

THE 11<sup>TH</sup> ANNUAL  
**Family Law  
Conference**

*for Tennessee Practitioners*

This two-day seminar offers an insider's perspective on the most significant recent developments in Tennessee family law. Fulfill your annual CLE requirement at one event.

**WHEN** October 6 & 7 and December 1 & 2

**WHERE** Nashville School of Law



**HIGHLIGHTS**

- » Protecting a client's separate assets
- » Dividing marital property
- » Technology for the family law practitioner
- » Retirement plans and QDROs
- » Practical tips from judges across the state
- » Spousal/child support – awarding, modifying, or terminating
- » E-discovery and social media in divorce
- » Child custody, visitation, and relocation
- » Contract law for family lawyers
- » Civil and criminal contempt in family matters
- » Case law/legislative update
- » Ethics and professionalism in family law practice
- » Attorney's ethical use of social media



**October Faculty**

**Chancellor James B. Cox**  
*chancery court, 17<sup>th</sup> Judicial District (Bedford, Lincoln, Marshall and Moore counties)*

**Sandy Garrett**  
*Chief Disciplinary Counsel, Board of Professional Responsibility*

**Barry Gold**  
*McWilliams & Gold, Chattanooga*

**James (Jimmy) D. Helton, II**  
*Helton Law Office, Brentwood*

**Judge Jeff Hollingsworth**  
*circuit court, Hamilton County*

**Stanley A. Kweller**  
*Jackson, Kweller, McKinney, Hayes, Lewis & Garrett, Nashville*

**Brent Lankford**  
*Stites & Harbison PLLC, Nashville*

**Jeff Levy**  
*Nashville attorney*

**Sean J. Martin**  
*Martin Heller Potempa & Sheppard, Nashville*

**Marlene Moses**  
*MTR Family Law, PLLC, Nashville*

**Kevin Shepherd**  
*Maryville attorney*

**Judge Keith Siskin**  
*circuit court, 16<sup>th</sup> Judicial District (Cannon and Rutherford counties)*

**Greg Smith**  
*Stites & Harbison PLLC, Nashville*

**Judge Thomas Wright**  
*circuit court, 3<sup>rd</sup> Judicial District (Greene, Hamblen, Hancock, and Hawkins counties)*

**December Faculty**

**Amy J. Amundsen**  
*Rice, Amundsen & Caperton PLLC, Memphis*

**Judge Joe Binkley**  
*circuit court, Davidson County*

**Judge Robert L. Childers**  
*circuit court, Shelby County*

**J. Todd Faulkner**  
*Law Office of J. Todd Faulkner, Nashville*

**Barry Gold**  
*McWilliams & Gold, Chattanooga*

**James (Jimmy) D. Helton, II**  
*Helton Law Office, Brentwood*

**Candi Henry**  
*Dodson Parker Behm & Capparella PC, Nashville*

**Sean J. Martin**  
*Martin Heller Potempa & Sheppard, Nashville*

**Judge Phillip Robinson**  
*circuit court, Davidson County*

**Kevin Shepherd**  
*Maryville attorney*

**Greg Smith**  
*Stites & Harbison PLLC, Nashville*

**Eileen Burkhalter Smith**  
*Disciplinary Counsel, Board of Professional Responsibility*

**Judge Joseph Woodruff**  
*circuit court, 21<sup>st</sup> Judicial District (Hickman, Lewis, Pery, and Williamson counties)*

Call **800-727-5257** to register risk-free  
or visit **mleesmith.com/TFLC**

## WHERE

Nashville School of Law  
4013 Armory Oaks Drive  
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[mleesmith.com/TFLC](http://mleesmith.com/TFLC)

## WHEN

### October 6 & 7 and December 1 & 2

15 hours of CLE (12 hours of general and 3 hours of dual)  
Rule 31 Mediators can earn 15 hours of Continuing  
Mediation Education (CME) credit

Registration begins at 7:30 a.m. The conference  
begins at 8:00 a.m. and concludes at 5:00 p.m.

(There will be morning and afternoon breaks,  
and attendees will have 1 hour for lunch, which is  
included with registration)

**Price:** \$497 for entire program (\$70 off for  
additional attendees from same firm), \$347 for  
one day only, and \$247 for materials

**\$50 early bird discount until August 26**  
(October conference)

**\$50 early bird discount until October 21**  
(December conference)

\*(Attorneys may attend one day in October and one day in  
December at the 2-Day price)

## YOU'LL LEARN:

- » From judges across the state, including Joe Binkley, Robert L. Childers, James B. Cox, Jeff Hollingsworth, Phillip Robinson, Keith Siskin, Joseph Woodruff, and Thomas Wright.
- » What the courts and the legislature said in 2016.
- » The latest on retirement plans and QDROs, the use of civil and criminal contempt, spousal and child support, dealing with a spouse's separate assets, dividing marital property and debts, child custody/visitation, prenups and MDAs, and parental relocation.
- » Trends in technology, e-discovery, and social media.
- » Issues surrounding ethics and professionalism and an attorney's use of social media.

## OCTOBER AGENDA

### October 6 (Day 1)

#### Legislative Review 8:00 A.M. TO 9:00 A.M.

**Jeff Levy**  
*Nashville attorney*

Mr. Levy will review new laws from the 2016 legislative session, including:

- » Temporary injunctions upon filing of custody petition
- » Transfer of case between counties
- » Child support enforcement
- » Protection orders
- » Grandparent visitation

#### Hot Topics from a Judicial Perspective

9:00 A.M. TO 10:00 A.M.

**Chancellor James B. Cox**  
*chancery court, 17<sup>th</sup> Judicial District (Bedford,  
Lincoln, Marshall and Moore counties)*

Let Chancellor Cox walk you through some of the issues he encounters on a daily basis on his domestic relations docket and offer you tips on handling these same issues that arise in your practice.

10:00 A.M. TO 10:15 A.M.  
(MORNING BREAK)

#### Case Law Update

10:15 A.M. TO 12:15 P.M.

**Greg Smith**  
*Stites & Harbison PLLC*

Get up-to-date on the most recent decisions in the family law area from Tennessee's appellate courts on child support, child custody, visitation, alimony, and more. As the speaker says, "Most of the important cases and all of the fun ones," including every case in which the divorce lasted longer than the marriage.

12:15 P.M. TO 1:15 P.M. LUNCH  
(INCLUDED WITH REGISTRATION)

#### Ethics and Professionalism in Family Law Practice

1:15 P.M. TO 2:45 P.M.

**Marlene Moses**  
*MTR Family Law*  
**Stanley A. Kweller**  
*Jackson, Kweller, McKinney,  
Hayes, Lewis & Garrett*

Ms. Moses and Mr. Kweller will discuss some of the most common ethical dilemmas facing today's family law practitioner. You'll learn:

- » The best practice tips to avoid ethical complaints
- » Common ethical pitfalls to avoid in family law practice
- » Answers to ethics questions from seasoned family law practitioners

2:45 P.M. TO 3:00 P.M.  
(AFTERNOON BREAK)

#### Use of Civil and Criminal Contempt

3:00 P.M. TO 4:00 P.M.

**Judge Keith Siskin**  
*circuit court, 16<sup>th</sup> Judicial District  
(Cannon and Rutherford counties)*

Learn from a trial judge what you need to know about the use of civil and criminal contempt in family law matters.

#### Tackling Retirement in Tennessee Divorces

4:00 P.M. TO 5:00 P.M.

**Jimmy Helton**  
*Helton Law Office*

Mr. Helton will address best practices for drafting MDA language to divide retirement plans in Tennessee divorces and will cover the recent changes in Tennessee law allowing state and local governments to accept Qualified Domestic Relations Orders (QDROs).

### October 7 (Day 2)

#### Technology for Family Law Practitioners

8:00 A.M. TO 9:00 A.M.

**Sean J. Martin**  
*Martin Heller Potempa & Sheppard*

Mr. Martin will discuss current developments in document management and retention, timekeeping, and billing capabilities, offer tips about server based versus cloud based networks, and explore the wireless and paperless law office.

#### Protecting a Client's Separate Assets

9:00 A.M. TO 10:00 A.M.

**Judge Thomas Wright**  
*circuit court, Third Judicial District (Greene,  
Hamblen, Hancock, and Hawkins counties)*

- » Commingling of property
- » Transmutation
- » Classification of separate and marital property
- » Prenuptial agreements, with a perspective on protecting or establishing a client's property interests

10:00 A.M. TO 10:15 A.M.  
(MORNING BREAK)

#### Hot Topics in Alimony

10:15 A.M. TO 11:15 A.M.

**Judge Jeff Hollingsworth**  
*circuit court, Hamilton County*

Judge Hollingsworth will offer tips on how to seek alimony for your client or argue against it and will walk you through the factors a judge considers when deciding whether or not to modify or terminate an alimony award.

#### Modifying Child Custody/Visitation

11:15 A.M. TO 12:15 P.M.

**Barry Gold**  
*McWilliams & Gold*

- » Major determining factors to consider
- » What information the adjudicators need to make the decision
- » Creative custody arrangements
- » Grandparent visitation
- » Child testimony
- » Psychological and custody evaluations: How they relate to custody and visitation

12:15 P.M. TO 1:15 P.M. LUNCH  
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#### Friends and Followers: An Attorney's Ethical Use of Social Media

1:15 P.M. TO 2:45 P.M.

**Sandy Garrett**  
*Chief Disciplinary Counsel,  
Board of Professional Responsibility*

Ms. Garrett will address ethical challenges presented by social media and offer guidelines for compliance with the Rules of Professional Conduct with regard to confidentiality, online advertising and solicitation, and use of social media for clients and by judges. She will also give an update on the latest news from the Board.

2:45 P.M. TO 3:00 P.M.  
(AFTERNOON BREAK)

## Parental Relocation in Tennessee 3:00 P.M. TO 4:00 P.M.

**Kevin Shepherd**  
*Maryville attorney*

If your client is petitioning to move with a custodial child, or if your client wishes to prevent the other parent from moving with the child, what are their options? What factors will Tennessee courts consider in deciding whether to allow the parent to relocate with the child(ren)? Will the parent's relocation result in a change of custody?

## Contract Law for Family Lawyers: Essential Contract Principles for Enforcing Prenups and MDAs 4:00 P.M. TO 5:00 P.M.

**Brent Lankford**  
*Stites & Harbison*

- » What you've forgotten since law school – essential elements of and defenses to contract
- » Antenuptial agreements and post-nuptial agreements – best practices for drafting and enforcing
- » MDAs, final decrees, and post-judgment enforcement

# DECEMBER AGENDA

## December 1 (Day 1)

### What Family Law Attorneys Need to Know About Attorney Fees and Contempt 8:00 A.M. TO 9:00 A.M.

**Judge Joseph Woodruff**  
*circuit court, 21<sup>st</sup> Judicial District (Hickman, Lewis, Perry, and Williamson counties)*

Learn from a trial judge and former family law practitioner what you need to know about collecting attorney fees in family law matters and how to use civil and criminal contempt for violation of orders.

### Hot Topics in Alimony 9:00 A.M. TO 10:00 A.M.

**Amy Amundsen**  
*Rice, Amundsen & Caperton PLLC*

Let Ms. Amundsen walk you through some of the issues arising in the area of spousal support. You'll learn when and how to seek *in futuro* alimony, *in solido* alimony, rehabilitative alimony, and transitional alimony.

10:00 A.M. TO 10:15 A.M.  
(MORNING BREAK)

### Case Law Update 10:15 A.M. TO 12:15 P.M.

**Greg Smith**  
*Stites & Harbison PLLC*

Get up-to-date on the most recent decisions in the family law area from Tennessee's appellate courts on child support, child custody, visitation, alimony, and more. As the speaker says, "Most of the important cases and all of the fun ones," including every case in which the divorce lasted longer than the marriage.

12:15 P.M. TO 1:15 P.M. LUNCH  
(INCLUDED WITH REGISTRATION)

### Ethics from the Bench and Bar 1:15 P.M. TO 2:45 P.M.

**Judge Robert L. Childers**  
*Shelby County Circuit Court*  
**Amy Amundsen**  
*Rice, Amundsen & Caperton, PLLC*



Hear from an experienced trial judge and an experienced attorney about some of the most difficult ethical issues facing family law practitioners today.

2:45 P.M. TO 3:00 P.M.  
(AFTERNOON BREAK)

### Modifying Child Custody/Visitation 3:00 P.M. TO 4:00 P.M.

**Barry Gold**  
*McWilliams & Gold*

- » Major determining factors to consider
- » What information the adjudicators need to make the decision
- » Creative custody arrangements
- » Grandparent visitation
- » Child testimony
- » Psychological and custody evaluations: How they relate to custody and visitation

### Issues in Property Division 4:00 P.M. TO 5:00 P.M.

**Judge Phillip Robinson**  
*Circuit Court, Davidson County*

Judge Robinson will discuss issues that arise when dividing parties' marital property and debts, including when and how to use experts, how to divide parties' debts, and the commingling of personal and marital property.

## December 2 (Day 2)

### E-Discovery and Social Media in Divorce 8:00 A.M. TO 9:00 A.M.

**Todd Faulkner**  
*Law Office of J. Todd Faulkner*

- » E-discovery issues
- » Home and work computers (email chains and deleted files)
- » Smartphones and tablets
- » Social media tips and tricks – finding and using information from social media sites

### Contract Law for Family Lawyers: Essential Contract Principles for Enforcing Prenups and MDAs 9:00 A.M. TO 10:00 A.M.

**Candi Henry**  
*Dodson, Parker, Behm & Capparella*

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### Terminating/Modifying Child Support 4:00 P.M. TO 5:00 P.M.

**Judge Joe Binkley**  
*circuit court, Davidson County*

Learn from Judge Binkley what factors a judge considers when deciding whether or not to terminate or modify a parent's child support obligation. Judge Binkley will offer tips on when and how to seek modification or termination of your client's child support obligation.

ATTENDEES WILL RECEIVE A BINDER OF MATERIALS COVERED DURING THE SEMINAR AND WILL BE ABLE TO DOWNLOAD THE MATERIALS AFTER THE CONFERENCE.



## REGISTRATION FORM. FOR ASSISTANCE, CALL 800-727-5257.

**YES!** I want to get up-to-date information on the latest and most significant developments affecting my clients and my practice. Please reserve my spot at the **Family Law Conference for Tennessee Practitioners**. My registration includes the two-day conference, pages of valuable course materials, morning and afternoon snacks, lunch, and up to 15 hours of CLE credit. If I am dissatisfied, I am entitled to a complete refund of my registration fee. **Fee:** \$497 for entire program (\$70 off for additional attendees from same firm), \$347 for one day only, and \$247 for materials.

October 6 & 7 – Full Program       December 1 & 2 – Full Program  
 Day one only    Day two only       Day one only    Day two only

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#### FEE

\$497 for entire program (\$70 off for additional attendees from same firm), \$347 for one day only, and \$247 for materials

#### Cancellation Policy

- A \$50 processing fee applies to ALL conference cancellations.
- Registrants are responsible for the entire program fee for a cancellation made after 5:00 p.m. three weeks prior to the event (whether or not you attend the program or fail to cancel).
- An alternate may attend in place of the original registrant.

## 10 REASONS TO ATTEND THIS CONFERENCE:

- » **Quality presenters.** You'll hear from attorneys who are authorities in the field of family law.
- » **Judicial perspective.** You'll hear from Circuit Judges Joe Binkley, Robert L. Childers, Jeff Hollingsworth, Phillip Robinson, Keith Siskin, Joseph Woodruff, and Thomas Wright, as well as Chancellor James B. Cox.
- » **Flexibility.** You can choose to attend one day in October and one day in December, as best fits your schedule.
- » **Practical information.** You'll get information you can put to use in your practice right away.
- » **Dynamic interaction.** You'll be encouraged to ask questions and present your own situations for discussion.
- » **Timely information.** You'll get up to date on the latest developments in the area of family law.
- » **Useful materials.** You'll receive a notebook of materials as well as online access to conference materials.
- » **Convenient location.** The Nashville School of Law is located just off I-65, near the downtown Nashville area, and provides you with plentiful, free parking.
- » **Internet access.** The Nashville School of Law has free wireless Internet access in its classrooms, allowing you to stay in touch with your office.
- » **CLE.** You can earn all of your annual CLE credit, including 3 dual hours.

## HERE'S WHAT YOUR COLLEAGUES SAID ABOUT LAST YEAR'S FAMILY LAW CONFERENCE FOR TENNESSEE PRACTITIONERS:

**"The information provided in this seminar was great because it offered me practical information that I can use in my practice. Best seminar that I have attended in my 13 years of practice."**

**"I loved the speakers and schedule this year. It kept my attention and was useful. Loved coming in October! Good job!"**

**"It was well presented and held my attention throughout. Excellent program!"**

**"Great practical tips, good speakers, and forms which are very useful to my practice."**

**"The materials are always worth the money, and the topics are always helpful."**

**"This seminar gets better every year! I love the interaction with the presenters and the enthusiasm of all the speakers!"**

**Produced by**  
Virginia Mayo and Jean Simpkins  
Editors, *Tennessee Attorneys Memo*  
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