

CLE WEBINAR*

The New Iowa Uniform Power of Attorney Act

Friday, September 26, 2014

12:30 pm - 4:00 pm

Sponsored by:

**The University of Iowa College of Law,
The National Health Law and Policy Resource Center**

Co-sponsored by:

Iowa Academy of Trust and Estate Counsel

***Participate in the webinar
via the internet**

OR

**Attend in person
at the John & Mary Pappajohn Center, Des Moines**

Program Description & Schedule

Program Chair: Prof. Josephine Gittler, University of Iowa College of Law, Iowa City

Program Co-Chair: Margaret Van Houten, Davis Brown Law Firm, Des Moines

On July 1, 2014, the new Iowa Uniform Power of Attorney Act (POA Act) became effective. The Act authorizes the creation of general durable powers of attorney (POAs) under which a principal gives an agent (formerly called the attorney in fact) the power to make decisions regarding the principal's property and management of financial affairs.

The Act establishes a comprehensive legal framework for the creation and use of POAs by principals, agents and third parties. It is based largely on the Uniform Power of Attorney Act drafted by the Uniform Law Commission.

This CLE Program will present what attorneys should know about the new POA Act through presentations and panel discussions. It will include a detailed summary of the major provisions of the POA Act; provide practice and drafting pointers, discuss how to customize POAs for clients in situations where the use of the statutory form is not appropriate, and examine the implications of the POA Act for financial institutions and other third parties, and their response to the Act.

12:30 - 1:15 pm — Summary of Major Provisions of Power of Attorney Act

- *Prof. Josephine Gittler, University of Iowa College of Law, Iowa City*

1:30 - 2:15 pm — Counseling Clients and Other Practice Pointers

- *Margaret Van Houten, Davis Brown Law Firm, Des Moines*

2:30 - 3:15 pm — Drafting a Customized Power of Attorney

- *Janice J. Kerkove, Bradley & Riley Law Firm, Cedar Rapids and Iowa City*
- *Barbara Orzechowski, Klass Law Firm, Sioux City*
- *Doyle D. Sanders, Beving, Swanson & Forrest Law Firm, Des Moines*

3:15 - 4:00 pm — Acceptance and Refusal of Powers of Attorney by Financial Institutions and Other Third Parties

- *Robert Hartwig, Legal Counsel, Iowa Bankers Association, Des Moines*
- *Raymond M. Lynch, Senior Company Counsel, Wells Fargo N.A., Boston, MA*
- *Michel Nelson, Senior Vice-President and Senior Trust Officer, Iowa Savings Bank, Carroll*
- *Sue Pence, Vice President and Trust Officer, Bankers Trust Company, Cedar Rapids*

Faculty Profiles

Josephine Gittler, is the Wiley B. Rutledge Professor of Law and the Director of the National Health Law and Policy Resource Center at the University of Iowa College of Law, Iowa City. A major focus of her teaching, scholarship and service is elder law and policy and substitute decision making for persons lacking decision making capacity. She was a member of the committee established to review the Uniform Power of Attorney Act by the Probate, Trust and Estate Section (Probate Section) of the Iowa State Bar Association (ISBA).

Robert Hartwig is Legal Counsel for the Iowa Bankers Association.

Janice J. Kerkove is a shareholder of the Bradley & Riley law firm in Cedar Rapids and Iowa City. She is the former Chair of the ISBA Probate Section, a fellow of the American College of Trust and Estate Counsel, and an officer of the Iowa Academy of Trust and Estate Counsel.

Raymond M. Lynch is a Senior Company Counsel, Wells Fargo N.A., located in Boston, Massachusetts. His responsibilities include providing legal support on issues with respect to powers of attorney, and he is Co-Chair of the Law Department's power of attorney working group.

Michel Nelson is Senior Vice President and Senior Trust Officer of the Iowa Savings Bank in Carroll. He is the former Chair and council member of the ISBA Probate Section and an officer of the Iowa Academy of Trust and Estate Counsel.

Barbara F. Orzechowski is a partner of the Klass law firm in Sioux City. She is a former member of the Iowa Supreme Court Probate Rules Committee, a member of the ISBA Probate Section Council, a fellow of the American College of Trust and Estate Counsel, and a Director of the Iowa Academy of Trust and Estate Counsel.

Sue Pence is the Vice President and Trust Officer of Bankers Trust Company in Cedar Rapids. She is the former Chair of the ISBA Probate Section, a member of the ISBA Probate Section Legislative Committee, and a member of the Iowa Academy of Trust and Estate Counsel.

Doyle D. Sanders is a shareholder of Beving, Swanson & Forrest law firm in Des Moines. He is the former chair of the ISBA Probate Section, a member of the ISBA Probate Section Legislative Committee, a fellow of the American College of Trust and Estate Counsel, and a member of the Iowa Academy of Trust and Estate Counsel.

Margaret Van Houten is a senior shareholder of the Davis Brown Law Firm in Des Moines and Chair of its Business Section. She chaired the committee established to review the Uniform Power of Attorney Act by the ISBA Probate Section. She is a member of the American College of Trust and Estate Counsel and a Director of the Iowa Academy of Trust and Estate Counsel.

Registration Form

The New Iowa Power of Attorney Act

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- **Early-bird Registration Fee \$65** (until Aug. 31)
- **Regular Registration Fee \$85** (after Aug. 31)

(Registration Fee includes an electronic copy of the program e-mailed to you prior to the program.)

I will participate in webinar.

(High speed internet connection is required for webinar participation)

I will attend program in person.

(John & Mary Pappajohn Education Center, 1200 Grand Ave, Des Moines)



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Cancellation Policy: If registrations are cancelled by 8:00 am the Monday before the program, you will receive a full refund. No refunds will be made after that date and course materials will be sent to registrants canceling after the refund deadline.

Mandatory Continuing Legal Education: The new Uniform Iowa Power of Attorney Act, is an accredited program under the regulations of the Iowa Supreme Court Commission on Continuing Legal Education. The program will provide a maximum of 3 hours of regular credit toward the mandatory continuing legal education requirements under the Iowa Rule. [Activity ID Number: 153114].

For more information contact: Carolyn Tappan

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