

The Delaware Bankers Association &
The Delaware Financial Education Alliance present

2024 Delaware Trust Conference



October 28 & 29

Chase Center on the Riverfront & Live Stream



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Dear Wealth Management Professional,

This year the Delaware Trust Conference celebrates its nineteenth year as one of the premiere wealth management event in the country. The conference is renowned for presenting the top names in trust management to enlighten attendees on the unique advantages of Delaware trusts, and how to best impliment those products.

The Delaware Trust Conference provides a flexible conference experience. In addition to in-person attendance at the spacious Chase Center on the Riverfront, we offer the convenience of remote viewing via a broadcast-quality live stream. There will also be a four on-demand sessions. And all sessions will be available for credit, on-demand through November 30th.

The Delaware Trust Conference is an ideal opportunity to network while obtaining continuing education credit for Trust Professionals, Portfolio Managers, Financial Advisors, Attorneys, CPAs, CTFAs, Wealth & Asset Management Services Executives, Executive Trust Officers, Investment Officers, Investment Managers, and Trust Department Managers.

Sponsors and exhibitors are encouraged to join the growing list of prestigious firms. For complete information on sponsorship and exhibitor opportunities, please visit www.debankers.com, or email Corinne Stayton at: corinne.stayton@debankers.com.

We look forward to seeing you at the 2024 Delaware Trust Conference!



Sarah A. Long
President
Delaware Bankers Association
Delaware Financial Education Alliance



Matthew P. D'Emilio
Managing Member
McCollom D'Emilio Smith Uebler LLC
Chair
DBA Trust Committee



Robert W. Eaddy
President
The Bryn Mawr Trust Company of Delaware
Co-Chair
DBA Trust Committee

Day 1 - Monday - October 28th

Note: All Sessions Are Available for Live Streaming.
On-Demand Sessions will be available through November 30, 2024 for Full Credits!

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

8:30 - 9:30 a.m. - Plenary Session 1 (60 minutes) - Group Live

Trust Act 24 & More - A review of two exciting new trust statutes passed with Trust Act 24, other statutory changes, as well as pertinent trust case law.



- ♦ Jocelyn Borowsky, Esq., Partner, Duane Morris LLP;
- ♦ Gregory J. Weinig, Esq., Partner, Connolly Gallagher LLP

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

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

Deep Dive into the Corporate Transparency Act & Its Impact on Corporate Trustees: *The Corporate*



Transparency Act (CTA), which went into effect on January 1, 2024, requires certain business entities to report identifying information to FinCEN, including that of any beneficial owners – those who either hold at least at 25% ownership interest or who exercise substantial control over the reporting company. With compliance well under way and the issuance of new Frequently Asked Questions by FinCEN, there is wealth of

practical experience from applying and interpreting the CTA and related guidance. This session will help you better understand how to apply the CTA, including determining whether an entity is a reporting company and who to report as beneficial owners when corporate trustees are involved. The session will also address specific real world case studies involving CTA reporting.

- ♦ Beth King, Principal, Brown Brothers Harriman Trust Company of Delaware, N.A.
- ♦ Glenn Fox, Partner and Co-Leader NY Wealth Management Group, Baker McKenzie
- ♦ Molly E. Bailey, Managing Director, Regional Fiduciary Advisor, Office of Chief Fiduciary, Bank of America Private Bank.

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

11:00 a.m. - 12:30 p.m. - Plenary Session 3 (90 minutes) - Group Live

Review of the Past Year's Significant, Curious, or Downright Fascinating Fiduciary Cases -



This session will review selected reported fiduciary litigation decisions from 2023 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, and identify and discuss navigating contemporary fiduciary challenges.

- ♦ Dana G. Fitzsimons, Jr., Managing Director, Senior Fiduciary Counsel, Bessemer Trust

12:30 p.m. - 1:30 p.m. - Lunch - Riverfront Ballroom

1:30 - 3:00 p.m. - Plenary Session 4 (90 minutes) - Group Live

Delaware, the Center of the Universe (Or Is It?)- *Delaware's trust laws, wealth management industry, and*



judicial system have placed Delaware in the center of the trust universe, but clients may feel a gravitational pull from competing jurisdictions in Delaware's orbit. In this session we will explore elements impacting the atmosphere of Delaware and competing jurisdictions, including: Laws providing flexibility to draft and

modify governing instruments; Laws affecting the management of fiduciary risk; State judicial systems, and much more.

- ♦ Wendy Zimmer Cox, J.D., CTFA, Senior Vice-President CFO, Director of Personal Trust, Greenleaf Trust
- ♦ Zach Haupt, Special Counsel, Morris, Nichols, Arsht & Tunnell LLP
- ♦ William Kelleher, Director, Gordon Fournaris & Mammarella, P.A.
- ♦ Suzanne Shier, Of Counsel, Levenfeld Pearlstein, LLC

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 - Ethics

Back-End SLAT's, Estate Taxes and Asset Protection: The Perfect 2025 Planning Technique or Planning



Frought with Terror? - *As 2026 quickly approaches, spousal lifetime access trusts (SLATs) will again come to the forefront. Can the Settlor retain an interest in a SLAT? How do the ethics of asset protection play a role in such planning? What about the potential estate tax consequences of so-called "Back-End SLATs?" This presentation will explore all of the above and other topics of interest in SLAT planning.*

- ♦ George Karibjanian, Member, Franklin Karibjanian & Law, PLLC

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

4:30 - 5:30 p.m. - Plenary Session 6 (60 minutes) - Group Live

Planning with Hard to Value Assets in 2025: Lessons from 2012- December 31, 2025 is quickly approaching



signaling the sunset of the current estate tax limits. As trusted advisors, how are we communicating the importance of early planning on funding trusts with hard to value assets? Time is of the essence when considering all the necessary advisors in the planning phase: when does a Trustee cut-off the planning? Is the appraisal company able to conduct a full & complete

appraisal of the operating company to meet the deadline for late planners? Is utilizing a Wandry funding formula a hail Mary pass, even with it being a red flag for IRS audit? We will ask these questions and other questions, plus look back at lessons learned from 2012.

- ♦ Isabel R. Araújo, MBA, CTFA, AEP®, Senior Manager, Trust Services Consulting, Charles Schwab Trust Company of Delaware
- ♦ Theresa L. Hughes, CTFA, AEP®, Professional Individual Trustee
- ♦ Mark Lingerfield, Managing Director, MPI

5:30 - 6:30 p.m. - Reception - Governor's Hall with Exhibitors

Day 2 - Tuesday - October 29th

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

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



FEDERAL TAX UPDATE - *Stay up to date with this informative and entertaining recap of important cases, rulings, regulations, and legislation from the past 12 months in the federal income, estate, and gift tax laws.*

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

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

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

Protection, Perch, or Pillory - How Drafters and Trustees Can Support the Well-Being of the Next



Generation - *This panel discussion will discuss new § 3345 and provide an overview of an empirically-backed framework for defining well-being, the uses and benefits of the new Beneficiary Well-Being Trust Statute, how traditional planning tools may impact beneficiary well-being, and how to incorporate new tools into traditional trust planning.*

- ♦ Todd A. Flubacher, Partner, Morris, Nichols, Arsht & Tunnell LLP
- ♦ Kristin Keffeler, MSM, MAPP, Chief Learning Officer, Johnson Financial Group
- ♦ Ronald Templeton, Jr., Senior Trust Officer, Team Lead, The Bryn Mawr Trust Company of Delaware

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

11:00 - 12:00 p.m. - Plenary Session 3 (60 minutes) - Group Live

Coast to Coast: Trends in State Income Taxation - *Using a case-study approach, this inter-disciplinary*



panel of professionals will demonstrate the power of collaboration to maximize opportunities for mitigating state income taxes for individuals and their trusts, coast to coast.

- ♦ Jane G. Ditelberg, Director of Tax Planning, The Northern Trust Company
- ♦ Karly A. Laughlin, CPA, AEP, Tax & Small Business Director at Belfint, Lyons & Shuman
- ♦ Joy Elizabeth Matak, JD, LLM, Partner, Avelino Law, LLP

12:00 p.m. - 1:00 p.m. - Lunch - Riverfront Ballroom

1:00 - 2:00 p.m. - Plenary Session 4 (60 minutes) - Group Live - Ethics

Our Fiduciary Duty to Protect Elders from Financial Abuse - *Financial professionals and trustees have an*



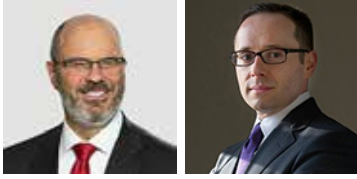
ethical duty to protect our clients from harm. Learn the various ways criminals are exploiting seniors and the role we have in helping prevent this abuse.

- ♦ Jeremy Lau, CFA, CFP® - CEO, Prudent Investors
- ♦ Jared Ong, CFP® - Principal, Prudent Investors

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

2:15 - 3:15 p.m. - Plenary Session 5 (60 minutes) - Group Live

Conflict of Laws: What Makes the Delaware Advantage Work? What Endangers Its Future? - Existing conflict-of-laws rules make it possible for nonresidents to create Delaware dynasty, directed, and asset-protection trusts. This session will explore the underlying legal principles and cover the ongoing drafting of the Uniform Conflict of Laws in Trusts and Estates Act and the Restatement (Third) of Conflict of Laws, which might—or might not—put those conflict-of-laws rules at risk.



- ♦ Robert H. Sitkoff, Austin Wakeman Scott Professor of Law, John L. Gray Professor of Law, Harvard Law School
- ♦ Richard W. Nenno, Senior Counsel, Young Conaway Stargatt & Taylor, LLP

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

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

So, Here's What's Going On: A Trustee's Fiduciary Duty to Report - This session discusses a Delaware trustee's fundamental fiduciary duty to report to the trust beneficiaries and related issues, including reporting in connection with operating entities held in trust and the intersection of the trustee's obligations with Delaware's virtual representation, designated representative, and silent trust statutes. The discussion includes practical takeaways, such as what steps a trustee can take to satisfy its duty and protect itself, and real-world examples.



- ♦ Vincent C. Thomas, Partner and Co-Chair, Business Planning and Tax Section Young Conaway Stargatt & Taylor, LLP
- ♦ Aileen C. Denne-Bolton, Managing Director and Fiduciary Counsel, Office of the General Counsel, Brown Brothers Harriman & Co.

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

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

Don't Get Carried Away with the CCA - CCA 202352018, released at the end of 2023, addresses the question of whether adding a tax reimbursement clause to a grantor trust will constitute a taxable gift by the beneficiaries who consented to the trust modification. This session will discuss why the government issues CCAs, the impact of this CCA, the role of beneficiary consents, alternatives to avoid gifts, the relative advantages and disadvantages of different types of trust modifications, and more.



- ♦ Daniel R. Stanek, Associate Fiduciary Counsel, Bessemer Trust Company of Delaware
- ♦ Beth Shapiro Kaufman, Partner, National Chair, Private Client Services, Lowenstein Sandler LLP

On Demand Sessions

On Demand Session 1 - Understanding GST and Planning Opportunities – Beware and Be Aware! *This session will demystify the complexity of GSTT and build to planning opportunities, which is especially important given the looming sunset of the 2017 tax act.*



- ◆ Erin Markham, AEP®, CTFA, TEP, Vice President, Senior Trust Officer, The Goldman Sachs Trust Company
- ◆ Mark Parthemer, Chief Wealth Strategist & Florida Regional Director, Glenmede

On Demand Session 2 - Creditors, Predators and Modern Asset Protection Planning - Asset protection planning” is a common estate planning and asset management goal to help clients account for creditors and predators. *The program will cover the pros and cons of various modern asset protection tools, appropriate circumstances under which to deploy these tools, and how creditors may attack them to satisfy their claims.*



- ◆ Jeffrey C. Wolken, National Director, Delaware Trust Planning at Wilmington Trust, N.A.
- ◆ Raymond Radigan, Senior Managing Director/Wealth Advisor Peapack Private
- ◆ Beth Gansen Knight, Director, Richards, Layton & Finger, P.A.
- ◆ Daniel S. Rubin, J.D., LL.M. (Taxation), Farrell Fritz, P.C., New York, New York

On Demand Session 3 - Life Finds a Way: Estate Planning in the Age of Assisted Reproductive Technology - Explore the impact of assisted reproductive technology (ART) on estate planning, including stored reproductive material as client property, inheritance rights of children born of donated genetic material, posthumously-conceived children, and changing definitions of descendants.



- ◆ Trisha Hall, Partner, Connolly Gallagher LLP
- ◆ Alex Lyden, Chief Fiduciary Officer and Trust Counsel at Evercore Trust Company, N.A.
- ◆ Sarah Moore Johnson, Birchstone Moore LLC

On Demand Session 4 - Special Considerations for the International Client - International clients looking to establish US situs trusts pose unique challenges for estate planning counsel as well as for the US fiduciary of any resulting trusts. In this session, we will discuss these challenges from both the planning and administrative perspective.



- ◆ Daniel Hayward, Partner, Gordon, Fournaris & Mammarella, P.A.
- ◆ Bobbi Lynn Kent, Chief Fiduciary Officer & Chief Administrative Officer
The Northern Trust Company of Delaware

Financial Hardship Policy

Program registrants who are unable to afford continuing legal education program course registration fees due to financial hardship may petition for registration fee waivers or discounted program fees. A petition for a reduced fee shall be filed at the same time the attorney pre-registers for the program, and state why the normal fee associated with the program causes the lawyer’s financial hardship. The petition must be signed by the lawyer. The conference registration coordinator may waive or reduce the fee for the CLE program at their discretion.