Real Property, Probate & Trust Law Section

ANNUAL RETREAT

Aug. 3 – 5, 2022 • Renaissance Pittsburgh Hotel, Pittsburgh

Join colleagues and friends in the city of bridges as the Real Property, Probate & Trust Law Section comes together in Pittsburgh for the 2022 Annual Retreat at the beautiful Renaissance Pittsburgh Hotel. Located in the historic Fulton Building, the hotel features iconic luxury, exceptional service and welcoming amenities.

Attendees will receive up to 10 hours of substantive CLE credits, including 1 ethics credit, on a variety of timely topics, including tangled title matters, blockchain and cryptocurrency, “green” and sustainable real estate development, McAleer and the fiduciary exception to attorney-client privilege, how to ethically secure electronic communications and data, and much more.

Thursday’s dinner will be held in the First Floor Great Hall of the Senator John Heinz History Center, a Smithsonian affiliate, which was originally part of the Chautauqua Lake Ice House. Surrounded by vintage vehicles, the Great Hall features a two-story staircase, vaulted brick ceilings and original steel beams, creating a memorable backdrop for the evening. Transportation will be provided.

Strike one! The Pittsburgh Pirates will be hosting the Milwaukee Brewers for an afternoon game on Thursday in Pittsburgh’s stunning PNC Park. We have reserved the rooftop private space under the scoreboard in the left-field section of the park, an ideal location for watching the game. Lunch will be provided and includes hot dogs, grilled hamburgers, delicious sides, dessert and beverages. You must register separately to attend this optional activity. Attendance is limited to 30.
Wednesday, Aug. 3

1:00 p.m. – 6:00 p.m. Registration

2:00 p.m. – 3:30 p.m. Oh, What a Tangled Web We Must Unweave!: Tangled Title Panel Discussion

Tangled title matters are complex, often costly and time-consuming issues where real property, probate and estate, and tax law collide. A panel of experts who specialize in real estate, estate, probate, and tax law will share their experience with tangled title matters and provide practitioners with tips on handling them. The panel will also discuss organizations across the commonwealth that are providing low-cost or free services to assist individuals who find themselves in the midst of a tangled title issue.

Speakers:
- Hon. Irene McLaughlin Clark (ret.)
- P. Michael Jones, Philadelphia VIP
- Jennifer T. Somma, First American Title Insurance Company
- Tracy L. Zihmer, Zihmer Law Firm LLC

Moderator: Chelsea M. Mague, Law Offices of Edward J. Krug & Associates

1.5 substantive CLE credits

3:30 p.m. – 3:45 p.m. Break

3:45 p.m. – 5:15 p.m. Concurrent Sessions

A. Use of Tax Credits in Real Estate

Developers and other real estate investors can benefit from federal and state tax credits, but only if they are aware of their availability and understand and comply with the various program requirements. This program will provide an overview of the different types of credits, including the New Markets, Low Income Housing and Historic Preservation Tax Credits and how they are utilized to spur economic development.

Speakers:
- Nathan Clark, Urban Redevelopment Authority of Pittsburgh
- Thomas Link, Urban Redevelopment Authority of Pittsburgh

1.5 substantive CLE credits

B. Are We There Yet? McAleer and The Fiduciary Exception to Attorney-Client Privilege

The attorney-client privilege is designed to encourage frank and candid conversations between attorneys and their clients. It protects professional advice given to the client, as well as information the client gives to his or her counsel. However, when fiduciaries and trustees are involved, the application of the privilege gets murky. The Pennsylvania Supreme Court addressed whether Pennsylvania law recognizes the fiduciary exception to attorney-client privilege in In re Estate of William K. McAleer. Unfortunately, while the case yielded a decision for the parties, the court did not reach a majority consensus on the central issue.

Where Do Things Stand? And Where Are They Headed? McAleer has left fiduciaries and beneficiaries — and the trusts and estates practitioners who represent them — still unclear about how trial courts will handle fiduciaries’ objections to requests for information from beneficiaries based on the attorney-client privilege. Hear from our panel of experts who will discuss this case and what it means to the future of the fiduciary exception.

Speakers:
- Samuel W. Braver, Dentons Cohen & Grigsby PC
- Amanda K. DiChello, M&T Bank
- Jennifer DiVeterano Gayle, Mannion Prior LLP
- Adam T. Gusdorff, Heckscher Teillon Terrill & Sager PC
- Peter St. Tienne Wolff, Pietragallo Gordon Alfano Bosick & Raspanti LLP

1.5 substantive CLE credits

6:30 p.m. – 8:30 p.m. Reception and Dinner

Recognition of officers and Trailblazer Award recipient

Thursday, Aug. 4

7:00 a.m. – 12:00 p.m. Registration

7:30 a.m. – 8:00 a.m. Continental Breakfast

8:00 a.m. – 10:00 a.m. Concurrent Sessions

A. Annual Update on Real Estate Law

Our annual update on statutes and case law affecting your real property practice. By popular request, we have added 30 minutes to this perennial RPPT Retreat highlight session.

Speakers:
- Erik M. Hume, Saxton & Stump LLC
- Erica R. Townes, Barley Snyder

2.0 substantive CLE credits

B. Planned Giving Potpourri – Before and After

Legacy or planned gifts come in all shapes and sizes. This program will explore the Before, by providing an overview of the variety of methods and options that are available to structure charitable gifts to meet our client's personal, financial, and philanthropic objectives, and how to avoid common mistakes in planning. And the After, by providing a discussion of the common issues that arise in the management and administration of charitable trusts and estates with charitable beneficiaries, including the role of the attorney general.

Speakers:
- Timothy Mazzocca, Office of Attorney General, Commonwealth of Pennsylvania
- Jennifer L. Rawson, Eckert Seamans Cherin & Mellott LLC

2.0 substantive CLE credits
10:00 a.m. – 10:15 a.m. Break

10:15 a.m. – 12:15 p.m. Concurrent Sessions

A. Annual Update on Probate Law
Presenters will discuss the most interesting and significant probate and trust law cases and developments in the commonwealth during the last year. By popular request, we have added 30 minutes to this perennial RPPT Retreat highlight session.
Speakers:
• Jay R. Hagerman, Abernethy & Hagerman LLC
• Kirby G. Upright, King Spry Herman Freund & Faul LLC
2.0 substantive CLE credits

B. To Preserve and Protect: Use of Land Conservation and Historic Preservation Easements in Pennsylvania
Historic preservation and land conservation easements can be an effective estate planning tool for clients who own real estate and are charitably inclined. The donation of a qualified real property interest may result in an income tax deduction for the donor, while the public benefits from the preservation of land, natural habitats, open space or historic property. This program will address the legal requirements of historic preservation and land conservation easements, including key drafting provisions. It will also provide insight into the stewardship of easements from the perspective of the organizations who are the holders and accept the responsibility for easement management.
Speakers:
• Bill Callahan, Pennsylvania State Historic Preservation Office, Pennsylvania Historical and Museum Commission
• Donald A. Kortlandt, Pittsburgh History & Landmarks Foundation
• Roy Kraynyk, Allegheny Land Trust
• Lauren Pregmon Tetreault, Pregmon Law Offices
2.0 substantive CLE credits

Lunch on your own and free time
Free time to explore historical and cultural attractions within walking distance of the hotel.

12:30 p.m. Pittsburgh Pirates vs. Milwaukee Brewers Baseball Game & Lunch (optional activity)
Watch the game from the private space on the rooftop of the PNC Park. Lunch includes hot dogs, grilled hamburgers, sides, dessert and beverages. $25 per person

7:00 p.m. – 9:00 p.m. Reception and Dinner at Heinz History Center
Transportation will be provided.

Friday, Aug.5

7:45 a.m. – 8:45 a.m. Breakfast Buffet and Section Meeting

8:45 a.m. – 9:00 a.m. Break

9:00 a.m. – 10:00 a.m. Blockchain and Cryptocurrency 101 for Death and Dirt
If clients haven’t asked yet, they probably will soon: How do I plan my estate for my cryptocurrencies? How do I administer an estate with crypto assets? What are Smart Contracts? Can I buy real estate with crypto? What is metaverse real estate development? This 101-level program will provide a basic overview of blockchain, cryptocurrencies and other Web3 technologies, along with how they are currently impacting estates and real estate practitioners and thoughts for how these technologies may impact these practice areas in the future. Our presenter is an attorney, law professor and wealth management professional, who will provide an interdisciplinary perspective of how these issues impact clients’ financial lives on a day-to-day basis, and areas where attorneys can address these issues with their own clients.
Speaker: Alexander D. Langan, CFBS, Langan Financial Group LLC
1.0 substantive CLE credits
10:00 a.m. – 10:15 a.m. Break

10:15 a.m. – 11:15 a.m. Concurrent Sessions

A. Can the Prudent Investor Also Be Responsible? The Challenge of Responsible Investing by Fiduciaries

This panel discussion will provide insight into the investment philosophy that drives responsible investing and explore if and how fiduciaries may consider environmental, social and governance (ESG) factors when making investment decisions. What is “responsible investing”? What does ESG mean? How are responsible and ESG investments characterized? Is responsible investing a prudent choice for trustees? What factors should be considered? How can a trustee choose responsible investing and fulfill its fiduciary duty?

Speaker:
- Nicholas C. Ashburn, PNC Bank NA
- Jacqueline Motyl, Fox Rothschild LLP

1.0 substantive CLE credit

B. Built to Last: “Green” and Sustainable Real Estate Development

LEED, EnergyStar, Green Globes, IgCC, Passive House. With the increased focus on sustainability and corporate responsibility in real estate development, it can serve the real estate practitioner well to understand what “green” or “sustainable” design really means, the motivation and mission behind these projects, and how attorneys can best support their developer clients or project owners in pursuing these goals. Our panel will bring in a local interdisciplinary panel, including a real estate developer, architect, and owner’s performance advocate who will help attorneys understand the design and construction process for sustainable buildings, the requirements for achieving various types of certifications, and ways that attorneys can better support these projects and interact with their architectural, consulting, and construction professionals to ensure project compliance and efficiency.

Specific topics for discussion include:
- What is a green building?
- What are the current green building standards in the US?
- What is the projected growth of green buildings and why does it matter?
- What differentiates a general contractor committed to building high-performance, resilient structure?
- What drives a sustainably-minded developer?
- How can sustainable design be instrumental in addressing issues of gentrification, racial disparities and promoting generational wealth?
- What are some of the lessons learned and recommendations for attorneys working with green building projects?

Speakers:
- Architect: Amanda Marcovic, AIA, GBBN
- Developer: Derrick L. Tillman, Bridging the Gap Development LLC
- Owner’s Performance Advocate: Craig E. Stevenson, Auros Group

1.0 substantive CLE credit

11:15 a.m. – 11:30 a.m. Break

11:30 a.m. – 12:30 p.m. For Your Eyes Only: How to Ethically Secure Electronic Communications and Data

Real Property Probate and Trust practitioners in particular have access to significant financial information about their clients that places them at increased risk of loss arising from a security breach. What security measures should or must attorneys use to protect confidential and personally identifiable information? How do attorneys comply with evolving ethical and procedural rules and proactively manage the security of their email, personal electronic devices, and office technology? Understand your ethical and professional obligations, learn about your options for securing electronic communications and data, and get practical tips on how to safeguard confidential information.

Speakers:
- David G. Ries, Clark Hill PLC
- Daniel J. Sigel, Law Offices of Daniel J. Siegel, LLC

1.0 ethics CLE credit

PBA COVID-19 Protocols

The Pennsylvania Bar Association continues to monitor the COVID-19 pandemic, focusing on protecting the well-being of attendees at PBA in-person events. With health and safety in mind, the following requirements are currently in place:

Vaccination: All in-person attendees must be fully vaccinated (receiving two doses of the Pfizer or Moderna vaccines followed by a booster of the Pfizer or Moderna vaccine, OR a single dose of the Johnson and Johnson vaccine followed by a booster of the Pfizer or Moderna vaccine).

Masks and Social Distancing: Masks are recommended but not required. Social distancing should be observed whenever possible. In greeting others, attendees should refrain from hugging and handshakes (fist or elbow bumps are acceptable).
Hotel Information

The Renaissance Pittsburgh Hotel is located at 107 6th Street, Pittsburgh, PA 15222-3301. The hotel’s direct phone number is (412) 562-1200.

Guestrooms at the Renaissance Pittsburgh Hotel feature one king bed or two queen beds, luxurious bedding, free Wi-Fi, 12-foot ceilings and deluxe amenities.

Hotel Reservations: When making reservations, be sure to mention you are part of the PBA Real Property, Probate & Trust Law Section meeting to receive the discounted rates of $179 per room per night for single, double, triple or quad occupancy. Rates are subject to state and local taxes, currently 17.5%. Guest room reservations can be made online or by calling 800-468-3571 or 412-562-1200. Check in time is 4 p.m.; check out time is 12:00 p.m. The deadline to make reservations is June 30, 2022.

Hotel Parking: Valet parking is available for $41 per day with in-and-out privileges. Charges will be billed to your room. Please allow at least 30 minutes when calling for your automobile. Self-parking is also available for $22 per day at the Ft. Duquesne & Sixth Garage (height limit 6 ft., 6 in) a few blocks away. Please ask the front desk or bellman/doorman for more details upon your arrival.

Registration Fee

Registration fee includes 10 hours of CLE credit, a link to download course materials, refreshment breaks and planned meal functions, including Wednesday dinner, Thursday continental breakfast, Thursday dinner at the Heinz History Center and Friday buffet breakfast.

- PBA section member ........................................... $545
- PBA section member – first-time retreat attendee ...... $445
- PBA non-section member .................................... $925
- Non-PBA member attorney .................................. $1,025

Guest Meal Function Tickets

- **Wednesday’s Dinner**
  - Spouse/guest (21 years old and older) ............... $160
  - Children (13 - 20 years old) ......................... $130
  - Children (12 years old and younger) ............ $65
  - Children (4 and under) ............................... $0

- **Thursday’s Continental Breakfast**
  - Spouse/guest (21 years old and older) ............ $32
  - Children (13-20 years old) ......................... $32
  - Children (12 years old and younger) ............ $20
  - Children (4 and under) ............................... $0

- **Thursday’s Dinner at the Heinz History Center**
  - Spouse/guest (21 years old and older) ............ $275
  - Children (13-20 years old) ......................... $135
  - Children (12 years old and younger) ............ $125
  - Children (4 and under) ............................... $0

- **Friday’s Buffet Breakfast**
  - Spouse/guest (21 years old and older) ............ $65
  - Children (13-20 years old) ......................... $65
  - Children (12 years old and younger) ............ $38
  - Children (4 and under) ............................... $0

**Pro Bono Opportunity: Life Planning Clinic for Seniors, Aug. 2**

As a prelude to the retreat, consider joining your colleagues for a RPPT Law Section pro bono Life Planning Clinic on Tuesday, Aug. 2 at 9 a.m. Section volunteers will partner with the Duquesne University School of Law Tribute Center for Clinical Education to draft wills and simple advance planning documents, focused on health care and financial decision-making for their clients. No experience drafting wills or other estate planning documents? Don’t worry! Training will be provided on the day of the event. Each volunteer attorney will be partnered with another volunteer attorney to meet with clients and draft documents. RPPT estate and trust practitioners will be available as a resource to answer questions and assist as needed. This pro bono event is open to all PBA members. Registrants may participate in person or virtually via zoom. To register as a volunteer attorney, please click the following links:
To participate virtually, CLICK HERE.
To participate in-person, CLICK HERE.

**Register online here.**

Registration deadline is July 22, 2022.

If you have any trouble registering online, please contact Holly Wertz at 1-800-932-0311, ext. 2245, or holly.wertz@pabar.org.

Event registration deadline: July 22. After that date, all registrations will be accepted on a space-available basis.

Cancellation Policy: Written cancellations must be received by noon on June 29. Upon receipt, a refund will be issued, minus a $25 administrative fee. No refunds will be issued after June 29.

Photography Disclaimer: The PBA takes photographs and videotapes programs for later use. By being present during PBA activities, you consent to use of your appearance or likeness by the PBA and its licensees, designees or assignees in all media, worldwide, in perpetuity. Questions or concerns should be directed to the PBA Communications Department at 800-932-0311 or at communications@pabar.org.

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