The Delaware Bankers Association and the Delaware Financial Education Alliance present the 16th Annual Delaware Trust Conference

2021 Delaware Trust Conference

Agenda & Program

2021 Delaware Trust Conference
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Kalimah Z. White, Vice President, TD Bank
Jill Williams, Vice President, The Northern Trust Company of Delaware

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dba
Delaware Bankers Association

The Delaware Bankers Association (DBA) is a not-for-profit, private trade association comprised of national and state chartered banks, non-deposit trust companies and savings banks that have assets in or are authorized to accept deposits in Delaware. The DBA also serves associate members that do business with its financial institution members. Delaware's business friendly environment, along with its progressive laws and chancery court system, make it a national leader in the banking and trust industries with some of the country's largest financial institutions having operations in the State. For more information on how DBA membership can benefit your organization, please visit www.debankers.com and click on the "membership" tab.

dfea
Delaware Financial Education Alliance

The Delaware Financial Education Alliance (DFEA) is a 501(c)(3) organization that provides financial literacy education targeted to persons of low- and moderate-income in the State of Delaware through a variety of educational programs designed to promote economic development and stability. The DFEA is also a provider of quality training programs available to employees of member banks in the financial services industry in Delaware. Visit: www.dfea.org.

Day 1 - Tuesday - October 19th

7:45 - 8:30 a.m. - Registration

8:30 - 10:00 a.m. - Plenary Session 1 (90 minutes) - Group Live - Wilmington Hall

Unwinding Estate Plans Because of Changed Circumstances – Stuff happens – *An estate plan that looked good ten years ago may not be good today, whether because of new laws or new situations. This presentation covers several strategies for "unwinding" one or more of the techniques implemented as part of a prior estate plan.*

- **Samuel A. Donaldson, Professor of Law, Georgia State University**

10:00 - 10:20 a.m. - Welcome / Break - Governor's Hall with Exhibitors

10:20 - 11:50 a.m. - Plenary Session 2 (90 minutes) - Group Live - Wilmington Hall

Déjà vu All Over Again – Driving the Planning Process Through the Rearview Mirror - *A discussion of important planning techniques and considerations based upon recent experience in an uncertain world. Practitioners and corporate fiduciaries need to be familiar with common planning options and tools to address uncertainty regarding tax exemptions, planning with illiquid assets, and the increased importance of income tax planning using trusts.*

- **Jeffrey Wolken – National Director, Delaware Trust Planning, Wilmington Trust, N.A.**
- **Vincent Thomas – Partner, Young Conaway Stargatt & Taylor LLP**

11:50 - 12:00 noon - Break - Governor's Hall with Exhibitors

12:00 - 12:45 p.m. - Lunch - Christina Ballroom

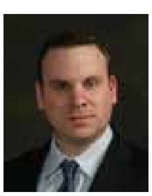
12:45 - 1:45 p.m. - Plenary Session 3 (60 minutes) - Group Live - Ethics - Wilmington Hall

Pleasing Everybody Pleases Nobody - We are often faced with pressure to bend the rules to make customers, clients and colleagues happy… sometimes to disastrous results.

- **Jeffrey D. Grant, Esq., GrantLaw, PLLC**

1:45 - 2:00 p.m. - Break - Governor's Hall with Exhibitors

2:00 - 3:00 p.m. - Plenary Session 4 - (60 minutes) - Group Live - Wilmington Hall

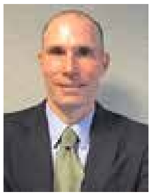


DINGS - Reactions by Other States and the IRS No-Rulings List - An examination of the tax and other planning opportunities of 'DING' trusts, and an analysis of the potential and proposed changes in federal and state law that could affect 'ING' trusts in general.

- **Daniel Hayward, Director, Gordon, Fournaris & Mammarella, P.A.**
- **Kirsten Wolff, Partner, Sideman & Bancroft LLP**

3:00 - 3:15 p.m. - Break - Governor's Hall with Exhibitors

3:15 - 4:15 p.m. - Plenary Session 5 (60 minutes) - Group Live - Wilmington Hall



Divorce – Implications and Considerations Impacting Trust Administration - *We all know it's true - divorce happens. When it happens in the context of a trust, it may trigger the termination of a beneficiary's interest. Worse yet, it may not terminate a beneficiary's interest in the trust, much to the chagrin of the trustor. This panel will explore the ramifications of divorce in the context of the administration of a trust and explore ways to structure the trust agreement to avoid turmoil.*

- Michael Neri, Managing Director, U.S. Trust Company of Delaware
- Jennifer Smith, Member, McCollom D'Emilio Smith Uebler LLC
- Sean R. Weissbart, Partner, Blank Rome LLP

4:15 - 4:30 p.m. - Break - Governor's Hall with Exhibitors

4:30 - 6:00 p.m. - Plenary Session 6 (90 minutes) - Group Live - Wilmington Hall


2021 OCC Trust Banks – *A discussion on closely held entities and recent developments in the trust banks. Views and discussion on concerns around crypto assets, cannabis, and fiduciary custody.*

- Maria McGarry, Chief Compliance Officer, Glenmede Investment Management, L.P.; Managing Director, The Glenmede Trust Company, N.A.
- Mike Rea, Assistant Deputy Comptroller, Office of the Comptroller of the Currency

6:00 - 7:00 p.m. - Reception - Governor's Hall with Exhibitors

Day 2 - Wednesday - October 20th

7:15 - 8:00 a.m. - Registration

8:00 - 9:30 a.m. - Plenary Session 1 (90 minutes) - Group Live - Wilmington Hall

The Past Year's Most Significant, Curious, or Downright Fascinating Fiduciary Cases
This session will review selected reported fiduciary litigation decisions from 2020 that relate to multiple areas of estate planning, estate and trust administration, the fiduciary duties of agents, administrators, trustees, and other fiduciaries, and related trial practice. Areas of focus related to navigating contemporary fiduciary challenges include decanting and modification, disclosure, distributions, removal and surcharge, and more.

- Dana G. Fitzsimons, Jr., Principal, Fiduciary Counsel, Bessemer Trust

9:30 - 9:45 a.m. - Break - Governor's Hall with Exhibitors

9:45 - 10:45 a.m. - Plenary Session 2 (60 minutes) - Group Live - Wilmington Hall


2021 Delaware Update: Legislation, Cases, and Trends – *A look at recent Delaware legislation and cases affecting trusts, and a discussion of contemporary trends spotted in the industry.*

- Jocelyn Margolin Borowsky, Partner, Duane Morris LLP
- Gregory J. Weinig, Partner, Connolly Gallagher LLP

10:45 - 11:00 a.m. - Break - Governor's Hall with Exhibitors

11:00 - 12:00 noon - Plenary Session 3 (60 minutes) - Group Live - Wilmington Hall

QSBS: Quest for Quantum Exclusions (Queries, Qualms, Qualifications & QOZ) - ***Qualified Small Business Stock (QSBS) under Section 1202 is not just for tech companies anymore. It's time to reconsider QSBS because the new tax act has paved the way for closely-held companies to benefit "bigly." QSBS provides an exciting array of benefits (and a surprising alternative) for owners of new and pre-existing business (large and small): (i) 100% gain exclusion on sale; (ii) tax-free rollover of gains; and (3) a chance to "stack" (multiply) and "pack" the exclusion by 10 times (maybe more). While the benefits of QSBS are straightforward, the qualifications and questions surrounding QSBS planning are far from it. This presentation will discuss planning opportunities and other issues including how QSBS can be combined with QOZ Investments, complications with SPAC mergers, unanswered questions, potential pitfalls, and best practices in the quest for quantum QSBS exclusions.***

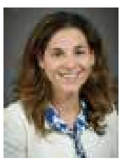
- **Paul Lee, Chief Tax Strategist, Wealth Management, Global Family & Investment Offices, The Northern Trust Corporation**

12:00 - 12:15 p.m. - Break - Governor's Hall with Exhibitors

12:15 - 1:00 p.m. - Lunch - Christina Ballroom

1:00 - 2:00 p.m. - Plenary Session 4 (60 min.) - Trust Ethics - Group Live - Wilmington Hall



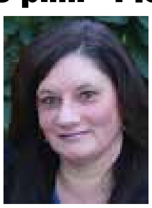


Diversifying the Financial Services Industry: Solutions for an Inclusive Future - ***The lack of diversity in the U.S. financial services industry--including the trust and estates legal and fiduciary practices--is a documented and longstanding issue. Per a 2020 report by the Subcommittee on Diversity and Inclusion of the U.S. House Financial Services Committee of the U.S. House of Representatives, diverse and inclusive organizations are more profitable and productive. Despite the known benefits of diversity and inclusion, the financial services industry continues to inadequately address the issue. This panel will discuss the historical obstacles for minorities in the financial services industry, the effects of such obstacles on the growth and development of the industry and solutions proposed at private and governmental levels to secure an inclusive future.***

- **Kalimah Z. White - Wealth Strategist, TD Wealth Private Client Group - Moderator**
- **Ray Odom – Director of Wealth Transfer Strategies, Northern Trust**
- **Jennifer Z. McCloskey – Director of Trust Management Minor, University of Delaware**
- **Elizabeth Luk – Head of Delaware Trust, BNY Mellon**
- **Vanesa Browne – Private Employer**

2:00 - 2:15 p.m. - Break - Governor's Hall with Exhibitors

2:15 - 3:15 p.m. - Plenary Session 5 - Interactive Split Sessions (60 minutes) - Group Live - Wilmington Hall

Unitrust Conversion V. Power to Adjust: How? When? Why? - ***If you believe income beneficiaries and total return investments can live in peace and harmony, then unitrust conversion or power to adjust may be the answer to your prayers. What is a conversion, how do you convert, and can you un-convert? How do you know if conversion is right for you? What is life after conversion like? Can the unitrust structure deliver value or leave you in ruin? Are there limits to unitrust excesses? What happens when the tax reaper comes to collect? Todd and Cindy will reveal the answers to these burning unitrust questions.***

- **Todd Flubacher, Partner, Morris Nichols Arsht & Tunnell LLP**
- **Cynthia D.M. Brown, President, Commonwealth Trust Company**

3:15 - 3:30 p.m. - Break - Governor's Hall with Exhibitors

3:30 - 4:30 p.m. - Session 6 (60 minutes) - Group Live - Wilmington Hall



21st Century Philanthropy: A High-Impact, Trust-Based*, Multi-Generational Conversation - ***Philanthropy is everchanging and our clients need timely advice. Learn about current trends (Mackenzie Scott's philanthropy, unrestricted giving, DAFs and more!) and the charitable vehicles popular today in this dynamic panel discussion.***

- **Elizabeth B. Wagner, Senior Vice President, Director of Institutional Wealth Management, Bryn Mawr Trust**
- **Vernita L. Dorsey, Senior Vice President-Director of Community Strategy, WSFS Bank**
- **Marie Holliday, Managing Director, Cover & Rossiter**

Colleagues, this does not mean what you think it does! Come and find out more!

4:30 - 4:45 p.m. - Break - Governor's Hall

4:45 - 5:45 p.m. - Session 7 - (60 minutes) - Group Live - Wilmington Hall

Trust Termination Best Practices: So Long, Farewell, Release Me and Goodbye - ***Learn the best practices and roadblocks to watch out for associated with trust terminations. The discussion will include outright terminations and trustee resignations and removals that involve successor trustees. We will address many questions, such as when do you need releases, who files the income tax return when a trust is transferred to another trustee, how much reserves should you hold back for fees, taxes etc., and what do you do for outright terminations to skip persons without any proof of GST exemptions. Additionally, we will cover when to notify the state Attorney General's office if charities are involved and how to deal with hard to transfer/liquidate assets such as private equity etc. We will also discuss the process differences between directed and managed trusts.***


- **Thomas M. Forrest – President & CEO, U.S. Trust Company of Delaware**
- **Michael Stein - Managing Chief Counsel, PNC Bank, N.A.**

5:45 p.m. - Conference Adjourns

All sessions will be available for live-streaming on the conference app.

All of the above sessions will be available on demand starting on Friday, October 22nd.

Total Credits for 2021 Delaware Trust Conference =
18.0 CLE approved for (DE & PA) (including 2.0 Ethics Credits),
CPE & ICB Credits Applied for.
Participants can earn up to 18.0 CPE credits in
Specialized Knowledge and Applications field of study.

On Demand Sessions

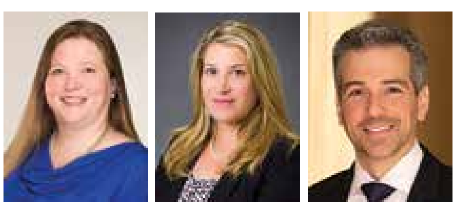
The Following On Demand Session Will Be Available
Starting at 6:00 p.m. on Tuesday, October 19th

On Demand Session 1 - International Trusts: Lemmings over a cliff - planning for a cross border life - ***Four case studies for trustees and trusted advisers relating to inbound and outbound planning plus issues relating to foreign estates.***

- **Leigh-Alexandra Basha, Partner, McDermott Will & Emery LLP**
- **Joseph A. Field, Senior Counsel, Pillsbury Winthrop Shaw Pittman LLP**
- **Jason Concavage, Senior Vice President-Team Leader, Citi Trust**

On Demand Session 2 - The Delaware Asset Protection Trust - ***Practitioners who advise clients on and prepare Delaware asset protection trusts, and the trustees who are responsible for administering them, have learned many lessons in the twenty-four years since the enactment of the Qualified Dispositions in Trust Act. In this session, you will hear about some of these lessons from both sides to equip you to deal with asset protection trusts as they continue to grow in popularity and the ways they are used.***

- **Trisha Hall, Partner, Connolly Gallagher**
- **Robert W. Eaddy, President, The Bryn Mawr Trust Company of Delaware**



On Demand Session 3 - Special Needs Planning: What Non-Special Needs Planners Need to Know - ***What is the difference between a special needs trust and a Medicaid trust? When are these types of trusts needed? How is the administration of these types of trust different from a typical irrevocable trust? The panel will address what you need to know when discussing special needs trusts and Medicaid trusts with clients.***

- **P. Kristen Bennett, Gawthrop Greenwood, PC**
- **Chari M. Alson, CELA, Anderson Elder Law**
- **Scott Swenson, Partner, Connolly Gallagher**

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Exhibitors

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Pinion ◆ University of Delaware ◆ WealthHub Solutions ◆ Weiner Benefits Group

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The Bryn Mawr Trust Company of Delaware serves as a corporate fiduciary and administrative trustee under the full spectrum of tax advantaged solutions contemplated by attorneys and advisors throughout the United States. We have seasoned trust advisors who collaborate with outside counsel, family offices, and asset managers, and a long tradition of flawless execution of fiduciary services for our clients. For those matters where an investment plan is appropriate to supplement or complement a new or existing strategy, our investment managers and underlying platform, enhance the value of the holistic relationship.

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Christiana Trust Company of Delaware and WSFS Bank are committed to providing exceptional trust and fiduciary services to individuals and their families.

With operations in both Delaware and Nevada, we are able to offer the range of fully managed discretionary trustee services to a more customized Directed Trust model. The unique trust legislation for both Delaware and Nevada provides Christiana Trust Company of Delaware and WSFS Bank the ability to offer Trustee services on planning structures such as Asset Protection Trusts for creditor protection and Dynasty Trusts for their perpetuity advantages. From a service perspective, experience is crucial. Our Personal Trust Officers and In-House Counsel are credentialled and have an average of 15 years of experience in servicing wealthy clients.

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GF&M GORDON, FOURNARIS & MAMMARELLA, P.A.

Gordon, Fournaris & Mammarella, P.A. is a law firm located in Wilmington, Delaware focusing on Trusts and Estate Planning, Fiduciary Litigation, Business Planning and Transactions, Commercial Real Estate, Land Use, Zoning, Corporate and Commercial Litigation and Taxation.

If you require legal advice or legal representation, please contact us.

Michael M. Gordon, Esquire
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Kimberly G. McKinnon, Esquire
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McCollom D'Emilio Smith Uebler LLC is a Delaware law firm focusing on trusts, estates, and tax; business transactions, and litigation. We represent corporate and individual clients in a range of transactional and litigation matters with a commitment to strategic thinking, responsiveness, and efficiency.

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Richards Layton & Finger

Richards, Layton & Finger, Delaware's largest law firm, provides clients with nuanced advice and innovative approaches to Delaware common law and statutory trusts. Our lawyers represent some of the world's most prominent financial institutions, high-net-worth individuals, and private foundations in estate planning and trust and fiduciary matters, providing customized solutions for their business or wealth management strategies. Backed by our practical experience and our participation in the evolution of Delaware trust law, we stand ready to create solutions to challenging problems as they arise, with the goal of enabling our clients to fully benefit from Delaware's sophisticated trust laws. Backed by our award-winning lawyers, Richards, Layton & Finger has built a proven record of success by delivering exceptional legal advice to our clients.

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YOUNG
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Young Conaway Stargatt & Taylor, LLP provides counseling to high net-worth individuals concerning their estate planning and assists with a myriad of sophisticated wealth planning transactions. The firm also advises individual and corporate fiduciaries concerning the proper administration of estates and trusts, and counsels them concerning the relocation of trusts to Delaware, mergers, decantings, and other modifications. Our firm’s attorneys file estates and trust actions in the Delaware Court of Chancery, including, trust consent petitions, petitions for instructions, will contests, and other complex litigation matters, involving estates and trusts.

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Charles Schwab Trust Company of Delaware (CSTCD) provides administrative trustee services exclusively for Registered Investment Advisors, private family offices, and their clients. Acting solely as a directed trustee under Delaware law, CSTCD's structure allows independent advisors to develop and maintain long-term investment relationships for trust assets while leveraging industry-leading securities custody, technology, and administrative expertise for the families they serve.

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Connolly Gallagher works with its clients to achieve the best legal, strategic, compliance and tax results, in trusts, business ventures and real estate; advises lay and professional fiduciaries in the administration of trusts and estates; and litigates vigorously when necessary to defend its clients.

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Morris Nichols is nationally known for the strength of its Trusts & Estates/Private Client practice. We have a market leading practice advising banks and trust companies in the highly specialized area of Delaware trust law. Chambers High Net Worth (HNW) has ranked our practice in Band 1 among Delaware private wealth law firms, with sources touting the group's reputation as "one of the leading firms in Delaware," and the "first point of reference" on Delaware trust law.

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NORTHERN TRUST

For more than 130 years, Northern Trust has provided the highest level of wealth management services to clients through 58 locations nationally and around the world. In fact, we've been named Best Private Bank by the Financial Times Group ten times in the last twelve years. The Northern Trust Company of Delaware, a subsidiary of Northern Trust Corporation, has established a team of experts in Wilmington with the goal of leveraging one of the most tax-advantaged jurisdictions in the United States for the benefit of our clients. We specialize in delivering insightful perspectives and creative thinking to grow, manage and preserve multi-generational wealth for individuals and their families.

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Wilmington Trust is a premier provider of wealth and institutional services for M&T Bank, one of the most financially sound and successful companies in the U.S. financial services industry. Founded by a family business leader more than a century ago*, our guidance has helped generations of families and businesses thrive through times of growth and succession, backed by the sound experience of our professionals and a forward-looking mindset.

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*Wilmington Trust Company was founded in 1903

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To explore how you, your family or your business might benefit from a Private Bank relationship, please contact:

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Managing Director, Market Executive (Delaware and Pennsylvania)
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For more than two centuries, BNY Mellon Wealth Management has provided services to financially successful individuals and families, their family offices and business enterprises, planned giving programs, and endowments and foundations. It has $305 billion in total client assets, as of June 30, 2021, and an extensive network of offices in the U.S. and internationally. BNY Mellon Wealth Management, which delivers leading wealth advice across investments, banking, custody, and wealth and estate planning, conducts business through various operating subsidiaries of The Bank of New York Mellon Corporation   With a dedicated team of wealth managers and fiduciary specialists in Delaware, BNY Mellon Trust of Delaware provides full corporate trustee and trust administration services that complement the wealth planning needs of individuals and families. For more information, visit bnymellonwealth.com.

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