



2024 CLE BY THE SEA TRACK PROPOSAL PACKAGE

Proposals for substantive tracks are now being accepted. The multi-day conference will be held from Sunday, July 7, through Wednesday, July 10, 2024, at the Marriott Coronado Island Resort and Spa. Because of space limitations, we are limiting the substantive tracks to 3 this year. When drafting your proposal, please consider cross-over topics, like Family/Estate Planning or Civil/Criminal.

These substantive tracks will be held on Monday, July 8, through Wednesday, July 10, 2024, from 8:15 a.m. to 12:30 p.m. each day. Each day will include four hours of instruction time, and one 15-minute break about halfway into the program, totaling 12 hours for the entire track.

The proposals will be reviewed for content and relevance to the practice area, appeal to the intended legal audience, and embrace audiences beyond the borders of Arizona, offering Arizona specialization credit hours, diversity of faculty, and staying within a strict and capped budget of **\$8000** for the track to cover faculty reimbursement. The proposal form should be submitted no later than 5 p.m. on Wednesday, October 11, 2023.

After the proposal review team examines and evaluates the submitted proposals, we anticipate we will notify you whether your proposal has been selected for this event no later than Wednesday, November 1, 2023.

If your 12-hour CLE track proposal is selected for the 2024 CLE by the Sea, a one-hour chair meeting will be held in early November to discuss deadlines, tasks, expectations, and other commitments for this project.

Enclosed is this proposal package:

- Proposal Form
- Proposed Timeline
- Sample Faculty Travel and Expense Reimbursement Policy
- Guidelines for Seminar Written Materials and PowerPoint Best Practices
- Samples of Track Information included in past CLE by the Sea brochures

Once completed, return the track proposal form and any supporting documentation to Jennifer Sonier, Professional Development Director, at Jennifer.Sonier@staff.azbar.org.

2024 CLE BY THE SEA TRACK PROPOSAL WORKSHEET

Thank you for your interest in being a part of the 2024 CLE by the Sea. To bring the best CLE by the Sea experience to the attendees, we require full commitment by everyone involved, including dedication to adhering to the track budget and timelines/deadlines, communication with staff and peers, and submission of original, quality materials for each day of your track. If selected, this project requires continuous contact with the assigned professional development coordinator, track chair(s), and faculty to keep everyone on the right course for this labor-intensive project.

As a track chair, his/her involvement is critical to the success of this multi-day event; thus, we ask that you consider your workload and other commitments during the upcoming year and determine whether there may be any obstacles to creating a strong track and committing to the demands of this program before submitting this proposal. If interested in submitting a track proposal, please send your complete response with any supplemental information to Jennifer Sonier, Professional Development Director, at Jennifer.Sonier@staff.azbar.org **no later than 5:00 p.m. on Wednesday, October 11, 2023.**

PLEASE COMPLETE THE FOLLOWING AND IF NEEDED, SUBMIT ADDITIONAL DOCUMENT(S):

Contact Information:

CHAIR NAME: _____ EMAIL: _____
CHAIR NAME: _____ EMAIL: _____

1. Topic/title of the track
2. Provide a brief overall summary/description of the track (e.g. 5 to 10 sentences) and include proposed daily, timed agendas. An agenda worksheet is available at the end of this document.
3. Since attendees learn in different formats (Audio vs. Visual, Small Group Exercises vs. Lecture), how will this program be interactive and engage the audience?
4. What will attendees learn over the three days (4 hours each day for a total of 12 hours) of

The State Bar of Arizona will not consider proposals that are partisan or have a political purpose in violation of

Keller v. State Bar of California, 496 U.S. 1 (1990).

instruction? (Use bullet points and sentences to identify.)

5. Please identify the area(s) of practice the seminar would fall in (Identify all that apply.)

- ☐ Bankruptcy
- ☐ Business/securities regulation
- ☐ Civil procedure, litigation & trial practice
- ☐ Criminal procedure, litigation & trial practice
- ☐ Employment and labor law
- ☐ Family law
- ☐ Real property
- ☐ Trust/estate law/elder law
- ☐ Tax law
- ☐ Other substantive area – (identify) _____

6. If the topic applies to additional practice areas, please identify the practice area(s) as it is important to have a cross-appeal to address multiple areas.

7. Does your proposed track program potentially qualify for specialization credit?

☐ Yes or ☐ No If yes, how many hours? _____

8. Does your proposed track program apply to lawyers outside of Arizona or other areas of practice?

☐ Yes or ☐ No

9. If you answered yes to #8, identify which track topic(s) will apply to lawyers outside of Arizona and identify specific jurisdictions.

10. Are there other professional groups that may find your topic or track of interest?

☐ Yes or ☐ No

11. If you answered yes to #10, identify the group(s):
12. Each track has a capped total budget of \$8,000 for faculty reimbursement. Review the Sample Faculty Travel and Reimbursement Policy included in this packet. How will you ensure your track stays within this budget?
13. Please describe the speaker diversity with respect to your proposed faculty (examples include: firm size, ethnicity, gender, geographical location, etc.)
14. How will you ensure the panel's content will present a fair and balanced discussion of relevant issues? Explain.
15. Proposed Faculty: Please list potential faculty whom you plan on engaging as part of your proposed track. For each speaker, include name, firm/company, address, city, zip code, phone, and email. Your seminar request cannot be considered without this information.

If the proposal is selected, within a week or two, more detailed faculty biographies and information will be required; thus, all faculty should be made aware of his/her potential involvement in the program and potential reimbursement limits.
16. Include any additional information which may be useful for this proposal.

Thank you for your time.

Submitting a proposal does not guarantee selection.

Proposed Faculty:

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Keller v. State Bar of California, 496 U.S. 1 (1990).

Name _____

Firm _____

Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

Name _____

Firm _____

Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

Name _____

Firm _____

Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

Name _____

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Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

Name _____

Firm _____

Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

Name _____

Firm _____

Address _____

Phone _____

Email _____

Bar # _____

Days Speaking _____

2024 CLE BY THE SEA – PROPOSED TRACK AGENDA (12 CLE Hours)

Please use * in the title section to identify specialization segment of the program

Monday, 7/8, 8:15 a.m. - 12:30 p.m. (4 hours with 15-minute break – 255 minutes)

Time	Title of Segment - Proposed Speaker(s)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Tuesday, 7/9, 8:15 a.m. - 12:30 p.m. (4 hours with 15-minute break– 255 minutes)

Time	Title of Segment - Proposed Speaker(s)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Wednesday, 7/10, 8:15 a.m. - 12:30 p.m. (4 hours with 15-minute break– 255 minutes)

Time	Title of Segment - Proposed Speaker(s)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



2024 CLE BY THE SEA PROPOSED TIMELINE

With marketing deadlines, venue requirements, and attendees' expectations, we must adhere to meeting specific deadlines. To properly organize and manage this event, it is critical for chairs to communicate often with their assigned program coordinator as well as their faculty to ensure everyone is timely moving forward. Thus, if your proposal is selected, included below is a timeline of important deadlines and expectations which must be met to have a successful event.

November 2023

- Notification of selected substantive tracks to chair(s)
- Chair meeting with lead coordinators
- Submit final faculty names, contact information, and speaker biographies.
- Finalize the daily agendas and tweak the description for the track.
- Chairs and coordinator work together to determine if the track is within the \$8000 budget parameters.

December 2023

- Review and edit the track's page within the brochure before it is submitted to the printer.

January 2024

- CLE by the Sea brochures are mailed.
- CLE by the Sea webpage is available on azbar.org.
- We ask that you, and your faculty, begin marketing your track through social media.
- Speaker confirmation emails with documents should be sent to all faculty.

February 2024

- Set/hold faculty meetings to ensure everyone is working toward a cohesive program.
- Make or confirm hotel reservation.

March 2024

- Submit marketing verbiage for emails and section invites.

April 2024

- Audio/Visual (AV) equipment form is completed and returned to the coordinator.

May 2024

- Wrap up any loose ends, remind your faculty of the upcoming deadline for written materials and PowerPoint presentations.
 - We require original, quality written materials for each session of your track (this does **not** include PowerPoint)
 - As a guideline, 7-10 pages per hour
 - Case law will not be reprinted; only links will be provided.

- Include materials for practical application that are pivotal to the presentation.
- *See Guidelines for Written Materials & PowerPoint Best Practices*

June 2024

- All written materials and PowerPoint presentations are due to the coordinator on a pre-specified date.

July 2024

- **THE BIG EVENT** - Sunday, 7/7 through Wednesday, 7/10 at Marriott Coronado Island Resort and Spa

August 2024

- All CLE by the Sea Travel and Expense Reimbursement forms must be completed and returned to the coordinator.

As a reminder, the State Bar's Annual Convention will be June 12 through June 14, 2024. If you or your faculty are involved with or will be speaking at the 2024 annual convention, the CLE by the Sea dates could conflict with the convention deadlines and requirements. Please be cognizant of any competing timelines.



2024 CLE by the Sea Faculty Travel and Expense Reimbursement Policies (Sample)

Hotel

- Reservations at the Marriott Coronado Island Resort and Spa must be made or confirmed by February 5, 2024. If rooms at the standard rate are not available before this date, please contact your program coordinator.
- You may choose to stay elsewhere, but due to our room block commitment with the hotel, you will only be reimbursed if you stay at Marriott Coronado Island Resort and Spa.
- You will be reimbursed for the night(s) before you speak at the program at the negotiated standard room rate of \$339.00 per night plus applicable room tax (11.15%) and resort fee (\$30).
- Speakers who wish to upgrade their room and/or stay additional nights may do so at their own expense, at the Bar negotiated rates, if available.
- Please keep the original receipt for reimbursement purposes. You can forward a copy of the email receipt from the hotel. A copy of the reservation confirmation will not substitute for a receipt.

Travel Stipend

- Faculty who travel from Arizona will receive a travel stipend based on the GSA 2024 roundtrip rate of \$274.
- The Bar will reimburse for the discounted self-parking rate of \$25 at the Marriott Coronado Island Resort and Spa for the night(s) before you speak or the day you speak if you choose to stay elsewhere.

Meals & Incidentals

- The Bar will reimburse faculty a flat rate of \$25 for one travel day and \$50 per day for each day the faculty member speaks.

Submitting for Reimbursement

Requests for reimbursement should be sent to your program coordinator as soon as the program is over, accompanied by your hotel receipt. Requests for reimbursements cannot be honored after **Wednesday, August 7, 2024**. It may take up to 5 weeks for reimbursements to be processed and checks to be mailed.

Guidelines for Written Materials

Due to the MCLE Regulations requirements, the State Bar of Arizona requires quality written materials for each separate presentation, including panel discussions.

Pursuant to MCLE Regulation 104 A(2), which states CLE Activities that are claimed toward the annual requirement shall meet the following standards: ... Organized Program. The activities shall constitute an organized program of learning, deal with matters directly related to the practice of law, professional responsibility, professionalism, or ethical obligations of lawyers, and follow the agenda **defined by the written materials** or exercises distributed as part of the activities.

MCLE Regulation (104)(B)(2)(b) states that written materials or exercises must be in the possession of the person of the Active member participating in the Interactive CLE.

And for certified specialists, MCLE Regulation 107(2)(e) reads “Written Material. Scholarly written materials or exercises shall be distributed to the attendees at, or before, the time the activity is presented.”

Thorough, high-quality, and carefully prepared written materials ensure attendees will be provided with materials that are useful after the course is completed. Seminar materials that consist solely of PowerPoint slides are not sufficient.

1. Format fundamentals:

- Do not include a footer. If you wish to number pages for your materials, please put them in the header of the document. We will use the footer to paginate the combined materials.
- Native file format – Word, pdf, or Excel (no scanned copies, if possible)

2. What attendees find most useful:

- Checklists
- Forms
- Examples and sample motions, pleadings, letters, etc.
- Lists of resources for further information (hyperlinked if applicable)
- Practice tips, warnings, and common mistakes
- Comparison and flow charts and other graphics

3. Content Tips

- Original materials preferred
- Any previously published materials will require you to obtain reprint permission. The State Bar of Arizona staff will not do this on your behalf.
- Presentation slides are not a substitute for written materials.
- When referring to cases or statutes, summarize and provide comments

on why they are significant and include relevant citations and links.

- We will not distribute full case law; we will provide a link only. Links to statutes will also be provided. We will not distribute the full statute text unless it will be discussed in-depth during the program.
- A good rule of thumb is 7-10 pages per hour of oral presentation (this includes panels as well as individual presentations).

4. Submitting materials prepared by someone other than yourself

- If you include material from another author, you are responsible for obtaining copyright permission, if necessary, before submitting the materials to us.

5. Keep in Mind

- Materials may be reprinted as a State Bar of Arizona publication for purchase and used by those unable to attend the live program.

Power Point Best Practices

1. Choose easy to read fonts for PowerPoint

- Any Sans Serif font such as
 - i. Verdana
 - ii. Arial
 - iii. Tahoma
 - iv. Calibri
- Content size: 28-32 Point
- Title size – 36-44 point; sans serif
- Use no more than two fonts
- You can also use our template which we will provide upon request.

2. PowerPoint and Presentation Tips

- Dark text on a light background is easiest to read
- Consistently use same font face and sizes on all slides
- Use more images and less text
- Consider presenting one idea per slide
- Consider using builds (a slide that starts with the first major bullet point and shows more major bullet points as the presentation proceeds) and transitions to add variety and emphasize points
- Avoid sound effects
- Talk to people not the screens – don't turn to look at the slides
- Use 6x7 rule (no more than 6 bullet points with 7 words per bullet)
- Skip animations
- Download and embed videos or audio clips so no internet is needed to play (make sure your coordinator is aware of any audio or video clips you

plan to use so we can test them.)

- Review deck in slideshow mode to proof for formatting errors
- Send to coordinator in .ppt or .pptx format. We will prepare handouts with either 2 or 3 slides per page and will include them as part of the written materials unless you instruct us not to share.



PROBATE, ESTATE & TAX

TRACK CHAIRS:

Robin Miskell
Snell & Wilmer LLP

Sarah Singer
Gadarian & Cacy PLLC

A Motley Mix of Probate, Estate Planning, and Tax – What’s Not to Like?

Co-sponsored by the State Bar of Arizona Probate and Trust Law and Tax Law Sections

The Good, The Bad, The Ugly: Probate, Estate Planning, and the World of Guardianship/Conservatorship

Friday 8:15 am – 12:30 pm

When administering estates and trusts, every practitioner needs to be prepared to address conflicts in all shapes and sizes. Come ready to share your experience and join an interactive discussion about estate and trust administration.

- Learn from experienced practitioners what to do and what not to do based on real-life examples in probate, trust, and estate administration and guardianship/conservatorship.
- Learn why you might use arbitration and mediation clauses in wills and trusts, and how they work.
- Get an update on the most recent and interesting case law in Arizona and the status of the proposed Arizona domestic asset protection trust (“DAPT”) legislation.

Let’s Get Technical

Come one, come all! Join us for an in-depth review and discussion about popular tax planning concepts

Saturday 8:15 am – 12:30 pm

This session takes a deep dive into several important tax topics, including Subchapter J, Beneficiary Deemed Owner Trusts (“BDOTs”), and IRS audits.

- Ed Morrow, a nationally renowned speaker, author, and practitioner, will discuss BDOTs and why you might want to have this type of trust in your arsenal (or at least be aware of such trusts), thanks to their tax benefits.
- Learn from the accomplishments and mistakes of others and their stories of IRS Audit triumphs and tragedies.
- What every lawyer (not just estate planning and probate lawyers) needs to know about Subchapter J.

Beneficiary Designations, Asset Protection, and Retirement Planning

Sunday 8:15 am – 12:30 pm

This session addresses topics you may not have used in your practice yet, but after learning about them, you will be excited to start!

- Ed Morrow will discuss planning opportunities using beneficiary designations for spouses and for asset protection.
- Review Internal Revenue Code Subchapters J, K, and S updates (and what does that alphabet soup even mean?).
- Learn how to be the life of your next happy hour with Roth IRA Conversions and Self-Directed IRA tips and tricks.

FACULTY:

Giselle Alexander, *Wiggam & Geer*; Gary Fletcher, *Nystedt & Fletcher PLLC*; Gregory Gadarian, *Gadarian & Cacy PLLC*; Derek Kaczmarek, *Kaczmarek & Jojola, PLLC*; Jennifer Kupiszewski, *Mazza Law PLC*; Robin Miskell, *Snell & Wilmer LLP*; Edwin Morrow III, *Huntington National Bank*; TJ Ryan, *Frazer Ryan Goldberg & Arnold LLP*; Sarah Singer, *Gadarian & Cacy PLLC*

This program track may qualify for up to 12.0 hours MCLE. All 12.0 hours of MCLE may qualify for Estate & Trust Law Specialization, and 8.0 hours of MCLE may qualify for Tax Law Specialization.

Business Here, Business There, Business Everywhere: Growing Your Network for Success!

Two vexing questions frequently keep lawyers up at night:

- Did I miss an important issue?
- How do I best serve my client without “reinventing the wheel” and not being able to bill my time?

Mindful of our ethical duty of competence, one of the relevant factors in determining competence is associating or consulting with a lawyer of established expertise in the area of law at issue. Because business law connects with and crosses over into many other areas of practice, this 3-day program will assist you in leveraging your practice through strategic collaborations with allied attorneys and other professionals, as well as issue-spotting when other professionals should be consulted. The panelists will provide practical suggestions, impactful tools and inside knowledge to assist your current law practice. You will learn how to establish a network of experienced colleagues and grow the practice capabilities of your firm, allowing you to attain a competitive edge without the typical accompanying overhead of a full-service law firm.

And The Walls Come Tumbling Down Friday 8:15 am – 12:30 pm

Day One will set forth the hypothetical fact pattern of three owners of a company undergoing a business divorce.

We will cover ethical issues surrounding representation of the company and its constituents; properly documenting conflict waivers, scopes of representation, and termination of representation; avoiding attendant professional malpractice claims; use of expert witnesses; alternative dispute resolution; strategies to split a company into separate businesses; and intellectual property owned by a business.

FACULTY:

Christopher A. La Voy, *Hinton Curry Wakefield & La Voy, PLLC*; May Lu, *Tiffany & Bosco PA*; Daniel J. Noblitt, *The Noblitt Group, PLLC*; James P. O'Sullivan, *Tiffany & Bosco PA*; Lynda C. Shely, *The Shely Firm PC*

Learning to Duck Saturday 8:15 am – 12:30 pm

Day Two will consist of topics related to “picking up the pieces” after the business divorce is completed, including introducing the next generation of family owners.

The topics will include updating the estate plan for the owners; business succession planning; updating owner agreements under the new Arizona LLC statutes, clarifying rights to new business opportunities, and life and disability insurance issues. Employment law issues facing small businesses will also be a focus, including nepotism in business, proper classification of employees, and wage and rules.

FACULTY:

Darren T. Case, *Tiffany & Bosco PA*; Karen Gillen, *O'Melveny & Myers LLP*; May Lu, *Tiffany & Bosco PA*; Thomas Maguire, *Maguire Financial Group*; James P. O'Sullivan, *Tiffany & Bosco PA*; Lynda C. Shely, *The Shely Firm PC*

Rising from the Ashes Sunday 8:15 am – 12:30 pm

Day Three will address essential challenges to growing the business. The fact pattern will introduce the divorce of the owners (and subsequent buyout of a spouse), an opportunity to purchase “game changing” assets out of the bankruptcy of a competitor, to enter into a joint venture on tribal land, and to add foreign workers to increase the knowledge base.

On this final day we will cover ethics issues in practicing across state lines and issue-spotting for the following practice areas: family law; bankruptcy law; tribal and financing law; and business immigration law.

FACULTY:

Robert B. Anderson, *Law Offices of Robert B. Anderson*; Kami M. Hoskins, *GoDaddy*; Jared C. Leung, *JCL Immigration Attorneys PLLC*; May Lu, *Tiffany & Bosco PA*; James P. O'Sullivan, *Tiffany & Bosco PA*; Lynda C. Shely, *The Shely Firm PC*



BUSINESS

TRACK CHAIRS:

James P. O'Sullivan
Tiffany & Bosco PA

May Lu
Tiffany & Bosco PA

Lynda C. Shely
The Shely Firm PC