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presents

Beyond the Basics™

The Family Residence: A Comprehensive Review of Key Concepts and Legal Principles

Live, Webcast and DVD or CD

Seminar leader:

Garrett C. Dailey, Esq., CFLS, AAML

Publisher/Author: Attorney's BriefCase®

Author: SupporTax®, Lawgic®

The Family Residence is often the largest asset in the family's estate and one we deal with in almost every case. This fast-paced seminar will cover the key principles you need to deal with the practical and legal issues.

Program qualifies for 3.0 hours of MCLE/Legal Specialization credit

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This activity has been approved for 3.0 hours of Family Law specialization credit by the California Board of Legal Specialization. This activity has been approved for Minimum Continuing Legal Specialization Credit by the State Bar of California in the amount of 3.0 hours. Attorney's Briefcase, Inc. certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

Who should attend: This is a comprehensive discussion of issues related to the family residence designed for attorneys and judicial officers. It will cover both fundamental and advanced issues.

Topics to be covered include:

- Developing a strategy
 - To sell or not to sell?
 - Vacate or not?
- Exclusive use and occupancy
 - *Ex parte*
 - -After hearing
 - Dwelling of other party
- *Pendente lite* issues
 - *Watts* charges
 - *Epstein* credits
- Characterization
 - Presumption of title
 - Effect of *Valli*
- Community property interest in separate property residence
 - Pre-1984 law (*Lucas*)
 - *Moore/Marsden* made simple and complex variations
 - Improvements
 - Refinances
 - Adding spouse's name to title
 - Effect of Estate Plan/Trusts
- Separate property interest in community property residence
- Reimbursement (Fam. Code §2640)
 - Requirements
 - Limitations
 - Tracing requirements
 - Effect in Probate
- *Walrath* issues
- Separate property interest in separate property residence
- Resulting trusts (*Ruelas*)
- Fiduciary duty issues
- Valuation
 - Interpreting reports
 - Dealing with appraisers
 - Examination
 - Impeachment
 - Adjustments to value
 - Creative solutions
- Valuation date
- Understanding and utilizing title reports and Marital Property Guarantee® reports
- Dividing the residence
 - Deferred sale of home orders
 - Effect on support
 - Equalizing the division
- Effect of equity on support
- Taxability of gain
 - IRC §121

Seminar Leader: GARRETT C. DAILEY

Mr. Dailey is a practicing family law attorney with offices in Oakland. He is a Certified Family Law Specialist and a Fellow in both the International Academy of Matrimonial Lawyers and the American Academy of Matrimonial Lawyers, which named him California's "Family Law Person of the Year" for 2006. The State Bar Family Law Section awarded him its "Lifetime Achievement Award" in 2013. ACFLS has honored him with its "30th Anniversary Outstanding Service Award" and "Hall of Fame" award. He is listed in "The Best Lawyers in America." He emphasizes appellate practice and his published cases include: *Elkins v. Superior Court*, *Marriage of LaMusga*, *Marriage of Valli*, *Marriage of Facter*, *Marriage of Hibbard*, *Marriage of Hill & Dittmer*, *Marriage of Cadwell Faso & Faso*, *Marriage of Alter*, *Marriage of Barthold*, *Marriage of Heiner*, *Marriage of Pearlstein* and *Marriage of Drapeau*. He is the author of numerous well-regarded family law products, including:

- ATTORNEY'S BRIEFCASE® CALIFORNIA FAMILY LAW
- SupporTax®
- Lawgic® MARITAL SETTLEMENT AGREEMENTS and PRE/POSTMARITAL AGREEMENTS

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- ___ Sept 18, 2014 San Francisco (Live)
___ Sept 23, 2014 Culver City (Live)
___ Sept 23, 2014 (Webcast)
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