service Center, Department of Support Services, Commonwealth of Massachusetts*; Christina Paradiso, Esq., *Supervising Attorney, Community Legal Aid, Worcester*; Gayle Stone-Turesky, Esq., *Wilkinson & Finkbeiner LLP, New Bedford*; Michelle A. Yee, Esq., *Judicial Case Manager, Administrative Office of the Probate and Family Court, Commonwealth of Massachusetts*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, April 11, 2024
9:30 am–3:30 pm
Program # 2240288WBC

REBROADCAST

Friday, April 26, 2024
9:30 am–3:30 pm
Program # 2240288RB1

REBROADCAST

Monday, May 6, 2024
9:30 am–3:30 pm
Program # 2240288RB2

ON DEMAND WEBCAST

View after Monday, May 6, 2024
Program # 2240288WBA

Tuition *(includes written materials)*

- \$35
- **FREE** for MCLE OnlinePass Subscribers

Materials

Family Law Advocacy for Low and Moderate Income Litigants ebook, plus speaker materials

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

CLE Credits

Earn up to 5 CLE credits

Protocols for Dealing with Pro Se Litigants in the Probate & Family Court

A litigator's toolkit for successful case management and resolution with pro se litigants

The steep rise of pro se litigants, individuals who seek to represent themselves in court, forces lawyers to recalibrate their litigation approaches to account for the pro se litigant's general unfamiliarity with court procedure, filings, discovery, and evidentiary rules. A good lawyer makes crucial changes to their strategy, including introductions, service, communications, presentation in court, and finalization of agreements.

Join our expert as we explore key differences between litigating against a represented party versus a pro se litigant, and adjustments the lawyer may need to make to ensure the case progresses smoothly and the client's expectations are managed.

Agenda

- Brief Introduction to the Pro Se Litigant
- First Contact: Introducing Yourself to the Pro Se Litigant
- Best Ways to Formally Communicate with Pro Se Litigants and Serve Documentation
- Litigation Against Pro Se Litigants—Exploring the Additional Steps Required
- The Lawyer's Role: Adjustments to Style and Tips for Entering into an Agreement and/or Trying the Case Against a Pro Se Litigant
- Managing Client Expectations Before, During, and After the Case
- "Ask the Expert" Q&A Session

Faculty

Grace C. Roessler, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, March 27, 2024
12:00 pm–1:00 pm
Program # 2240240WBC

REBROADCAST

Thursday, April 11, 2024
3:00 pm–4:00 pm
Program # 2240240RB1

REBROADCAST

Friday, April 19, 2024
10:00 am–11:00 am
Program # 2240240RB2

ON DEMAND WEBCAST

View after Friday, April 19, 2024
Program # 2240240WBA

Tuition *(includes written materials)*

- \$125
- \$112.50 MCLE 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 1 CLE credit



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Selecting, Conversing with & Cross-Examining GALs: How to Control the Conversation

Preparing for the GAL

High conflict custody disputes and guardian ad litem (GALs) are an inevitable combination, and once a GAL has been appointed, preparation of your case starts here. Initiating a GAL investigation is a strategic and thoughtful process for the attorneys *and* the GAL. Join our experts as we discuss the fundamentals of a GAL investigation and explore topics including: selecting a GAL; requesting a privilege GAL; conducting discovery; and deposing and cross-examining GALs.

Agenda

- Considerations When Selecting a GAL for Your Case
- Why a GAL Would or Would Not Choose to Have a Privilege GAL
- Can You Depose or Cross-Examine a Privilege GAL?
- How to Obtain the GAL's Records
- Preparing for Trial and Testimony of a GAL
- Attorney's Perspective on Testimony from GAL
- What GALs Should Know about Testifying
- "Ask the Experts" Q&A Session

Faculty

Theresa B. Ramos, Esq., *Tracey, Roman & Ramos, PC, Wellesley Hills, Chair*

Premela G. Deck, Esq., *SD Law, PC, Canton*

Jennifer Sevigney Durand, Esq., *Durand Family Law LLC, Canton*

Linda Medeiros, Esq., *Law Office of Linda Medeiros, Danvers*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 29, 2024

12:00 pm–4:00 pm

Program # 2240243WBC

REBROADCAST

Thursday, June 13, 2024

12:00 pm–4:00 pm

Program # 2240243RB1

REBROADCAST

Friday, June 21, 2024

10:00 am–2:00 pm

Program # 2240243RB2

ON DEMAND WEBCAST

View after Friday, June 21, 2024

Program # 2240243WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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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Learn more at www.mcle.org

Western Massachusetts Family Law Practice 2024

Empowering practitioners in mediation, QDROs, separation agreements, and LGBTQ+ legal issues

Join us for an engaging program designed to empower legal practitioners in Western Massachusetts with essential skills and knowledge in critical areas of family law. Our program offers invaluable insights into the intricacies of mediations and settlements. You gain a comprehensive understanding of the key strategies, negotiation techniques, and client counseling methods necessary to achieve favorable outcomes in dispute resolution.

In addition, our program includes a dedicated session on QDROs. This segment equips you with the expertise to navigate the complexities of QDROs effectively, ensuring that your clients' interests are safeguarded during asset division. We also delve into separation agreement language, offering practical guidance on drafting legally sound agreements. Lastly, we address contemporary legal issues in the realm of LGBTQ+ rights and culture. We explore a wide spectrum of topics, from pronouns and language sensitivities to family structures, enabling you to better serve the diverse needs of your LGBTQ+ clients. This panel also includes tips and surprise appearances from a variety of judges of Western Massachusetts. Don't miss this opportunity to enhance your legal expertise and broaden your understanding with our experts.

Agenda

- How to Prepare Your Clients for Successful Mediations and Settlements
- QDRO Session: Potential Traps for Practitioners to Consider
- Best Separation Agreement Language: What It Should Include and Mistakes We Have All Made
- Queer Cultural Competency and Queer Legal Issues: Everything from Pronouns/Language to Family Structures, and Second Parent Adoption to Name Changes

Faculty

Renee S. Wetstein, Esq., *Wetstein Family Law, Northampton*, Chair

Jessica L. Berrien, Esq., *Jessica L. Berrien, Attorney at Law LLC, Easthampton*

Hon. Dana S. Doyle, *Hampden Probate and Family Court, Commonwealth of Massachusetts*

Krista Ellis, Esq., *Community Legal Aid, Springfield*

Gabrielle Larissa Molloy Hartley, Esq., *Northampton*

Allison Laughner, *Bulkley Richardson, Springfield*

Hon. Nicholas L. Parsenios, *Hampden Probate and Family Court, Commonwealth of Massachusetts*

Hon. Kathleen A. Sandman, *First Justice, Franklin Probate and Family Court, Commonwealth of Massachusetts*

Alison Silber, Esq., *Law Offices of Alison Silber, Longmeadow*

Hon. Richard A. Simons, *Berkshire Probate and Family Court, Commonwealth of Massachusetts*

Adam Waitkevich, CFP, AIF, CDFA, *President & Founder, Divorce Financial Solutions, Shrewsbury*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, March 15, 2024

9:30 am–12:30 pm

Program # 2240233WBC

REBROADCAST

Monday, April 1, 2024

2:00 pm–5:00 pm

Program # 2240233RB1

REBROADCAST

Tuesday, April 9, 2024

9:30 am–12:30 pm

Program # 2240233RB2

ON DEMAND WEBCAST

View after Tuesday, April 9, 2024

Program # 2240233WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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 Family Law Sourcebook & Citorator 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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Learn more at www.mcle.org

When 50/50 Isn't Fair

An equitable division in a divorce is not always equal

Many divorce cases end up resolving—either after trial or by negotiated agreement—with a 50/50 division of assets. Many times, this is the “right” result. But when should there be a disparate division of assets?

Join our panel as we consider when an equitable division isn't equal, what the court looks for, what the law says, and how to argue for a disparate division. In a legal landscape that sometimes seems to favor equal division, knowing when and how to advocate otherwise is critical for any family law practitioner.

Agenda

- Impact of Inherited Assets on the Division; Timing of Acquisition; Size of Inheritance; Reliance
- Trusts—Are They in the Estate or Not? If So, How Do They Impact the Division?
- Interrelationship Between Length of Alimony and Property Division Under Alimony Reform Act
- Opportunity for Future Acquisition of Assets and Other Section 34 Reasons for Disparate Division
- Dissipation of Assets and the Elements Required to Prove It

Faculty

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

Hon. Christine D. Anthony, *Associate Justice, Probate and Family Court, Commonwealth of Massachusetts*

Hon. Thomas J. Barbar, *Associate Justice, Probate and Family Court, Commonwealth of Massachusetts*

Alexander D. Jones, Esq., *Brick, Jones, McBrien & Hickey LLP, Needham*

Richard M. Novitch, Esq., *Todd & Weld LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, June 11, 2024

2:00 pm–5:00 pm

Program # 2240136WBC

REBROADCAST

Wednesday, June 26, 2024

9:00 am–12:00 pm

Program # 2240136RB1

REBROADCAST

Monday, July 8, 2024

2:00 pm–5:00 pm

Program # 2240136RB2

ON DEMAND WEBCAST

View after Monday, July 8, 2024

Program # 2240136WBA

Tuition *(includes written materials)*

- \$195
- \$175.50 MCLE 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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Zealous Representation of the Aggrieved Spouse in Divorce

Helping the aggrieved spouse with zeal and civility

This program looks to combine zealous representation with a spirit of amicability and respect towards the judge and opposing counsel. Recognizing that divorce proceedings can be emotionally charged, this program is tailored for attorneys seeking to master the delicate balance of assertiveness and civility in the courtroom.

Led by a seasoned professional and a judge with fourteen years of experience on the bench, participants will gain insights into building strong cases while fostering a collaborative atmosphere. From effective communication strategies with opposing counsel to presenting compelling arguments, this program shows that zealous representation doesn't have to sacrifice grace and respect for the court and the parties involved.

Elevate your practice by mastering the art of zealous advocacy with a touch of diplomacy.

Agenda

- Effective Communication With Opposing Counsel
- Effective Communication With the Judge
- Making the Compelling Argument
- Turning Victim into Survivor
- Zealous Representation Without Combative Attitude

Faculty

Tannaz N. Saponaro, Esq., *Saponaro Law Offices PLLC, Wellesley, Chair*

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

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, April 8, 2024

2:00 pm–4:00 pm

Program # 2240238WBC

REBROADCAST

Tuesday, April 23, 2024

10:00 am–12:00 pm

Program # 2240238RB1

REBROADCAST

Wednesday, May 1, 2024

12:00 pm–2:00 pm

Program # 2240238RB2

ON DEMAND WEBCAST

View after Wednesday, May 1, 2024

Program # 2240238WBA

Tuition *(includes written materials)*

- \$160
- \$144 MCLE Members
- \$80 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 Divorce Law Practice 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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ONLINE CONFERENCE

11th Annual Legal Services Conference 2024

Discussion, inspiration and action

Under Development!

Save the date for MCLE's signature *Conference* for the legal services community!

Stayed tuned for details. Registration will open soon!

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, May 3, 2024

Time TBD

Program # 2240214WBC

REBROADCAST

Monday, May 20, 2024

Time TBD

Program # 2240214RB1

REBROADCAST

Tuesday, May 28, 2024

Time TBD

Program # 2240214RB2

ON DEMAND WEBCAST

View after Tuesday, May 28, 2024

Program # 2240214WBA

Tuition *(includes written materials)*

- \$35
- **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

TBD



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Co-Sponsored by Massachusetts Municipal Lawyers
Association and Massachusetts Municipal Association

22nd Annual Municipal Law Conference 2024

Keep your practice on the cutting edge of local government law

Lawyers who represent and advise our cities, towns, or other public sector clients encounter complex, multi-disciplinary questions daily. The breadth and depth of legal competence required of the public sector attorney can be staggering. Similarly, attorneys who represent private clients in their dealings with local government are working in an ever-changing legal framework and are challenged to keep abreast of the rapidly changing legal landscape. Get the latest essential updates and developments from the legislature, government regulators, and courts. The accelerating rate of change in municipal law makes this *Conference* indispensable to those who work in and with the public sector. Learn how your counterparts across the Commonwealth are navigating the latest legal challenges in the municipal arena!

Agenda

9:00 am–9:05 am	Welcome & Introduction
9:05 am–9:35 am	Open Meetings Update
9:35 am–10:05 am	Public Records Update
10:05 am–10:35 am	Ethics & Conflicts of Interest Update
10:45 am–11:30 am	Environmental Law Update: Focus on SCOTUS Decisions
11:30 am–12:15 pm	Featured Presentation: Perspectives from a Career in Municipal Law - Henry C. Luthin, Esq.
1:00 pm–2:00 pm	Cannabis Update
2:00 pm–2:45 pm	Employment Law Update
2:45 pm–3:30 pm	Legislative Update: Recent Enactments & Pending Legislation
3:40 pm–4:15 pm	Land Use & Zoning Update: MBTA Zoning, ADU, Housing Opportunities and Obligations
4:15 pm–4:55 pm	Elections: Problems to Avoid at the Local Level
4:55 pm–5:00 pm	Key Takeaways and “Ask the Experts” Q&A Session

Faculty

James B. Lampke, Esq., *Lampke & Lampke, Hingham*, Cochair; Robert W. Ritchie, Esq., *Formerly Massachusetts Assistant Attorney General, South Hadley*, Cochair; Carrie Benedon, Esq., *Director, Division of Open Government, Office of the Attorney General, Commonwealth of Massachusetts*; Nicole Costanzo, Esq., *KP Law, PC, Boston*; Jason W. Crotty, Esq., *Pierce, Davis & Perritano LLP, Boston*; Matthew G. Feher, Esq., *KP Law, PC, Boston*; Lauren F. Goldberg, Esq., *KP Law, PC, Boston*; Jillian N. Jagling, Esq., *West Group Law PLLC, Providence, RI*; Luke H. Legere, Esq., *McGregor Legere & Stevens, PC, Boston*; Henry C. Luthin, Esq., *Brighton*; Gregor I. McGregor, Esq., *McGregor Legere & Stevens, PC, Boston*; Susan C. Murphy, Esq., *Dain, Torpy, Le Ray, Wiest & Garner, PC, Boston*; Karis L. North, Esq., *President, MMLA*; Murphy, Hesse, Toomey & Lehane LLP, Quincy; Angela M. Puccini, Esq., *Compliance Supervisor, Senior Attorney, Office of the Secretary of the Commonwealth, Public Records Division, Commonwealth of Massachusetts*; Stephen G. Roche, Esq., *Law Department, City of Springfield*; Jonathan M. Silverstein, Esq., *Blatman, Bobrowski, Haverly & Silverstein LLC, Concord*; Eve M. Slattery, Esq., *State Ethics Commission, Commonwealth of Massachusetts*; Michelle K. Tassinari, Esq., *First Deputy Secretary Director and Legal Counsel for the Elections Division, Office of the Secretary of the Commonwealth, Elections Division, Commonwealth of Massachusetts*; Jeffrey J. Trapani, Esq., *Pierce, Davis & Perritano LLP, Boston*



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Dates & Locations

Register at www.mcle.org

BOSTON

Wednesday, May 22, 2024
9:00 am–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240210P01

LIVE WEBCAST

Wednesday, May 22, 2024
9:00 am–5:00 pm
Program # 2240210WBC

REBROADCAST

Thursday, June 6, 2024
9:00 am–5:00 pm
Program # 2240210RB1

REBROADCAST

Friday, June 14, 2024
9:00 am–5:00 pm
Program # 2240210RB2

ON DEMAND WEBCAST

View after Friday, June 14, 2024
Program # 2240210WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE 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

Massachusetts Municipal Law 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

IN PERSON & ONLINE CONFERENCE

24th Annual School Law Conference 2024

The latest on issues affecting schools, educators, students and parents

School law is a comprehensive and constantly evolving field. Keeping up with the flood of new developments presents a greater challenge than ever for busy practitioners. MCLE's *24th Annual School Law Conference 2024* examines the latest transformations and trends in school-related laws, regulations, policies, and practices. Experienced attorneys and other school-related professionals distill the most significant updates of the preceding year into a single day of practical information and lively discussion.

The *Conference* offers a comprehensive review of developments in the law through court cases, BSEA decisions, legislation, and regulatory changes. Hear seasoned attorneys offer up-to-date advice on cutting-edge topics. You can participate online or enjoy the opportunity for networking in person. Whether you represent school districts, school employees, or parents and students, the *Conference* is a necessity for your practice.

Agenda

- **On the Frontlines: Handling Hot-Button Issues in Schools**
 - Public meetings; academic freedom; challenges to curriculum; book banning; free speech; school nursing services; vaccines; diversity, equity, and inclusion; and social-emotional learning
- **Education Law Update 2024: The Latest from the BSEA, Courts, Legislature, DESE, and USDOE**
- **Getting to Yes (and Then Writing It Up): Negotiating and Drafting Settlement Agreements in Special Education Cases**
- **“Hot Topics” in School Law for 2024**
 - Meeting the needs of newcomer students; English language learners; new Title IX regulations; AI and academic integrity; alternatives to exclusionary discipline; restraint and seclusion; education in houses of correction; FERPA and the release of student information
- **“Ask the Experts” Q&A Session**

Faculty

Eileen M. Hagerty, Esq., *Kotin, Crabtree & Strong LLP, Newton*; Cochair; Catherine L. Lyons, Esq., *Lyons Law Group, Rockland*; Cochair; Jorge S. Allen, Ph.D., *Director of Diversity, Equity and Inclusion, Wellesley Public Schools*; Rita Casper, RN, *Director of Nursing Services, Andover Public Schools*; John J. Davis, Esq., *Pierce, Davis & Perritano LLP, Boston*; Reece Erlichman, Esq., *Director, Bureau of Special Education Appeals, Commonwealth of Massachusetts*; Barbara Fecteau, President, *Massachusetts School Library Association, Wayland*; Myrto Flessas, Esq., *Coordinator of Mediation and Facilitation, Bureau of Special Education Appeals, Commonwealth of Massachusetts*; Laura E. Gillis, Esq., *Gillis Law LLC, Topsfield*; Michael J. Joyce, Esq., *Nuttall, MacAvoy & Joyce, PC, Marshfield*; Michelle A. Moor, Esq., *Moor and Gregg LLC, Middleton*; Nancy N. Nevils, Esq., *Stoneman, Chandler & Miller LLP, Boston*; Kelsey M. Porcello, Esq., *Nuttall, MacAvoy & Joyce, PC, Marshfield*; Diana I. Santiago, Esq., *Massachusetts Advocates for Children, Boston*; Timothy A. Sindelar, Esq., *The EdLaw Project, Boston*; Mary Ellen P. Sowyrda, Esq., *Murphy, Hesse, Toomey & Lehane LLP, Quincy*; Paige L. Tobin, Esq., *Murphy, Lamere & Murphy, PC, Braintree*; Joshua A. Varon, Esq., *Department of Elementary & Secondary Education, Commonwealth of Massachusetts*; Lillian E. Wong, Esq., *Wong & Boscarine LLC, Topsfield*

Dates & Locations

Register at www.mcle.org

BOSTON

Wednesday, May 8, 2024
9:30 am–4:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240209P01

LIVE WEBCAST

Wednesday, May 8, 2024
9:30 am–4:00 pm
Program # 2240209WBC

REBROADCAST

Thursday, May 23, 2024
9:30 am–4:00 pm
Program # 2240209RB1

REBROADCAST

Friday, June 7, 2024
9:30 am–4:00 pm
Program # 2240209RB2

ON DEMAND WEBCAST

View after Friday, June 7, 2024
Program # 2240209WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE 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

School Law in Massachusetts and *Massachusetts School Law Sourcebook & Citator 2024* 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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26th Annual Paralegal Conference 2024

Trending now—insights, updates, and adapting for success in a virtual world

MCLE is proud to present the *26th Annual Paralegal Conference 2024*! Led by a faculty of some of the most distinguished paralegals and attorneys in Massachusetts and beyond, this *Conference* is your opportunity to stay on top of developments in the law while continuing to hone your skills in multiple practice areas.

This year's *Conference* includes a session on ethics, a remote online notarization panel, and discussion of the Corporate Transparency Act, employment law discrimination, DEIB, and much more.

Conference Highlight! Featured Speakers Kathleen Heyer and Robert Hopkins on "The Ethics of Generative Artificial Intelligence." This exciting panel looks at the past, present, and future in relation to AI technology, with a focus on the ethics questions that run through all aspects.

We look forward to you seeing you for an exciting, educational *Conference*!

Agenda

- The Ethics of Generative Artificial Intelligence
- Remote Online Notarization
- Corporation Transparency Act
- Employment Law Discrimination
- Wire Fraud/Cyber Security
- Diversity, Equity, Inclusion, and Belonging
- Ethics

Faculty

Kerry A. Gorham, *Fletcher Tilton, PC, Worcester, Cochair*

Annemarie McGonagle, *EMD Serson Inc., Rockland, Cochair*

Joseph S. Berman, Esq., *General Counsel, Office of the General Counsel, Massachusetts Board of Bar Overseers, Boston*

Chanel M. Braden, *Bechtel Corporation, Reston, VA*

Noel M. DiCarlo, Esq., *Warshaw, DiCarlo and Associates, PC, Boston*

Kathleen M. Heyer, Esq., *Pierce Atwood LLP, Boston*

Robert K. Hopkins, Esq., *Phillips & Angley, Boston*

Meaghan E. Murphy, *Skoler, Abbott & Presser, PC, Springfield*

Francis J. Nolan, Esq., *Harmon Law Offices, PC, Newton*

Deanna M. Sears, *Bacon Wilson, PC, Northampton*

Dates & Locations

Register at www.mcle.org

BOSTON

Wednesday, June 12, 2024

9:30 am–4:30 pm

MCLE Conference Center

10 Winter Place, via Winter Street

Program # 2240211P01

LIVE WEBCAST

Wednesday, June 12, 2024

9:30 am–4:30 pm

Program # 2240211WBC

REBROADCAST

Thursday, June 27, 2024

9:30 am–4:30 pm

Program # 2240211RB1

REBROADCAST

Monday, July 8, 2024

9:30 am–4:30 pm

Program # 2240211RB2

ON DEMAND WEBCAST

View after Monday, July 8, 2024

Program # 2240211WBA

Tuition *(includes written materials)*

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

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

Materials

A Practical Guide to Ethics for Paralegals and Legal Assistants 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



Subscribe to the MCLE OnlinePass®

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

Learn more at www.mcle.org

Alcohol Licensing at the Local Level

Learn your ABCCs

The laws concerning the sale of alcohol in Massachusetts are constantly being updated and amended. Representing restaurants, taverns, hotels, package stores, grocery stores, convenience stores, and farmer wineries, breweries and distilleries requires the practitioner to be continuously aware of changes to municipal application requirements, rules, and regulations.

Presenting your best case before the local licensing authority requires both knowledge and preparation. Hear from chairs of local licensing boards and experienced practitioners on the keys to a complete winning presentation. Get an overview of the alcoholic beverages licensing framework to help you understand the interaction between the local boards and the Alcoholic Beverages Control Commission. Discover common mistakes to avoid.

Agenda

- Preparation for Administrative and Violation Hearings before Local Boards and ABCC
- Introduction to Alcoholic Beverage Licensing
- License Application Procedure for Local and State
- License Acquisitions—Transfer or Direct Issue
- Avoiding Critical Mistakes, Violation, Underage, Intoxication, Stings
- Practical Pointers for Success at the Local Level
- Management Agreements, Farmer Series, Beneficial Exemption Requests
- What's Next after Local Board Approval
- "Ask the Experts" Q&A Session

Faculty

Stephen V. Miller, Esq., *McDermott, Quilty & Miller LLP, Boston*, Chair

Jon D. Aieta, Esq., *McDermott, Quilty & Miller LLP, Boston*

Dina E. Conlin, Esq., *Chair, City of Newton Board of License Commission, Greenberg Traurig LLP, Boston*

Nicole M. Ferrer, Esq., *Chair, City of Cambridge License Commission, Cambridge*

Kathleen M. Joyce, Esq., *Chairwoman, City of Boston Licensing Board, Boston*

Jean M. Lorizio, Esq., *Chair, Alcoholic Beverages Control Commission, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, June 11, 2024

2:00 pm–5:00 pm

Program # 2240212WBC

REBROADCAST

Wednesday, June 26, 2024

9:00 am–12:00 pm

Program # 2240212RB1

REBROADCAST

Monday, July 8, 2024

2:00 pm–5:00 pm

Program # 2240212RB2

ON DEMAND WEBCAST

View after Monday, July 8, 2024

Program # 2240212WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

Alcohol, Food Service, and Entertainment Licensing 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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Learn more at www.mcle.org

Dog Law

Representing pet owners and pet business owners in Massachusetts

With nearly half of Massachusetts households having pets, pet service businesses thrive here despite very little regulation. This has generated a variety of legal needs driving more people to consider retaining a pet law attorney.

A wide gulf still exists between pet owners' expectations about their rights and the reality of the law. Breeders, boarding facilities, trainers, and groomers have no state-level or municipal requirement that they uphold any minimum standards while caring for pets. Although property law principles technically govern issues involving pet owners' rights, the law in Massachusetts has slowly begun adapting—via the legislature, the judiciary, and the media—to reflect the legal importance of this special type of living property.

This program explores the legal issues and challenges unique to representing pet owners and pet businesses. Learn the procedural and judicial considerations for deciding where to bring or defend a pet-related action. Hear about recent pet-related cases brought into the district, superior, and appellate courts. Gain insight into the day-to-day operations of a law practice focused solely on pet-related legal issues.

Join our expert to learn the nuances of this evolving area of law.

Agenda

- Types of Pet Actions Where Lawyers Can Have a Role
- Review of Pet Cases on the Active Docket
- Understanding the Internal Challenge of Representing Pet Owners Under the Current Law
- Government Taking of Our Pets
- Educating Authorities While Trying to Persuade Them
- Replevin Actions, Injunctive Relief, TROs, and Emergencies in Pet Cases
- Evaluating Judicial Responses to the Presentation of Pet Law Cases
- Compare and Contrast the Criminal Law Surrounding Pets v. the Civil Law
- "Ask the Expert" Q&A Session

Faculty

Jeremy Moss Cohen, Esq., *Boston Dog Lawyers, Swampscott*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 1, 2024
10:00 am–12:00 pm
Program # 2240213WBC

REBROADCAST

Thursday, May 16, 2024
2:00 pm–4:00 pm
Program # 2240213RB1

REBROADCAST

Friday, May 24, 2024
12:00 pm–2:00 pm
Program # 2240213RB2

ON DEMAND WEBCAST

View after Friday, May 24, 2024
Program # 2240213WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 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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for instant access to this program and everything else MCLE offers online.
Learn more at www.mcle.org

Emerging Issues in Title IX Compliance, Investigations & Litigation

Legal changes and best practices through the lens of new regulations

Allegations of sexual misconduct on college campuses and challenges to the fairness and thoroughness of investigative and adjudicative processes persist. With the implementation of the U.S. Department of Education's regulations in August 2020 and the Biden administration's final revisions to those regulations on the horizon, compliance is challenging. Both schools and students continue to face uncertainty and look to legal counsel for navigating complex processes.

Learn from three experienced Title IX attorneys, two of whom regularly advise colleges and universities, and one who works directly with students to prepare and advise them throughout the administrative process. The knowledgeable panel share insights on the many facets of sexual misconduct cases on campus—including assisting colleges and universities in developing and executing campus policies and processes, gathering evidence and preparing for an investigator interview, investigating claims of sexual misconduct in a fair and impartial manner, navigating the “live hearing” and other technical requirements of the regulations, and responding to charges filed with the U.S. Department of Education's Office for Civil Rights (OCR). The panel also address the latest court opinions addressing legal challenges to student disciplinary proceedings. If your practice involves any Title IX issue or question, this is one seminar you should not miss.

Agenda

- Sexual Violence on Campus: An Update on the Changing Status of Title IX, the 2020 Regulations and the Biden Administration's Final Revisions to the Regulations, OCR's Guidance, and How It All Works on a Post-Secondary Campus
- Investigations and Live Hearings: Best Practices in Handling Challenging Investigations
- Lawsuits Challenging Student Disciplinary Proceedings
- “Ask the Experts” Q&A Session

Faculty

Scott A. Roberts, Esq., *Hirsch Roberts Weinstein LLP, Boston, Chair*

Philip J. Catanzano, Esq., *Education & Sports Law Group, LLC, Boston*

Jessica L. Conklin, Esq., *Laredo & Smith LLP, Boston*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 12, 2024

9:30 am–12:30 pm

Program # 2240216WBC

REBROADCAST CC

Wednesday, March 27, 2024

9:00 am–12:00 pm

Program # 2240216RB1

REBROADCAST CC

Thursday, April 4, 2024

2:00 pm–5:00 pm

Program # 2240216RB2

ON DEMAND WEBCAST CC

View after Thursday, April 4, 2024

Program # 2240216WBA

Tuition (includes written materials)

- \$245
- \$220.50 MCLE 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 3 CLE credits

ONLINE CONFERENCE

Language Access Conference 2024

Language access and equity for all

Under Development!

Save the date for MCLE's Language Access Conference 2024.

Stayed tuned for details. Registration will open soon!

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, April 24, 2024

Time TBD

Program # 2240217WBC

REBROADCAST

Thursday, May 9, 2024

Time TBD

Program # 2240217RB1

REBROADCAST

Friday, May 17, 2024

Time TBD

Program # 2240217RB2

ON DEMAND WEBCAST

View after Friday, May 17, 2024

Program # 2240217WBA

Tuition *(includes written materials)*

- \$35
- **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

TBD



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Masterfully Defusing Aggressive, Obstructionist & Hostile Opposing Counsel & Clients

Tips and strategies for inside and outside the courtroom

Designed for all attorneys no matter your practice area, this program focuses on navigating issues related to difficult opposing counsel, as well as clients. At some point in their career, every attorney inevitably has to address opposing counsel who are hostile, bullying, and/or unresponsive. Additionally, there are some clients who are high maintenance, overburdened inboxes, want to pursue frivolous arguments, or blame others. This program discusses how to maintain your professionalism and objectivity (and sanity!) as well as comply with your ethical obligations in these (and other) difficult situations.

Join our experts as we discuss options for handling such situations, both inside and outside the courtroom and conference room.

Agenda

- Discussion of Tips for Handling Challenging Situations with Opposing Counsel
- How to Effectively Diffuse Situations, Prevent Future Issues, and Respond to Them When They Arise
- Addressing Issues That May Arise Regarding Clients
- Discussion of Strategies Regarding Setting and Managing Client Expectations, and Responding to Situations in a Timely, Professional Manner
- Governing Massachusetts Rules of Professional Conduct
- Recent Board of Bar Overseers Decisions
- “Ask the Experts” Q&A Session

Faculty

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

Hon. Timothy S. Hillman, *U.S. District Judge, U.S. District Court, District of Massachusetts*

Lisa Oliver White, Esq., *Murphy & Riley, PC, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, May 30, 2024

4:00 pm–5:00 pm

Program # 2240218WBC

REBROADCAST

Friday, June 14, 2024

10:00 am–11:00 am

Program # 2240218RB1

REBROADCAST

Monday, June 24, 2024

12:00 pm–1:00 pm

Program # 2240218RB2

ON DEMAND WEBCAST

View after Monday, June 24, 2024

Program # 2240218WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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

Including up to 1 ethics credit



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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.



March–August 2024 Programs

1. Unemployment Insurance

Boston & Live Webcast—Wednesday, March 6, 2024, 1:00 pm–4:30 pm (2240130P01 / 2240130WBC)

Rebroadcasts—Thursday, March 21, 2024, 1:00 pm–4:30 pm (2240130RB1); Friday, March 29, 2024, 9:30 am–1:00 pm (2240130RB2)

Earn up to 3.5 CLE credits

Unemployment insurance (UI) is a critical safety net during periods of joblessness. This seminar provides you with the expertise you need to understand the UI system and to help your clients get the UI benefits to which they are legally entitled. Our expert panel guides you through the entire UI system from eligibility criteria to the appeals process. Unemployed workers often cannot afford to retain professional services in pursuing their claims, so if you are a non-legal services attorney, you can register to assist someone in need of help, and in doing so, qualify for reduced tuition. Training materials include the *Unemployment Advocacy Guide: An Advocate's Guide to Unemployment in Massachusetts*. This training is co-sponsored by Massachusetts Law Reform Institute, Greater Boston Legal Services, the Volunteer Lawyers Project, and the Labor and Employment Section of the Massachusetts Bar Association.

Faculty

Jason Salgado, Esq., *Greater Boston Legal Services, Boston*

Emma Hornsby, Esq., *Greater Boston Legal Services, Boston*

Rory C. Macaneney, Esq., *Community Legal Aid/Worcester County, Fitchburg*

Michael Morelli, *Community Legal Aid/Berkshire County, Pittsfield*

Melissa A. Pomfred, Esq., *Pomfred Law Offices, PLLC, Franklin*

2. Immigrants and Public Benefits

Boston & Live Webcast—Wednesday, March 27, 2024, 9:30 am–3:00 pm (2240132P01 / 2240132WBC)

Rebroadcasts—Thursday, April 11, 2024, 9:30 am–3:00 pm (2240132RB1); Friday, April 19, 2024, 9:30 am–3:00 pm (2240132RB2)

Earn up to 4.5 CLE credits

This all-day training offers the nuts-and-bolts on how immigration status affects eligibility for state and federal public benefits. In the morning, you get an overview of how immigrants obtain legal status, how to read immigration documents in order to understand a person's legal status, and updates on any new immigration statuses, or other federal developments affecting access to benefits. You also learn from health law experts about MassHealth and other subsidized health care programs available to immigrants and their dependents. In the afternoon, you hear from benefits experts about other public benefits potentially available to low-income legal immigrants including: state and federal subsidized housing programs, emergency shelter, cash assistance (TAFDC and EAEDC) and the federal SNAP and child nutrition programs.

Faculty

Victoria Pulos, Esq., *Massachusetts Law Reform Institute, Boston*

Pat Baker, *Massachusetts Law Reform Institute, Boston*

Naomi Meyers, Esq., *Greater Boston Legal Services, Boston*

Mario Paredes, Esq., *Policy Advisor, Boston Mayor's Office of Immigrant Advancement, Boston*

Andrea M. Park, Esq., *Massachusetts Law Reform Institute, Boston*

3. State & Federal Veterans' Benefits

Boston & Live Webcast—Wednesday, April 10, 2024, 9:30 am–3:30 pm (2240133P01 / 2240133WBC)

Rebroadcasts—Thursday, April 25, 2024, 9:30 am–3:30 pm (2240133RB1); Friday, May 3, 2024, 9:30am–3:30 pm (2240133RB2)

Earn up to 5 CLE credits

This training is for legal services advocates, lawyers in private practice, social and health services workers, veterans, lay advocates, legislative aides, and anyone else who wants to learn about the basics of state and federal veterans' benefits. The training covers state veterans' benefits under G.L. c. 115 (administered by the Massachusetts Department of Veterans' Services), and federal benefits for healthcare, service-connected disability compensation, and non-service-connected pensions (administered by the U.S. Department of Veterans Affairs). The session covers the basic

application process, eligibility rules for veterans (military discharge status, financial eligibility, disqualifying conditions, refund status), and the disability requirements for benefits. It also covers the basics of filing an appeal and upgrading a less than honorable discharge.

Faculty

Anna Schleele Richardson, Esq., *Veterans Legal Services, Boston*
Steven Connor, *Central Hampshire Veterans Services, Northampton*
Betsy Gwin, Esq., *Veterans Legal Clinic, Harvard Law School, Cambridge*
Dana Montalto, Esq., *Veterans Legal Clinic, Harvard Law School, Cambridge*
Scott Pitta, Esq., *Veterans Legal Services, Boston*

4. Elder Benefits Programs

Boston & Live Webcast—Tuesday, April 30, 2024, 9:30 am–4:00 pm (2240134P01 / 2240134WBC)

Rebroadcasts—Wednesday, May 15, 2024, 9:30 am–4:00 pm (2240134RB1); Thursday, May 23, 2024, 9:30 am–4:00 pm (2240134RB2)

Earn up to 5.5 CLE credits

Due in part to the high cost of living, older adults in Massachusetts have the second lowest levels of economic security in the nation. This training provides an overview of the key public benefits programs to help older adults meet their basic needs. Experts review the basic eligibility rules for cash benefit programs like SSI and Social Security Insurance benefits, home-based care services from the Office of Elder Affairs, and health care programs like Medicare and MassHealth. It also provides a brief summary of other public benefits available to older adults in Massachusetts.

Faculty

Kate Symmonds, Esq., *Massachusetts Law Reform Institute, Boston*
Majda Abbas, Esq., *Greater Boston Legal Services, Boston*
Andrew Bardetti, Esq., *South Coastal Counties Legal Services, Hyannis*
Rachel S. Brown, Esq., *Community Legal Aid, Worcester*
Betsey Crimmins, Esq., *Greater Boston Legal Services, Boston*
Shannon Philbrick, *Executive Office of Elder Affairs, Boston*
Svetlana Uimenkova, Esq., *Disability Law Center, Boston*

5. Income Maximization

Boston & Live Webcast—Thursday, May 2, 2024, 9:00 am–1:00 pm (2240131P01 / 2240131WBC)

Rebroadcasts—Friday, May 17, 2024, 9:00 am–1:00 pm (2240131RB1); Tuesday, May 28, 2024, 12:00 pm–4:00 pm (2240131RB2)

Earn up to 3.5 CLE credits

This session is an overview focusing on various supplemental benefits and assistance programs which help working families and individuals to maximize their income and reduce their expenses. This training is designed as an overview of benefits. The subject areas are quite broad. This is not an in-depth analysis of any particular program. This training is for new and experienced legal services advocates, lawyers in private practice, social and health services workers, and community activists who want to learn about or get an update on this subject in order to help their clients.

Faculty

Julie McCormack, *Legal Services Center of Harvard, Cambridge*
Betsy Gwin, Esq., *Massachusetts Law Reform Institute, Boston*
Gina Plata-Nino, Esq., *Food & Research Action Center, Washington, DC*

Recent Trainings Available On Demand

See www.mcle.org/main/mlri for details.

- ❖ Assisting Families Experiencing Homelessness, recorded October 3, 2023 (2240071WBA)
- ❖ CORI Basics: Criminal Record Sealing, Expungement & Related Issues, recorded October 17, 2023 (2240072WBA)
- ❖ SSI & SSDI Basics. Recorded November 8, 2023 (2240075WBA)
- ❖ Overview of the TAFDC Program, recorded December 4, 2023 (2240100WBA)
- ❖ Utilities: Advocacy for Low-Income Households in Massachusetts, recorded January 18, 2024 (2240077WBA)
- ❖ SNAP/Food Stamps Advocacy 101, recorded January 24, 2024 (2240073WBA)
- ❖ Tenants' Rights, recorded February 28, 2024 (2240078WBA, available after March 22, 2024)
- ❖ Health Care Access Programs, recorded February 29, 2024 (2240081WBA, available after March 25, 2024)

Tuition *each program*

- \$35 Legal Services Attorneys and Non Lawyer Advocates
- \$125 All Others

School Law Toolkit: Briefings & eBook Bundle

4 webcast programs + 1 value-added eBook = core fluency

Do you or your clients have questions about handling situations in school law? This curated bundle of 12 hours of fast-paced webcast programming paired with MCLE's comprehensive *School Law in Massachusetts* e-publication gives you a solid foundation in dealing with this issue. Set your own schedule, expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **School Law: MCLE BasicsPlus!®:** Overview of key federal and Massachusetts statutes and cases; Ethical issues that arise when representing both children and school; How to understand statutes and policies relating to bullying and harassment; Significant principles of special education law, including updates on cases, practicing before the Bureau of Special Education Appeals (BSEA), and essential legal practice tips; How to locate and comprehend provisions regarding the privacy and confidentiality of student records; Procedures required in school discipline cases, including special education legal requirements; Section 504 of the Rehabilitation Act and the Americans with Disabilities Act requirements for educating students with disabilities; Key topics specific to independent/private schools in Massachusetts; Issues pertaining to COVID-19 and its implications in school law
- **Bullying, Harassment, Safety & Discipline at School:** Key statutory, regulatory, and policy directives that apply to bullying, harassment, and discipline; 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
- **Powers & Responsibilities of School Committees:** Overview of the school committee as a governing body; Who's the boss? Personnel matters and day-to-day operations; School committees' power of the purse; Educational policy v. procedure; "Hot button" issues and potential pitfalls
- **Mock Trial of a BSEA Hearing:** Summary of key Individuals with Disabilities Education Act (IDEA) legal standards relating to placement cases; Framing the hearing request and understanding the mechanics of the hearing process; The pre-hearing conference; Key issues and samples of settlement agreements; Organizing the case and preparing witnesses; The strategy of and effective opening statements; The strategy of and mock direct and cross examination of witnesses; The strategy of and effective closing arguments

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- Practical Insight You Can Trust



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Dates & Location

Register at www.mcle.org

REBROADCAST ☞

Wednesday, July 24, &
Thursday, July 25, 2024
9:30 am–4:30 pm
Program # 2240220RB1

REBROADCAST ☞

Thursday, August 8, &
Friday, August 9, 2024
9:30 am–4:30 pm
Program # 2240220RB2

REBROADCAST ☞

Monday, August 19, &
Tuesday, August 20, 2024
9:30 am–4:30 pm
Program # 2240220RBC

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

School Law in Massachusetts ebook, plus speaker materials

- E-materials link, transcript & videorecordings emailed upon registration
-

CLE Credits

Earn up to 12 CLE credits

Service & Assistance Animals & the Law

Overview of the laws governing housing, employment, transportation, and public accommodations

People with disabilities rely on service and assistance animals to perform a variety of tasks: assist with everyday functions like walking and retrieving objects; alert an individual to sights, sounds, and dangers; alert people with diabetes of an oncoming hypoglycemic or hyperglycemic event and the need to take medication; and provide emotional support, comfort, and companionship.

Current federal and state laws create an assortment of rules and regulations which can be difficult to untangle depending on many different factors, such as the species of animal, the tasks it performs, the training it has received—if any at all—and the location in which an individual seeks to rely on the animal. The result can be confusing for attorneys and their clients, and it can lead to otherwise avoidable lawsuits and expenses.

This seminar helps attorneys understand the differing requirements, whether in an employment or housing setting, a place of public accommodation (such as a store, restaurant, or other business), a public building (such as city hall or a town library), or various modes of transportation. The faculty provides vital instruction and guidance on what you need to know to advise clients, whether they are individuals who rely on service or assistance animals, or public and private entities that are required to comply with civil rights laws.

Agenda

- Federal and State Laws Regarding Individuals with Disabilities and Reasonable Accommodation
- Analysis of Different Types of Service and Assistance Animals, the Training They Receive, and the Functions They Provide
- ADA Title II & ADA Title III: Public Entities and Public Accommodations
- FHA: Housing
- Rules for Employment, Housing, and Transportation
- Discussion of Service Animals in Training
- Overview of Case Law
- Interactive Hypotheticals
- Best Practices for Businesses, Employers, Transportation Providers, and Housing Providers
- Discussion of Real Life: Experience Using a Service Dog and the Effects of Discrimination
- “Ask the Experts” Q&A Session

Faculty

Peter M. Mimmo, Esq., *Massachusetts Commission Against Discrimination, Commonwealth of Massachusetts*, Chair

Matthew W. Gaines, Esq., *Marcus, Errico, Emmer & Brooks, PC, Braintree*

Thomas P. Murphy, Esq., *Supervising Attorney, Disability Law Center, Inc., Northampton*

Rachel H. Tanenhaus, *ADA Coordinator/Executive Director, Cambridge Commission for Persons with Disabilities (CCPD), Cambridge*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 18, 2024

2:00 pm–5:00 pm

Program # 2240215WBC

REBROADCAST

Tuesday, April 2, 2024

9:30 am–12:30 pm

Program # 2240215RB1

REBROADCAST

Wednesday, April 10, 2024

2:00 pm–5:00 pm

Program # 2240215RB2

ON DEMAND WEBCAST

View after Wednesday, April 10, 2024

Program # 2240215WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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

Legal Rights of Individuals with Disabilities 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 *Practicing with Professionalism* 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, May 6, 2024

9:00 am–1:15 pm

Program # 2240268WBC

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. 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

Tax Title Foreclosure in Massachusetts Following *Tyler v. Hennepin County*

Effects of the Supreme Court decision on tax foreclosure and collection in Massachusetts

Get insight into the potential ramifications of the May 23, 2023, U.S. Supreme Court decision in *Tyler v. Hennepin County*, 598 U.S. 631 (2023), on tax collection in the Commonwealth. Hear the faculty discuss the Supreme Court's holding in the *Tyler* case and compare and contrast the current tax title foreclosure procedures in Massachusetts with the Minnesota statute struck down in *Tyler*. The faculty also discuss the Supreme Court's holding in *Nelson v. City of New York*, left intact by *Tyler*, and *Nelson*'s application to current Massachusetts law, as well as alternative tax collection methods, outside of Land Court foreclosure.

Agenda

- Background and History of Tax Foreclosure in the Commonwealth of Massachusetts
- Current Tax Foreclosure Under G.L. c. 60
- *Tyler v. Hennepin County*
- *Nelson v. City of New York*
- Key Differences Between Massachusetts and Minnesota Tax Foreclosure Statutes
- Tax Collection and Alternatives to Tax Foreclosure
- "Ask the Experts" Q&A Session

Faculty

John D. Finnegan, Esq., *Hill Law, Boston*

Matthew J. Thomas, Esq., *Law Office of Matthew J. Thomas, New Bedford*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 11, 2024

12:00 pm–2:00 pm

Program # 2240219WBC

REBROADCAST

Tuesday, March 26, 2024

9:00 am–11:00 am

Program # 2240219RB1

REBROADCAST

Wednesday, April 3, 2024

2:00 pm–4:00 pm

Program # 2240219RB2

ON DEMAND WEBCAST

View after Wednesday, April 3, 2024

Program # 2240219WBA

Tuition *(includes written materials)*

- \$175
- \$157.50 MCLE Members
- \$87.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

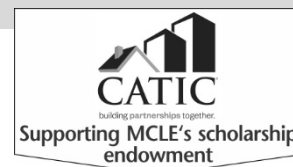
To apply for a need-based scholarship, email scholarships@mcle.org.

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

Client Relationship Management: Briefings Bundle

4 webcast programs = core fluency

Do you have questions about managing your client relationships? This curated bundle of 4 hours of content-rich webcast programming gives you a solid foundation in dealing with the issues that can arise. 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 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
- **Managing Client Expectations to Create Raving Fans:** Why is managing client expectations important and what type of impact will it make on your firm; What makes doing this consistently difficult and how can you avoid that; What specific topics and areas can you focus on to ensure you keep clients happy; What are the limitations to setting client expectations; What tools can you 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; Examination of how these responsibilities and prohibitions 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
- **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

Unparalleled Expertise—Speakers

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

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, July 16, 2024

12:00 pm–4:00 pm

Program # 2240206RB1

REBROADCAST

Wednesday, July 21, 2024

10:00 am–2:00 pm

Program # 2240206RB2

REBROADCAST

Thursday, August 8, 2024

12:00 pm–4:00 pm

Program # 2240206RBC

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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, transcript & videorecordings emailed upon registration

CLE Credits

Earn up to 4 CLE credits

Including up to 1.5 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

Does ChatGPT Have a Role in Law Practice?

Improve efficiency and keep your ethics intact

Ever since ChatGPT made its debut in November 2022, the world has been abuzz about artificial intelligence (AI). In this session, we discuss and demonstrate some AI built into tools that you may already have, plus some that can be useful right away. While keeping ethics, IP, security, and robot overlords in mind, how can AI help you to get things done faster? Join the Director of the North Carolina Bar Association Center for Practice Management, Catherine Sanders Reach, and author of the new Legal Mind AI blog and Practice Management Advisor for the Oklahoma Bar Association Management Assistance Program, Julie A. Bays, as we explore practical and strategic uses of AI in your practice.

Agenda

- Show and Tell: The AI You Are Already Using
- The AI You Can Use with Little Effort
- How AI Can Shorten the Tasks You Hate
- “Ask the Experts” Q&A Session

Faculty

Julie A. Bays, JD, *Practice Management Advisor, Oklahoma Bar Association, Oklahoma City, OK*
Catherine Sanders Reach, MLIS, *Director of the Center for Practice Management, North Carolina Bar Association, Cary, NC*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 4, 2024

12:00 pm–1:00 pm

Program # 2240204WBC

REBROADCAST

Tuesday, March 19, 2024

10:00 am–11:00 am

Program # 2240204RB1

REBROADCAST

Wednesday, March 27, 2024

2:00 pm–3:00 pm

Program # 2240204RB2

ON DEMAND WEBCAST

View after Wednesday, March 27, 2024

Program # 2240204WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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

Including up to 0.5 ethics credit



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

Learn more at www.mcle.org

Ethical & Practical Considerations for Departing a Law Firm

Legal landmines when lawyers leave law firms

Lawyers come and go from law firms all the time. Law firms break up, break down, and reform regularly. But, it's nothing like the reborn Wild West it might appear to be. There are ethical, practical, and logistical considerations any time an attorney moves on from one practice to another.

In this program, we discuss all the ins-and-outs of lawyer movement, from both the perspective of the departing lawyer, and that of the firm the attorney is leaving. In the end, it's always the client's choice about which lawyer or law firm to work with; but the big question is about how both sides can communicate with existing clients that they are trying to woo, in a way that is fair and ethical. Other important issues to consider include file sharing, marketing, and technology management.

Join us for a wide-ranging program with an expert panel, and bring your questions!

Agenda

- Transitioning Clients, Including Client Communications
- Fiduciary Duties That Are Owed to the Departing Lawyer, and That the Departing Lawyer Owes to the Former Firm
- Moving Files from One Law Firm to Another
- Ethical Considerations, Including Potential Conflicts of Interest

Faculty

Jared D. Correia, Esq., *Founder & CEO, Red Cave Law Firm Consulting, Beverly, Chair*

James S. Bolan, Esq., *Brecher, Wyner, Simons, Fox & Bolan LLP, Newton*

Erin K. Higgins, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*

Katherine Land Kenney, Esq., *Peabody & Arnold LLP, Boston*

Joseph M. Makalusky, Esq., *Assistant Bar Counsel, Office of Bar Counsel, Massachusetts Board of Bar Overseers, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, June 27, 2024

2:00 pm–5:00 pm

Program # 2240201WBC

REBROADCAST

Friday, July 12, 2024

9:30 am–12:30 pm

Program # 2240201RB1

REBROADCAST

Monday, July 22, 2024

2:00 pm–5:00 pm

Program # 2240201RB2

ON DEMAND WEBCAST

View after Monday, July 22, 2024

Program # 2240201WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 3 CLE credits

Including up to 1 ethics credit



Subscribe to the MCLE OnlinePass®

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

Learn more at www.mcle.org

How to Become a Judge or Clerk Magistrate

Demystifying the pathway to the judiciary

MCLE, in conjunction with current and former members of the Governor's Council, presents a seminar on the pathway to becoming a judge or clerk magistrate in the Commonwealth of Massachusetts. The goal of this seminar is to demystify the process of becoming a judge or clerk magistrate. The application, nomination, and confirmation processes all require substantial time, effort, and attention to detail. There is also a code of conduct that must be followed throughout one's candidacy. The faculty consists of an array of individuals who have keen insight into and expertise in navigating the pathway to successfully becoming a judge or clerk magistrate in the Commonwealth. The information you glean from this seminar is invaluable.

The application is one of the most important aspects of the interview process. A one-and-one-half-hour segment of this program is dedicated to drafting a proper and favorable application. This seminar provides an opportunity for those interested—or potentially interested—in applying, to ask questions of those who review applicants for confirmation at all levels.

Hear the expert faculty discuss in detail the application procedures for nomination by the governor. Advice is offered; personal experiences with completing the application are shared; the interview before the Judicial Nominating Commission is addressed; and the confirmation hearing of the Governor's Council is discussed. Members of the Governor's Council are available to explain the public hearing process and the dynamics of the inquiry regarding the legal experience of the nominee in a political atmosphere.

Every attorney who has given even a passing thought to becoming a member of the judiciary is invited to participate in this unique forum.

Agenda

- How to Put Your Best Foot Forward in the Application Process
- Insight into the Interview Process from Start to Finish
- Is There a "Path" to the Judiciary?
- "Ask the Experts" Q&A Session

Faculty

Hon. Jennie L. Caissie, Esq., *Clerk Magistrate, Dudley District Court, Commonwealth of Massachusetts*, Chair

Hon. Kathryn M. Bailey, *Probate and Family Court, Commonwealth of Massachusetts*

Hon. Whitney J. Brown, *Westborough District Court, Commonwealth of Massachusetts*

Hon. Sheila C. Harrington, Esq., *Clerk Magistrate, Gardner District Court, Commonwealth of Massachusetts*

Hon. Robert L. Jubinville, Esq., *Clerk Magistrate, Framingham District Court, Commonwealth of Massachusetts*

Hon. Robert J. Pellegrini, *Worcester District Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, March 25, 2024

9:30 am–12:30 pm

Program # 2240200WBC

REBROADCAST

Tuesday, April 9, 2024

2:00 pm–5:00 pm

Program # 2240200RB1

REBROADCAST

Wednesday, April 17, 2024

9:30 am–12:30 pm

Program # 2240200RB2

ON DEMAND WEBCAST

View after Wednesday, April 17, 2024

Program # 2240200WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 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

How to Make Money & Stay Out of Trouble— Money & Finance

Know how the rules affect you and your practice

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 of practitioners and counsel from the Office of Bar Counsel identify the key elements of starting and maintaining a law office. You learn the standards that represent the best traditions and highest aspirations of the legal profession and 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 prompt options throughout the program.

Agenda

- Finances and Control
- Accounting Systems
- Controls and Best Practices
- Talking About Money
- Billing and Payment
- IOLTA Record Keeping
- “Ask the Experts” Q&A Session

Faculty

Richard C. Abati, 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*

Laura Keeler, *Certified Paralegal, Lawyers Concerned for Lawyers (LCL | MassLOMAP), Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, June 14, 2024

9:30 am–12:30 pm

Program # 2240202WBC

REBROADCAST

Monday, July 1, 2024

2:00 pm–5:00 pm

Program # 2240202RB1

REBROADCAST

Tuesday, July 9, 2024

9:30 am–12:30 pm

Program # 2240202RB2

ON DEMAND WEBCAST

View after Tuesday, July 9, 2024

Program # 2240202WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE 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 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

Make Your Hybrid Workplace More Efficient: Briefings Bundle

5 webcast programs to keep your work and home offices in perfect synchronicity

Could your hybrid practice be more efficient? This curated bundle of eight hours of information-packed webcast programming gives you a solid foundation in managing two office spaces simultaneously. Managing documents in different spaces and utilizing automation to improve workflow are essential when you aren't in the office every day. Learning the tips and tricks to being comfortable during online meetings improves your client's confidence in you and the firm. Expand your skill set, and advance your practice with confidence.

Webcast Briefings

- **Mastering Remote Productivity & Document Management Outside the Office:** Organizing electronic documents; Naming files; Sharing files internally; Sharing documents with clients in a secure, encrypted and confidential manner; Using document and file editing tools
- **Outwitting Smart Phone Privacy Pitfalls:** What you have to share; Who you have to share it with; Controlling your phone; Improving your security
- **Become a Zoom Master:** Gearheads: cameras, microphones, light; Zoom basics; Beyond virtual backgrounds and screen sharing
- **How to Automate Your Practice Using Free or Low Cost Tools:** Basics of automation; What processes can and should be automated; What tools to use and how to implement them
- **AI in Your Practice—Document Automation Made Simple:** The value of document assembly and common document assembly features; Creating and managing templates; Document assembly in practice

Unparalleled Expertise—Speakers

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

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, July 9, &
Wednesday, July 10, 2024
10:00 am–3:00 pm
Program # 2240203RB1

REBROADCAST

Wednesday, July 24, &
Thursday, July 25, 2024
10:00 am–3:00 pm
Program # 2240203RB2

REBROADCAST

Thursday, August 1, &
Friday, August 2, 2024
10:00 am–3:00 pm
Program # 2240203RBC

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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, transcript & videorecordings emailed upon registration

CLE Credits

Earn up to 8 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

IN PERSON & ONLINE SEMINAR

Mindfulness & Self-Compassion for Lawyers

Half-day, intensive immersion into the science and practice of mindfulness and self-compassion

Start the new year with tools and strategies that can improve your life and cultivate greater resilience, self-kindness, focus, and well-being.

In this half-day workshop, you hear about mindfulness and self-compassion and how it relates to law firms, legal services organizations, judges, and law students. You have the opportunity to experience various types of mindfulness and self-compassion practices, both formal and informal, and learn how to integrate them into your life and work so you can be more present, focused, balanced, and resilient.

Mindfulness provides new ways to respond to the inherent complexities of a busy and fast-paced career, and supports people in living life more fully, with greater ease and joy.

Agenda

- The Science and Benefits of Mindfulness and Self-Compassion
- The Lawyer Brain and Why Mindfulness Is Important for the Legal Profession
- The Practice of Mindfulness and Self-Compassion
- Interpersonal Mindfulness (Clients, Colleagues, Adversaries and All Relationships)
- Mindfulness and Competence
- Integrating Mindfulness and Self-Compassion into Busy Lives
- Guided Mindfulness and Self-Compassion Experiences
- How to Incorporate Mindfulness into Daily Life—Panel of Legal Industry Practitioners
- Practice Examples of Mindfulness in Action in Legal Situations—Panel of Legal Industry
- “Ask the Experts” Q&A Session

Faculty

Tracey Meyers, *PsyD., Lawyers Concerned for Lawyers (LCL | MassLOMAP), Boston, Chair*
Laureen M. Cappello, *Director of Well-Being, Mintz Levin Cohn Ferris Glovsky and Popeo, PC, Boston*

Bernardo Gustavo Cuadra, *Esq., Assistant Attorney General, Office of the Attorney General, Nonprofit Organizations/Public Charities Division, Boston*

Nina Farber, *ASP Director, Boston College Law School, Newton Centre*

Dates & Locations

Register at www.mcle.org

BOSTON

Thursday, April 11, 2024
12:30 pm–4:30 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240049P01

LIVE WEBCAST

Thursday, April 11, 2024
12:30 pm–4:30 pm
Program # 2240049WBC

REBROADCAST

Friday, April 26, 2024
9:30 pm–1:30 pm
Program # 2240049RB1

REBROADCAST

Monday, May 6, 2024
12:30 pm–4:30 pm
Program # 2240049RB2

ON DEMAND WEBCAST

View after Monday, May 6, 2024
Program # 2240049WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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 4 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

Spotting Clients Whose Business You Should Decline

Key approaches and techniques for empowering counsel to decline potential clients when it may be necessary to do so

Client reach, growth, and satisfaction are foundational elements in operating a successful law practice. But practice growth is challenging and often brings on a daunting decision: Should I sign on with this client or not?

Counsel, in all fields, face unique ethical issues when evaluating a case or client for representation and strengthening this decision-making process is vital to your practice's success. If you have trouble turning down potential clients, then this program is for you.

In this new program, we discuss how to do a thorough intake, how to evaluate if a potential client is right for you, reasons for turning down a potential client, and how to ethically turn down a potential client. This program is valuable to both new and seasoned practitioners, and employs real-world hypotheticals to illustrate how to avoid difficulties in declining business.

Agenda

- Importance of Conducting a Thorough Intake
- Process of Evaluating Potential Client and Case
- Reasons Why You May Want to Decline a Case or Client
- Ethical Considerations
- How to Decline a Case or Client

Faculty

Melissa A. Levine-Piro, Esq., *Hera Law Group, Maynard*, Chair

Paul M. Glickman, Esq., *Glickman Turley LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, May 8, 2024

12:00 pm–1:00 pm

Program # 2240207WBC

REBROADCAST

Thursday, May 23, 2024

2:00 pm–3:00 pm

Program # 2240207RB1

REBROADCAST

Friday, May 31, 2024

10:00 am–11:00 am

Program # 2240207RB2

ON DEMAND WEBCAST

View after Friday, May 31, 2024

Program # 2240207WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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

Including up to 0.5 ethics credit



Subscribe to the MCLE OnlinePass[®]

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

Learn more at www.mcle.org

What to Do with Your Law Degree When Practice Does Not Beckon

The road not taken

Law school presents a clear and simple path: graduate, take the bar, become a lawyer.

Of course, that's not the *only* way; just because you have a law degree, that doesn't mean you have to use it to practice law. Both your law degree and your legal experience can combine to offer you alternative pathways into legal-related or non-legal fields that nonetheless require some of the transferable skills that are also valuable in traditional law practice. Neither is this a new phenomenon: for centuries, attorneys have taken their law degrees, and achieved success in other fields.

Join our experts as we consider what alternate career paths are open for lawyers now, and discuss how, why, and when to make the move.

Agenda

- Story Time! Why Real-Life Lawyers Decided to Leave the Practice of Law to Do Something Else Entirely
- Alternative Career Paths Open to Lawyers
- How to Choose an Alt-Legal Career
- How to Choose a Non-Legal Career
- "Ask the Experts" Q&A Session

Faculty

Jared D. Correia, Esq., *Founder & CEO, Red Cave Law Firm Consulting, Beverly, Chair*

Rachel Clar, Esq., *Founder and CEO, Interconnected Us, Rochester, NY*

Nicole A. Clark, Esq., *Trellis Research, Inc., Los Angeles, CA*

Maria-Isabel Portuondo, Esq., *Portuondo Law Firm, P.A., Miami, FL*

Gyi Tsakalakakis, Esq., *AttorneySync, Chicago, IL*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, March 19, 2024

12:00 pm–1:00 pm

Program # 2240205WBC

REBROADCAST

Wednesday, April 3, 2024

10:00 am–11:00 am

Program # 2240205RB1

REBROADCAST

Thursday, April 11, 2024

02:00 pm–3:00 pm

Program # 2240205RB2

ON DEMAND WEBCAST

View after Thursday, April 11, 2024

Program # 2240205WBA

Tuition *(includes written materials)*

- \$145
- \$130.50 MCLE 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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for instant access to this program and everything else MCLE offers online.

Learn more at www.mcle.org

25th Annual Environmental, Land Use & Energy Law Conference 2024

Comprehensive coverage and updates

Learn what happened in federal and state legislatures, agencies, and courts, and in Massachusetts municipal law. Find out what you need to know for your clients and career—and catch up on what you missed this year.

The panelists survey the critical new developments in each of the major fields of environmental law, energy law, land use, and related litigation. For those who have attended in prior years, attending annually refreshes your knowledge and helps keep you up-to-date on the latest developments. And for those new to the *Conference*, attending is a great way to broaden and deepen your knowledge by learning from experts who have been tracking the trends, cases, and statutory changes.

Agenda

- **Survey of Cases: Significant Jurisprudence for Massachusetts Attorneys**
 - Environmental Permitting Litigation, Subdivision and Zoning Cases, MassDEP Administrative and Home Rule Cases, and 40B Cases
- **Government Updates: U.S. Environmental Protection Agency and Massachusetts Department of Environmental Protection**
- **Beyond Environmental Protection: Climate Resilience as a State-Wide Priority**
 - Featured Speaker: Melissa A. Hoffer, Esq., *Climate Chief, Office of Climate Resilience and Innovation, Commonwealth of Massachusetts*
- **Energy Law: Incentives, Standards, and Siting Issues for Clean Energy Projects**
- **Significant Evolving Practice Areas**
 - Climate Change Mitigation and Adaptation, 21E and Brownfields Redevelopment; Trends in Municipal Land Use Law

Faculty

Pamela D. Harvey, Esq., *Department of Environmental Protection, Commonwealth of Massachusetts*, Cochair; Gregor I. McGregor, Esq., *McGregor Legere & Stevens, PC, Boston*, Cochair; Carl F. Dierker, Esq., *U.S. Environmental Protection Agency, Region 1, Boston*; Beth A. Goldstein, Esq., *Sherin and Lodgen LLP, Boston*; Bonnie L. Heiple, Esq., *Commissioner, Department of Environmental Protection, Commonwealth of Massachusetts*; Melissa A. Hoffer, Esq., *Climate Chief, Office of Climate Resilience and Innovation, Commonwealth of Massachusetts*; Aladdine D. Joroff, Esq., *Director of Climate Policy, City of Boston*; Jonathan S. Klavens, Esq., *Klavens Law Group, PC, Boston*; Michael K. Murray, Esq., *Sullivan & Worcester LLP, Boston*; Richard A. Nylen, Jr., Esq., *Lynch, DeSimone & Nylen LLP, Boston*; Kathleen M. O'Donnell, Esq., *Law Office of Kathleen M. O'Donnell, Milton*; Lucas Rogers, Esq., *Senior Counsel, Department of Environmental Protection, Commonwealth of Massachusetts*; Jonathan M. Silverstein, Esq., *Blatman, Bobrowski, Haverty & Silverstein LLC, Concord*; Sarah A. Turano-Flores, Esq., *Nutter McClennen & Fish LLP, Hyannis*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 28, 2024
9:00 am–4:30 pm
Program # 2240145WBC

REBROADCAST

Friday, April 12, 2024
9:00 am–4:30 pm
Program # 2240145RB1

REBROADCAST

Monday, April 22, 2024
9:00 am–4:30 pm
Program # 2240145RB2

ON DEMAND WEBCAST

View after Monday, April 22, 2024
Program # 2240145WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE 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

Massachusetts Environmental Law and Massachusetts Real Estate Law Sourcebook & Citator ebooks, plus speaker materials

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

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26th Annual Real Estate Law Conference 2024

Best practices for emerging issues in real estate law

Your time is valuable. Let MCLE's expert panelists quickly bring you up to speed on the latest issues in real estate law—and the best practices for handling them. As always, the *Conference* offers valuable insight for both experienced and newly minted practitioners.

FEATURED PANEL: Artificial Intelligence—Application to, and Impacts on, Real Estate Practice

Artificial Intelligence seems to have morphed from the stuff of science fiction to real world applications with lightening speed. The panel explores the use of AI in practice and its expected impact on the practice of real estate law.

Agenda

- 9:30 am–9:35 am Welcome and Introduction
- 9:35 am–10:45 am Recent Case Law Developments in Massachusetts Real Estate Law
- 10:45 am–10:50 am Break
- 10:50 am–12:00 pm The Intersection of Real Estate Law and Trust Law: What Practitioners Should Know About Both
- 12:00 pm–12:05 pm Break
- 12:05 pm–1:05 pm Remote Online Notarization: Requirements and Implementation
- 1:05 pm–2:00 pm Lunch (on your own)
- 2:00 pm–3:10 pm Artificial Intelligence: Application to, and Impacts on, Real Estate Practice
- 3:10 pm–3:15 pm Break
- 3:15 pm–4:25 pm Fannie Mae Condominium Lending Guidelines: Recent Developments
- 4:25 pm–4:30 pm “Ask the Experts” Q&A Session

Faculty

Thomas O. Moriarty, Esq., *Moriarty Bielan & Malloy LLC, Quincy*, Chair
 Heather M. Gamache, Esq., *Moriarty Bielan & Malloy LLC, Quincy*
 Stacie A. Kosinski, Esq., *Verrill, Boston*
 John F. Weaver, Esq., *McLane Middleton, Woburn*
 Noel M. DiCarlo, Esq., *Warshaw, DiCarlo & Associates, PC, Boston*
 Mackenzie Hager, Esq., *Borchers Trust Law Group, Medfield*
 Timothy J. van der Veen, Esq., *Vanderveen Law PC, Marshfield*
 Francis J. Nolan, Esq., *Harmon Law Offices, PC, Newton*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, March 21, 2024
 9:30 am–4:30 pm
 Program # 2240148WBC

REBROADCAST

Friday, April 5, 2024
 9:30 am–4:30 pm
 Program # 2240148RB1

REBROADCAST

Monday, April 29, 2024
 9:30 am–4:30 pm
 Program # 2240148RB2

ON DEMAND WEBCAST

View after Monday, April 29, 2024
 Program # 2240148WBA

Tuition *(includes written materials)*

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Materials

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Affordable Housing Primer

Introduction to affordable housing transactions in Massachusetts

Get insight into structuring, financing, and developing affordable housing in Massachusetts. Understand the roles and responsibilities of the different players involved in closing an affordable housing transaction, including investor's counsel, lender's counsel, and developer's counsel. The panelists explain the stages of development, from structuring and financing a project to closing a transaction and share valuable lessons learned from the trenches. The faculty also review a sample transaction closing checklist and common transaction documents.

Agenda

- Structuring Affordable Housing Projects
- Title and Real Estate Considerations
- Financing Affordable Housing Projects
- Overview of Low-Income Housing Tax Credits and Other Tax Credit Programs
- Review of Key Federal and State Affordable Housing Programs
- Difference Between Market-Rate and Affordable Transactions
- "Ask the Experts" Q&A Session

Faculty

Kurt S. Stiegel, Esq., *Robinson+Cole LLP, Boston*, Chair
Nuryllen D. Aguasvivas, Esq., *Nixon Peabody LLP, Boston*
Colette D. Irving, Esq., *Nolan Sheehan Patten LLP, Boston*
Peter Lubersbane, Esq., *Klein Hornig LLP, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, July 17, 2024
9:00 am–12:00 pm
Program # 2240147WBC

REBROADCAST

Thursday, August 1, 2024
1:00 pm–4:00 pm
Program # 2240147RB1

REBROADCAST

Friday, August 9, 2024
9:00 am–12:00 pm
Program Number: 2240147RB2

ON DEMAND WEBCAST

View after Friday, August 9, 2024
Program # 2240147WBA

Tuition *(includes written materials)*

- \$245
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Materials

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Clearing Common Title Issues

Practical tips for identifying, understanding, and resolving title issues, and insight on when litigation may be required

You found a title issue—now what? This program provides examples of the most common title issues, and guidance to real estate practitioners and closing attorneys for how to handle them. The panelists offer practical tips for identifying, understanding, and resolving title issues, and insight on when litigation may be required. The topics discussed include probate and trust matters, mortgage discharges and assignments, drafting errors, missing interests, registered land, easements, and more. Learn about current and evolving title topics and key tips to avoid thorny traps for the unwary.

Agenda

- Drafting Errors
- Mortgages, Discharges, and Assignments
- Liens and How to Release Them
- Probate and Trust Matters
- Missing Interests
- Easements and Encroachments
- Orders of Conditions
- Subdivisions
- Registered Land

Faculty

Carrie B. Rainen, Esq., *Rainen Law Office, PC, North Andover, Chair*

Karen A. Adamski, Esq., *CATIC, Springfield*

Mary L. Cataudella, Esq., *Touchstone Closing & Escrow LLC & Touchstone Law Offices, Andover*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, June 10, 2024

12:00 pm–2:00 pm

Program # 2240138WBC

REBROADCAST

Tuesday, June 25, 2024

9:00 am–11:00 am

Program # 2240138RB1

REBROADCAST

Wednesday, July 10, 2024

2:00 pm–4:00 pm

Program # 2240138RB2

ON DEMAND WEBCAST

View after Wednesday, July 10, 2024

Program # 2240138WBA

Tuition *(includes written materials)*

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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

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Creating Condominiums

Drafting the master deed and operational provisions

Condominiums are “creatures of statute”. They are created pursuant to G.L. c. 183A and are governed by and operate according to their constituent documents. Massachusetts courts have deemed a condominium’s constituent documents to be something more than a contract and, instead, akin to covenants running with the land. As the constituent documents define and create the condominium, provide the operational policies and procedures thereof, and survive as provisions tantamount to covenants running with the land, the importance of drafting quality condominium documents cannot be overstated.

This new program provides guidance on drafting well-crafted master deeds and operational provisions for condominiums, including declarations of trusts and/or bylaws. The panel also identifies common pitfalls and traps in condominium document language, the problems caused by such language, and suggestions for remedying these provisions. Finally, attendees learn some of the most common issues that arise in the enforcement of condominium documents and the document language that can assist by providing procedures and resolutions.

Agenda

- Drafting Well-Crafted Condominium Documents
- Avoiding Pitfalls and Traps of Problematic Provisions
- Common Enforcement Issues and the Document Language That Leads to Successful Results for Associations
- “Ask the Experts” Q&A Session

Faculty

Gary M. Daddario, Esq., *Marcus, Errico, Emmer & Brooks, PC, Merrimack, NH*, Chair

Pamela M. Jonah, Esq., *Marcus, Errico, Emmer & Brooks, PC, Braintree*

Cameron S. Merrill, Esq., *Merrill & McGeary, Boston*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, May 21, 2024

1:00 pm–4:00 pm

Program # 2240146WBC

REBROADCAST

Wednesday, June 5, 2024

9:00 am–12:00 pm

Program # 2240146RB1

REBROADCAST

Thursday, June 13, 2024

12:00 pm–3:00 pm

Program # 2240146RB2

ON DEMAND WEBCAST

View after Thursday, June 13, 2024

Program # 2240146WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Members
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Materials

Massachusetts Condominium Law ebook, plus speaker materials

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- Transcript & videorecording emailed 2 weeks post-program

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DEP's New Agenda

Regulatory and policy initiatives with an increased focus on climate change

Keeping current with regulatory and policy developments at the Massachusetts Department of Environmental Protection (MassDEP) is essential for environmental lawyers and many real estate lawyers. The new gubernatorial administration brought an increased focus on climate change with the creation of the Office of Climate Innovation and Resilience, with a mission to bring a whole-of-government approach to the climate crisis. Clients with property or businesses subject to environmental regulation are particularly affected by initiatives at MassDEP. This new program provides critical insights into how increased emphasis on resilience, environmental justice, and reduced greenhouse gas emissions, as well as new developments in traditional environmental protection programs, may impact your clients.

Agenda

- Climate and Air Pollution
- Environmental Justice
- Solid Waste and Recycling
- Wetlands, Stormwater Management, Water Supply, and Chapter 91
- Waste Site Cleanup, Brownfields, Natural Resource Damages
- Climate Coordination and Clean Energy Results
- Enforcement
- "Ask the Experts" Q&A Session

Faculty

Pamela D. Harvey, Esq., Boston, Chair

Kathleen Baskin, Assistant Commissioner, Bureau of Water Resources, Department of Environmental Protection, Commonwealth of Massachusetts

John D. Beling, Esq., Deputy Commissioner, Policy, Department of Environmental Protection, Commonwealth of Massachusetts

Elizabeth J. Callahan, Assistant Commissioner for Waste Site Cleanup, Department of Environmental Protection, Commonwealth of Massachusetts

Benjamin J. Ericson, Esq., General Counsel, Department of Environmental Protection, Commonwealth of Massachusetts

Christine Kirby, Assistant Commissioner for Air and Waste, Department of Environmental Protection, Commonwealth of Massachusetts

Ann Lowery, Esq., Assistant Commissioner for Planning and Evaluation, Department of Environmental Protection, Commonwealth of Massachusetts

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Thursday, June 20, 2024

12:00 pm–2:00 pm

Program # 2240156WBC

REBROADCAST

Friday, July 12, 2024

9:00 am–11:00 am

Program # 2240156RB1

REBROADCAST

Monday, July 22, 2024

2:00 pm–4:00 pm

Program # 2240156RB2

ON DEMAND WEBCAST

View after Monday, July 22, 2024

Program # 2240156WBA

Tuition *(includes written materials)*

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Materials

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Drafting Common Real Estate Documents

Practical guidance on how to draft documents required to sell, buy, or vest interests in real property

Representation of parties in real estate transactions can present a host of issues, requirements, and documents. This new program reviews the fundamentals of drafting documents that are needed when creating interests in real property; the who, what, and how to draft a document from corporate entities, trusts, and individuals and how to determine the required documents to avoid common traps for the unwary. The expert faculty also address how to solve title issues created by a record document either by drafting error or lack of record authority. Bring your questions!

Agenda

- Overview
- Drafting Documents Involving a:
 - Corporation
 - LLC
 - Estate
 - Divorce
 - Guardian/conservator
 - Partnership
 - Trust
 - Personal representative of an estate
- Votes and Delegation of Authority
- Manager Certificates
- Right of First Refusal and Waivers
- Condominium Deeds and 6(d) Certificates
- Easement Agreement
- Notice to Prevent Adverse Possession or Easement
- Restrictions, Covenants, and Conditions
- Powers of Attorney
- Affidavit Requirements
- Land Court Rules
- Self-Dealing
- Nominal Consideration Transfers
- Delegation of Power
- How to Cure Drafting Errors of Record
- Traps for the Unwary

Faculty

Lynne Murphy Breen, Esq., *FNF Family of Companies: Fidelity, Commonwealth & Chicago Title Insurance, Boston, Chair*

Scott J. Clifford, Esq., *Lipsey & Clifford, PC, Hanover*

Thomas J. Flaherty, Esq., *Bacon Flaherty LLC, Randolph*

Eric J. Weinstein, Esq., *Law Office of Eric J. Weinstein, Framingham*



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Dates & Location

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LIVE WEBCAST

Thursday, June 6, 2024

9:00 am–12:00 pm

Program # 2240155WBC

REBROADCAST

Friday, June 21, 2024

9:30 am–12:30 pm

Program # 2240155RB1

REBROADCAST

Monday, July 1, 2024

1:00 pm–4:00 pm

Program # 2240155RB2

ON DEMAND WEBCAST

View after Monday, July 1, 2024

Program # 2240155WBA

Tuition *(includes written materials)*

- \$245
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Materials

Crocker's Notes on Common Forms ebook, plus speaker materials

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

CLE Credits

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Handling Post-Foreclosure Evictions & Predatory Lending in Housing Court

Understand the significant changes in post-foreclosure litigation over the past decade

Prior to 2011, post-foreclosure cases were drastically different than the way they appear today. This new program provides an in-depth overview of how post-foreclosure litigation changed over the last decade, and how it is being handled today along with best practices for handling these cases in Housing Court. Bring your questions!

Agenda

- **Bank of New York, Trustee v. KC Bailey, 460 Mass. 322 (2011)**
 - Where the Supreme Judicial Court discussed whether the Housing Court has jurisdiction to decide the validity of a challenge to title raised by a former homeowner as a defense in summary process
- **U.S. Bank v. Ibanez, 458 Mass. 884 (2011)**
 - Where the Supreme Judicial Court discussed whether the mortgagee was legally entitled to foreclose on properties where the assignment of mortgage was neither executed nor recorded prior to the foreclosure sale
- **U.S. Bank, Trustee v. Schumacher, 467 Mass. 421 (2014)**
 - Where the Supreme Judicial Court discussed whether G.L. c. 244, § 35A was part of the foreclosure process and whether a mortgagee's failure to strictly comply renders a foreclosure void
- **Pinti v. Emigrant Mortg. Co., 472 Mass. 226 (2015)**
 - Where the Supreme Judicial Court discussed whether a mortgagee was required to strictly comply with the terms of a paragraph of the mortgage concerning the mortgagee's notice to the mortgagor of default and the right to cure
- **HSBC Bank USA, N.A. as Trustee v. Morris, 490 Mass. 322 (2022)**
 - Where the Supreme Judicial Court discussed whether in connection with a summary process action brought by an assignee of a home mortgage loan following a nonjudicial foreclosure, a borrower may bring a counterclaim under G.L. c. 183C, § 15(b)(2) of the Predatory Home Loan Practices Act
- **Other Notable Cases**
- **"Ask the Experts" Q&A Session**

Faculty

Anthony J. Coletti, Esq., *Downing Van Dyke LLC, Framingham, Chair*

James F. Creed, Jr., Esq., *CREEDLAW LLC, Marshfield*

Adam T. Sherwin, Esq., *The Sherwin Law Firm, Charlestown*

Hon. Jeffrey M. Winik, *Housing Court, Commonwealth of Massachusetts (Ret.)*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, June 17, 2024

12:00 pm–2:00 pm

Program # 2240153WBC

REBROADCAST

Tuesday, July 2, 2024

9:00 am–11:00 am

Program # 2240153RB1

REBROADCAST

Wednesday, July 10, 2024

2:00 pm–4:00 pm

Program # 2240153RB2

ON DEMAND WEBCAST

View after Wednesday, July 10, 2024

Program # 2240153WBA

Tuition *(includes written materials)*

- \$175
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Materials

Massachusetts Mortgages, Foreclosures, and Workouts ebook, plus speaker materials

- E-materials link emailed upon registration
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Housing Court Judicial Forum 2024

Meet the judges of the Housing Court

The past few years have changed the procedural landscape of the Housing Court, including changes and updates to scheduling and the manner of conducting hearings. MCLE is pleased to reconvene—for the thirteenth time—the *Housing Court Judicial Forum 2024*—back by popular request. With regulations and statutes first adopted during the emergency and put into practice since, the Housing Court has continued to adapt to those changes and challenges by being flexible and responsive, including tremendous progress in the use of technology and creative use of scheduling to meet the challenges created by that situation and to address the shifting needs of practitioners and litigants. There are lessons to be learned and improvements to be kept from this challenging time.

Hear participants in the *Forum* engage in a lively discussion of the real-world impact of those changes, including the challenges and opportunities involved. Judges from all divisions of the Housing Court, joined by the chief justice of the Housing Court, engage in a frank dialogue with attending practitioners and review key issues confronting Housing Court practice today—including discussion of the efficacy of policies and programs currently in place as well as ideas for providing additional access to justice for all litigants.

Under the guidance of two experienced practitioners, the panel also reviews significant developments in regulatory and case law which may affect your practice in the Housing Court.

This *Forum* offers you a unique opportunity to gain valuable practical insight into judicial discretion in the Housing Court. Attendees have the opportunity to ask the panel questions and hear directly from the judges on how to better prepare and try cases. Don't miss this valuable chance to participate in an important dialogue with members of the Housing Court.

Agenda

- **Procedural and Administrative Issues**
 - Legislative and regulatory changes affecting the Housing Court
 - New developments regarding technology and the Housing Court
- **Substantive Issues**
 - Significant developments in housing law
 - Tips on best practices from the Bench
- **“Ask the Housing Court” Q&A Session**

Faculty

Catherine F. Downing, Esq., *Downing Van Dyke, PC, Natick*, Cochair; Deena Zakim, Esq., *Greater Boston Legal Services, Boston*, Cochair; Hon. Sergio E. Carvajal, *First Justice, Central Division, Housing Court, Commonwealth of Massachusetts*; Jorge A. Ghazal, Esq., *Acting Deputy Court Administrator, Administrative Office of the Housing Court, Commonwealth of Massachusetts*; Hon. Gustavo del Puerto, *First Justice, Northeast Division, Housing Court, Commonwealth of Massachusetts*; Hon. Jonathan J. Kane, *First Justice, Western Division, Housing Court, Commonwealth of Massachusetts*; Hon. Joseph E. Kelleher III, *First Justice, Eastern Division, Housing Court, Commonwealth of Massachusetts*; Hon. Donna T. Salvadio, *First Justice, Southeast Division, Housing Court, Commonwealth of Massachusetts*; Hon. Neil K. Sherring, *First Justice, Metro-South Division, Housing Court, Commonwealth of Massachusetts*



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Dates & Location

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LIVE WEBCAST

Wednesday, April 24, 2024
2:00 pm–5:00 pm
Program # 2240144WBC

REBROADCAST

Monday, May 13, 2024
12:00 pm–3:00 pm
Program # 2240144RB1

REBROADCAST

Friday, May 17, 2024
9:00 am–12:00 pm
Program # 2240144RB2

ON DEMAND WEBCAST

View after Friday, May 17, 2024
Program # 2240144WBA

Tuition *(includes written materials)*

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

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

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Lawyer's Roadmap to the Land Court

Learn everything you need to know to jumpstart your Land Court practice from the court's chief justice and legal counsel

Attend this new webcast for the unique opportunity to meet and hear from the chief justice and legal counsel on everything you need to know to begin or expand your practice before the Land Court. This program goes beyond the basics and delivers a detailed rundown of Land Court practice with practical tips for those who want to hone their real estate litigation skills.

The Land Court is the forum of choice for many real estate law practitioners, and this program shows you why. The panelists delve into the court's jurisdiction, explaining its commonalities and divergences with other departments of the Trial Court. The program examines and explains the inner functions of the court and its unique business units, including the Recorder's Office, the Judge's Lobby, the Administrative Office, the Title Examination Department (tax and registered land), and the Survey Division. The panelists also cover the court's role administering the Commonwealth's registered land system, the tax foreclosure session, and servicemembers' mortgage cases, as well as the much broader, judicially-managed "miscellaneous" cases, which run the gamut of topics, including: mortgage reformation; partition; zoning and subdivision appeals; the permit session; adverse possession; specific performance; easements; restrictive covenants and encumbrances; and many more.

For practitioners looking to begin, expand, or hone their practice before the Land Court, this program provides an invaluable "deep dive" into the inner workings of the court. Particular attention is given to how practitioners can leverage the specialized experience and expertise of the court to address their clients' real estate disputes.

Agenda

- The Land Court's Jurisdiction Compared to Other Trial Court Departments
- The Land Court's Court Business Units: The Recorder's Office, Judge's Lobby, Administrative Office, Title Examination Department (Tax and Registered Land), and Survey Division
- The Land Court's Administration of the Commonwealth's Registered Land System
- The Land Court's Unique Case Types, Including: Registration, Confirmation and "Subsequent" Cases; The Tax Foreclosure Session; and Servicemembers Cases
- The Land Court's New In-House Mediation Program
- Practice and Procedure on the Land Court's "Miscellaneous" Docket, and How to Optimize Practice in the Court's Judicially Managed Cases
- "Ask the Experts" Q&A Session

Faculty

Hon. Gordon H. Piper, *Chief Justice, Land Court, Commonwealth of Massachusetts*
Lauren E. Reznick, Esq., *Legal Counsel, Land Court, Commonwealth of Massachusetts*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Wednesday, April 10, 2024
2:00 pm–5:00 pm
Program # 2240152WBC

REBROADCAST

Thursday, April 25, 2024
12:00 pm–3:00 pm
Program # 2240152RB1

REBROADCAST

Friday, May 3, 2024
9:00 am–12:00 pm
Program # 2240152RB2

ON DEMAND WEBCAST

View after Friday, May 3, 2024
Program # 2240152WBA

Tuition *(includes written materials)*

- \$245
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- **FREE** for MCLE OnlinePass Subscribers

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Materials

Litigating Residential Real Estate Disputes 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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Marking Up Title Commitments, Eliminating Exceptions & Getting Endorsements

How to skillfully fine-tune a residential and commercial real estate title insurance policy

The ability to facilitate real estate closings and procure title insurance for buyers and lenders is a necessary skill in today's real estate market. Title examination, analysis, risk assessment, and mitigation are all key elements in determining whether and how to insure a transaction, what endorsements may be needed and whether they can be issued, and satisfying the insurer's requirements to obtain the desired title insurance coverage.

This nuts-and-bolts program guides you through the practical aspects of preparing and reviewing a title commitment to producing the final policy with appropriate endorsements to enhance the policy's coverage. Topics include reading and understanding a title report, curing title problems, satisfying requirements, identifying and drafting relevant exceptions, and adding requested coverage to the policy via endorsements, with an emphasis on typical underwriting requirements for common commercial endorsements. The panel features both title insurance underwriting counsel and the lender's counsel perspective. Attorneys and paralegals alike benefit from attending this program.

Agenda

- The Basics of Title Insurance and Policy Options
- The Title Search and Attorney's Title Review
- Preparing the Title Commitment
- Commitment Review in the Residential v. Commercial Transaction
- Common Transactional Requirements and Exceptions
- Satisfying Requirements and Removing Exceptions
- Common Endorsements
- The Pro Forma Policy in a Commercial Transaction
- Issuing the Final Policy
- "Ask the Experts" Q&A Session

Faculty

Jutta R. Deeney, Esq., *Vice President and New England Regional Underwriting Counsel and Senior Underwriter, Stewart Title Guaranty Company, Waltham, Chair*

Amanda S. Eckhoff, Esq., *Robinson + Cole LLP, Boston*

Tracie M. Kester, Esq., *Massachusetts State Underwriting Counsel, and Associate Senior Underwriter, Stewart Title Guaranty Company, Waltham*



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Dates & Location

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Thursday, April 4, 2024

9:00 am–12:00 pm

Program # 2240150WBC

REBROADCAST

Friday, April 19, 2024

9:30 am–12:30 pm

Program # 2240150RB1

REBROADCAST

Monday, April 29, 2024

1:00 pm–4:00 pm

Program # 2240150RB2

ON DEMAND WEBCAST

View after Monday, April 29, 2024

Program # 2240150WBA

Tuition *(includes written materials)*

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Materials

Real Estate Title Practice in Massachusetts ebook, plus speaker materials

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Motion Practice in Housing Court

Learn the strategy and execution of motion practice

Cases are often lost or won based on motion practice, which lives at the center of civil litigation. Don't miss this fast-paced seminar explaining motion practice from the initial filing of the summary process or civil action in the Housing Court through post-trial motions. To be effective, litigators at all experience levels must have a firm grasp on the procedural and substantive issues affecting each potential motion.

Understanding the legal principles and recent developments in the law and court rules is crucial to skillfully evaluating whether to recommend making a contemplated motion—and to making or opposing a motion effectively. Learn how to file motions to strike, motions to dismiss, summary judgment motions, and motions to obtain and preserve evidence, including electronic data. The faculty explain the strategic use of motions in limine before trial, the requirements for requesting or defending temporary restraining orders and injunctive relief, and the nuances of post-trial motions and appellate issues. The panel of experienced practitioners also provide guidance on how to decide whether to file a motion, when to file it, and how to persuasively make and respond to motions—along with tips for effective oral argument. Get valuable insight to hone the motion practice skills necessary to succeed in civil practice in the Housing Court Department.

Agenda

- Motions to Dismiss
- Motions for Summary Judgment
- Motions for Judgment on the Pleadings
- Discovery Motions
- Common Substantive Motions
- Common Procedural Motions
- TRO/PI Motions
- Oppositions to Motions
 - Motions to strike
 - Motions to enlarge time
- Procedural Requirements
- Pre-Trial Motions
- Motions in Limine
- Post-Trial Motions
- Appellate Issues
- Miscellaneous Practical Tips

Faculty

James F. Creed, Jr., Esq., *CreedLaw LLC, Marshfield, Chair*

Lori A. Drayton, Esq., *Drayton Law, PC, Foxboro*

Eloise P. Lawrence, Esq., *Assistant Clinical Professor, Harvard Law School; Deputy Faculty Director, Harvard Legal Aid Bureau, Cambridge*



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LIVE WEBCAST

Wednesday, March 6, 2024

9:30 am–11:30 am

Program # 2240149WBC

REBROADCAST

Thursday, March 21, 2024

2:00 pm–4:00 pm

Program # 2240149RB1

REBROADCAST

Friday, March 29, 2024

12:00 pm–2:00 pm

Program # 2240149RB1

ON DEMAND WEBCAST

View after Friday, March 29, 2024

Program # 2240149WBA

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Materials

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

CLE Credits

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Negotiating a Construction Contract

Learn how to identify and limit your client's risks through effective contract negotiation

A clear, comprehensive contract is critical to the success of most construction projects. Choosing the right type of contract for each project and understanding the various risks involved is equally important. This fast-paced program surveys the most widely used standard forms for such contracts. The panelists identify certain provisions that owners and contractors commonly negotiate and explore different approaches to apportioning the contractual risks on behalf of owners and contractors.

Agenda

- What Factors Are Considered to Select the Appropriate Contract Form to Use on a Project?
- Which Provisions Are Most Important to an Owner and to the Contractor?
- What Options Are Available to Make Sure a Project Is Completed on Time?
- What Are the Benefits and Risks of Indemnity Provisions in Construction Contracts?
- How Can Parties Ensure That a Contract's Insurance Provisions Align with Their Respective Risks?
- How Can Owners Control Costs and How Can Contractors Make Sure They Get Paid?
- How Can Contract Provisions Limit the Respective Risks for Project Scope Changes and Cost Escalation?
- What Are Strategies to Negotiate Effective and Efficient Dispute Resolution Provisions?
- "Ask the Experts" Q&A Session

Faculty

Bradley L. Croft, Esq., *Ruberto, Israel & Weiner, PC, Boston*, Cochair

Lisa F. Glahn, Esq., *Foley & Lardner LLP, Boston*, Cochair

Daniel Averna, Esq., *General Counsel, Callahan Construction Managers, Stratford, CT*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Tuesday, June 4, 2024
9:30 am–11:30 am
Program # 2240151WBC

REBROADCAST

Wednesday, June 19, 2024
2:00 pm–4:00 pm
Program # 2240151RB1

REBROADCAST

Thursday, June 27, 2024
12:00 pm–2:00 pm
Program # 2240151RB2

ON DEMAND WEBCAST

View after Thursday, June 27, 2024
Program # 2240151WBA

Tuition *(includes written materials)*

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Materials

Massachusetts Construction Law and Litigation ebook, plus speaker materials

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Trusts in Real Estate

Transferring property to and from trusts

The process of transferring property into or out of trusts can be complicated and confusing. Our panel of experts demystifies the trust transfer process. Topics include the basics of transferring property into and out of trusts, identifying different types of trusts and the implications for transfer, addressing major title issues that arise when transferring property to and from trusts, and recognizing what documentation is needed to successfully complete the transfer. In addition, the panel discusses best practices, traps for the unwary, and common issues that arise at Land Court in this context.

Agenda

- How to Transfer Property into and Out of Inter Vivos, Testamentary, and Nominee Trusts
- Major Title Issues That Arise When Transferring Property to or from a Trust
- What Documentation Is Necessary to Transfer Property to or from a Trust (i.e., Use and Filing of Trustee Certificates; When to File a Complaint Subsequent to Registration)
- Best Practices, Traps for the Unwary, and Common Trust-Related Issues That Arise at Land Court
- “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

Annelle E. Benson, Esq., *Senior Underwriting Counsel, First American Title Insurance Company, Worcester*

Christina T. Geaney, Esq., *Chief Title Examiner, Land Court, Commonwealth of Massachusetts*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, May 20, 2024

1:00 pm–4:00 pm

Program # 2240154WBC

REBROADCAST

Tuesday, June 4, 2024

9:00 am–12:00 pm

Program # 2240154RB1

REBROADCAST

Wednesday, June 12, 2024

9:30 am–12:30 pm

Program # 2240154RB2

ON DEMAND WEBCAST

View after Wednesday, June 12, 2024

Program # 2240154WBA

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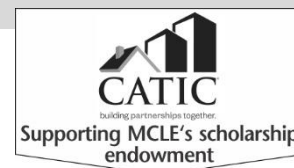
Materials

Understanding and Using Trusts ebook, plus speaker materials

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Understanding Attorneys' Obligations Regarding Title Insurance Roles

Hear a moderated dialogue dissecting the practical implications

In a December 15, 2022, article on the Office of Bar Counsel website, it was submitted that providing title insurance in connection with a real estate closing is subject to Rule 1.8(a) of the Massachusetts Rules of Professional Conduct. The practical implications of this interpretation of the rule are that:

- The terms of the transaction must be fully disclosed in an understandable manner to the client in writing.
- The client must be advised in writing sufficiently in advance of the closing of the desirability of seeking the advice of independent legal counsel and given a reasonable opportunity to do so.
- The client must give "informed consent" in writing to the "essential terms of the transaction" and the lawyer's role "including whether the lawyer is representing the client in the transaction." In the view of Bar Counsel, the "essential terms of the transaction" include disclosure of the portion of the title premium received by the attorney.

The March 7, 2023, issue of the *BBO Sign Posts* newsletter cautions that:

"Whether it's the sale of title insurance or any other business transaction with a client, lawyers who fail to comply with the disclosure and consent provisions of Mass. R. Prof. C 1.8(a) risk disciplinary action . . . Among other things, Rule 1.8 requires that the terms of the transaction be objectively fair and reasonable, that lawyers make full disclosure of the terms in writing, that they advise the client of the desirability of seeking independent legal counsel, and that they obtain the client's informed consent in writing."

Attend to hear a moderated dialogue between Assistant Bar Counsel and a seasoned conveyancer dissecting the implications of this interpretation.

Agenda

- Overview of Rule 1.8 of the Massachusetts Rules of Professional Conduct
- How Rule 1.8 Affects Conveyancers
- Requirements of Disclosure in Initial Fee Agreement
- Requirements of Obtaining Informed Consent from the Client in a Signed Written Document
- "Ask the Experts" Q&A Session

Faculty

Hon. Bonnie H. MacLeod (Ret.), *Superior Court, Commonwealth of Massachusetts*, Chair

Conrad J. Bletzer, Jr., Esq., *Bletzer & Bletzer, PC, Brighton*

Robert M. Daniszewski, Esq., *Assistant Bar Counsel, Office of Bar Counsel, Massachusetts Board of Bar Overseers, Boston*



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Dates & Location

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LIVE WEBCAST

Friday, May 10, 2024

12:00 pm–2:00 pm

Program # 2240158WBC

REBROADCAST CC

Tuesday, May 28, 2024

9:00 am–11:00 am

Program # 2240158RB1

REBROADCAST CC

Wednesday, June 5, 2024

2:00 pm–4:00 pm

Program # 2240158RB2

ON DEMAND WEBCAST CC

View after Wednesday, June 5, 2024

Program # 2240158WBA

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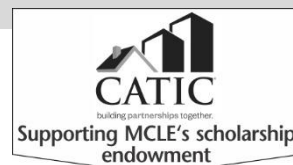
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Materials

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What Conveyancers Need to Know When Elderly Clients Buy Property

Become conversant in basic estate planning concepts to help clients flag potential estate planning issues and seek qualified counsel in a timely manner

Representing elders in a property purchase can raise complex questions. Irrevocable trust planning for a primary residence or vacation home can be critical for the family's financial future should the elder need to enter a nursing home and qualify for Medicaid benefits. Ensuring that the elder has a properly drafted durable power of attorney can avoid the expense and delay of a protracted conservatorship proceeding in court when an elder's home needs to be sold or transferred after incapacity has struck. Simply asking if the elder has a will can avoid the necessity of an additional court proceeding for the personal representative to obtain a license to sell the property after the elder's death. Conveyancers need to be conversant in these concepts to help clients flag potential estate planning issues and seek qualified counsel to address them in a timely manner.

Agenda

- Purpose and Requirements of an Irrevocable Medicaid Trust for Real Estate
- Using Life Estates for Medicaid Protection
- Types of Homesteads
- Avoiding and Dealing with a License to Sell
- Importance of Durable Powers of Attorney
- Massachusetts Estate Tax Update
- Options for Taking Title: What Estate Planners Want Conveyancers to Consider
- Considerations Regarding Registered Land
- "Ask the Experts" Q&A Session

Faculty

Christine Boutin, Esq., *Mirick, O'Connell, DeMallie & Lougee LLP, Worcester*

Laurel M. Millette, Esq., *Transitions Law LLC, Concord*

Kristin A. Monaco, Esq., *Nigro, Pettepit & Lucas LLP, Newburyport*

Carrie B. Rainen, Esq., *Rainen Law Office, PC, North Andover*

Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Monday, May 20, 2024

12:00 pm–1:00 pm

Program # 2240157WBC

REBROADCAST

Tuesday, June 4, 2024

9:00 am–10:00 am

Program # 2240157RB1

REBROADCAST

Wednesday, June 12, 2024

1:00 pm–2:00 pm

Program # 2240157RB2

ON DEMAND WEBCAST

View after Wednesday, June 12, 2024

Program # 2240157WBA

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- **Boston Zoning:** Boston zoning demystified; Boston Planning & Development Agency and Article 80; The role of community review; Inspectional Services Department and Zoning Board of Appeal; Judicial appeals
- **Permitting & Development for Small & Medium-Sized Projects:**
 - Developer's Counsel: Setting the stage for development with your client; Client intake; Determining the legal needs of development; Assembling the legal team
 - Permitting and Zoning: Statutory development of Massachusetts zoning law; Special permits and variances; Procedures for obtaining variances
 - Title Counsel: Roles of title counsel; Title; General title issues; Registered land; Document review and recording; Title insurance
 - Lender's Counsel: Diligence; Conveyance documents; Financing documents; Closing mechanics
 - Case Study

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REBROADCAST ☒

Monday, May 13, &
Tuesday, May 14, 2024
9:00 am–4:00 pm
Program # 2240159RB1

REBROADCAST ☒

Tuesday, June 11, &
Wednesday, June 12, 2024
9:00 am–4:00 pm
Program # 2240159RB2

REBROADCAST ☒

Wednesday, July 24 &
Thursday, July 25, 2024
9:00 am–4:00 pm
Program # 2240159RBC

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