

A complete listing of the proceedings and speakers is available on [the Institute's Web site](#)

Report 15

This is our Final Report from Heckerling 2004. We hope you have enjoyed these Reports again this year as much as we have enjoyed bringing them to you. As the Editor, I want to take this occasions to thank all of our hard working Reporters (whose names are listed immediately above) for all of their diligent work in attending so many sessions then staying up late at night or rising early in the morning in order to submit their reports to me in writing for final editing and publishing. This effort would not have been possible without all their help.

Perhaps the most important thing to report now are the dates for the 39th Annual Heckerling Institute in 2005. Those dates are January 10 -14, 2005, so mark your calendars now.

Next, here is the **final report** from the **Exhibit Hall** about all the software and other vendors who were present this year exhibiting their new and improved products. This report comes to you courtesy of Reporters Jason Havens Esq., Gene Zuspann Esq. and your's truly:

A. CALCULATION AND DRAFTING SOFTWARE:

1. **authoritative.net** (<http://www.authoritative.net>): Jeff Pickard, creator of zCalc, is in the process of providing a "one-stop shop" for estate planning attorneys. His new service, authoritative.net, will not only allow users to access the zCalc Suite, including the zCalc Toolbox and Presentations, but will also feature the following: (a) **Document Systems**, including an estate planning drafting system that is being authored by Professor Stanley D. Neeleman (J. Reuben Clark Law School at Brigham Young University and formerly a partner at Holme, Roberts & Owen, Denver, Colorado) and also a business entity formation drafting system, (b) **File Cabinet**, a document storage system, and (c) **File Backup**, an electronic "vault" for safe, secure storage of electronic data. More information is available via the authoritative.net toll-free telephone number: 888-552-4477. The estate planning drafting system is allegedly being built on a "next generation" document automation platform called Oban, but we do not know much about this platform or how it compares to HotDocs 6.0 at the present time.

2. **Brentmark** (<http://www.brentmark.com>): As previously mentioned, Brentmark will continue to support **EPLAN** (TM) (acquired from U.S. Trust). Those of you who have used EPLAN will recall that it is very robust and handles most estate planning calculations and illustrations. Brentmark has future plans to make EPLAN more user-friendly like other Brentmark products. However, Brentmark will await the status of potential legislative changes before it embarks on such development changes. The status of the former US Trust Form 706 program is not know at this time.

3. **WealthTec** (R) (<http://www.wealthtec.com>): Howard Eisenberg, who works with the zCalc/authoritative.net folks (who were distributing information sheets at Heckerling on Howard's behalf), has created several powerful programs under his WealthTec umbrella. First, **Dimensions** (TM) (http://www.wealthtec.com/wealthtec_dimensions.htm) is used to capture the client's asset and income information. Second, **WealthMaster** (TM) (http://www.wealthtec.com/wealthtec_wealthmaster.htm) can model numerous estate planning techniques, from A-B trusts to ILITs to numerous charitable trusts. Third,

Foundations (TM) (http://www.wealthtec.com/wealthtec_foundations.htm) augments WealthMaster to build highly-sophisticated financial and estate planning illustrations for affluent clients by comparing up to three plans side-by-side. All of these programs are included in the WealthTec one-year subscription at a price of \$1,195 (see http://www.wealthtec.com/wealthtec_subscription.htm). This entitles the user to a one-year license, which must be renewed in order to continue using the product. Fully-functional demo versions are available for a free 45-day trial period: http://www.wealthtec.com/wealthtec_demo.htm.

B. JUST DRAFTING SOFTWARE:

1. **EstateDoc Systems** (<http://www.EstateDocSystems.com>): Brian Albee and EstateDoc Systems have introduced **TrustDocs** (TM). TrustDocs is endorsed and has been designed with Steve Oshins, Esq., a well-known, widely published estate planning attorney in Las Vegas, Nevada. TrustDocs operates on the HotDocs platform and is designed to produce an entire revocable living trusts estate plans, including the trusts, pour-over wills, and disability planning documents, in one single Microsoft Word document. Navigation within TrustDocs is very efficient, using "buttons" to move through each menu-driven level of the data input phase. Error messages alert the user if a question has not been answered. Binders and tabs for presenting the plan to clients are also available, so all the user has to do is print the entire Word file on hole-punch paper and then insert the pages and the tabs into the binders.

TrustDocs requires a one-time initial membership fee of \$995 for a single firm license (with a 45-day trial period). The subscription plans are priced at \$245 monthly, \$698 quarterly (5% discount), \$1,323 semi-annually (10% discount), or \$2,499 annually (15% discount). TrustDocs requires HotDocs (R) version 6.1 (or more recent) and Microsoft (R) Word (TM) 2000 (or more recent).

(**ED NOTE:** We regret that EstateDoc Systems was erroneously reported to produce tax preparation software in Report #7, which is not the case. EstateDoc Systems only focuses on document production.)

2. **WealthDocs** by WealthCounsel (<http://www.wealthcounsel.com>): WealthCounsel was back at Heckerling for the third year in a row, this time marketing the latest Version 6 update of it's HotDocs based document assembly system called WealthDocs. WealthDocs actually consists of eight separate practice systems, those being for Wills, Living Trusts, Irrevocable Trusts, Charitable Planning, Family Limited Partnerships, Split-Interest Trusts, Special Needs Trusts and Retirement Trusts. This latest version of WealthDocs is designed to be used with the newest Version 6.0 of HotDocs, which can be ordered from WealthCounsel by members at a discount. The cost to join WealthCounsel and obtain their software and secure access to their Knowledge Base currently is either \$3,900 down plus \$390 per month for 12 months or a one-time discounted up-front fee of \$7,900 for the first year.

3. **Wealth Transfer Planning** (WTP) by InterActive Legal Systems (ILS) (<http://www.ilsdocs.com>): After reviewing Wealth Transfer Planning (WTP), we are still impressed by its language and features. The updated WTP system includes a joint revocable trust (for use in community and separate property states), "anti-Strangi" amendments for FLPs and FLLCs, more charitable trusts than previously offered, and helpful "Practitioner Concept Memos." Although WTP is still built on the Smart Words document assembly engine and word processing system, Mr. Blattmachr commented that WTP might be offered on a different engine in the not-too-distant future. Rumor has it that engine could end up being either HotDocs or Ghost Fill. For those of you who are interested in subscribing to the current version of WTP, a basic subscription costs \$2,995 for a single

seat or \$3,595 for a single user network plus \$295 for each additional network user. An enterprise-wide 4 office/30 user subscription is available for \$19,995. An optional premium support package is also available for an additional cost of \$1,295 for a single user and \$1,595 for a network plus \$99 per each additional network user.

In addition, ILS has recently announced a new product, called "Coping with Strangi," in which Jonathan Blattmachr discusses the recent Strangi II decision, its impact on estate planning, and strategies to employ to help avoid its impact. Through a unique multi-media presentation, Mr. Blattmachr delivers materials that will help you immediately apply his strategies to your estate planning practice. The Coping with Strangi module is a two-disk set (DVD video and CD-ROM) and includes:

- 30-minute substantive lecture by Jonathan Blattmachr (video on DVD-CD)
- 30-minute PowerPoint™ slide presentation recapping the issues and providing specific recommendations
- Sample notification letter to your clients
- Sample notification letter to your advisors and other allied professionals
- Sample article for publication in your client newsletter
- Detailed substance outline, with cases and citations

The sample forms are in MS Word™ and Adobe Acrobat™ formats. In addition, this program has been approved for .5 CLE credit hours in New York and Florida, and credit is pending in other states. The product retails for \$199.00, but ILS is distributing a copy free of charge to all Wealth Transfer Planning subscribers as their our way of thanking them for their business and continued support.

Lastly, your Editor had an opportunity to have a brief conversation with Natalie Choate today about the current status of her **DistribuGuide**(tm) program that the WTP folks used to sell when the WTP program was initially affiliated with and being supported by The Technology Group. She advised me that she had some discussions with Jonathan about ILS continuing to produce and support this program for her, but that no final decisions were ever reached, so she has recently licensed her employee benefit beneficiary forms to WealthCounsel to use as part of their WealthDocs Retirement Trusts system.

C. TRUST ACCOUNTING & RELATED ADMINISTRATION SOFTWARE:

1. **DataTech SoftWare, Inc.** (continued): As previously mentioned, DataTech's **Quick & Easy** (TM) (<http://www.quickandeasy.com>) (tax preparation) now offers a complete suite of estate administration tools called **Estate.suite** (TM) (<http://www.estatesuite.com/>). Estate.suite truly combines estate administration systems into one easy-to-use suite. The intuitive programming within Estate.suite intuitively allows you to enter more or less information, depending on your needs. Users can "drill down" into more detailed fields or, if more details are not necessary, remain on the top level. Users can easily create asset accounts, make partial or final distributions, use multi-value accounting (e.g., date-of-death, alternate valuation, current, or other values for a single asset), create joint ownership assets, and perform predefined or custom transactions. All of this occurs in a real-time relational data context. In other words, users do not need to worry about verifying that a transaction automatically changed the value of the remaining asset or account. Users can easily track parties, creditors, and fiduciaries. The MasterTicklers feature is very handy to remind users when tasks need to be accomplished and enables tracking of those ticklers and tasks.

The beauty of Estate.suite is the inclusion of every aspect of estate administration software: Quick & Easy Heritage Estate Administration System with Fiduciary Accounting and Probate, Quick & Easy State-Specific Estate/Inheritance/Probate Automated Forms, Quick & Easy Federal Estate Automated Forms (706, 709, and more), and Quick & Easy Federal 1041 Automated Forms. All of these systems can be tracked via the global reporting tools, which even track user activity within the Estate.suite system. These reports are exportable to a variety of formats including PDF, Microsoft (R) Excel (TM), text, rich text, Microsoft Word, HTML, or XML. For more information, please contact Crystal Lauver at crystal@thinkdocs.com.

2. **EstateWorks** (<http://www.estateworks.com>) (continued): EstateWorks has made several enhancements to its web-based estate administration system. A "favorites" area now allows users to store their bookmarks and create portals to other sites that he or she uses regularly. You can also customize team roles, which allows definitions inside or outside of the law firm context. Notes can be created throughout the system. Custom tasks can be assigned to individual cases, which can be tracked via reports. EstateWorks' document management program has been improved to promote a team-based, collaborative approach by allowing users to "check out" documents for use and modification. Templates are also available for reports, contacts, letters, and tax forms.

D. APPRAISAL & VALUATION SOFTWARE:

(See vendor report #3b)

E. RESEARCH SOFTWARE & SERVICES:

1. **Trusts & Estates Magazine** (<http://www.trustsandestates.com>): *Trusts & Estates* magazine announced the introduction of an on-line archive of the past 10 years of *Trusts & Estates* articles at the Heckerling Institute. The on-line archive will be available to subscribers at the web site above beginning January 20, 2004. A subscription to *Trusts & Estates*, including the on-line archive, is \$199. Heckerling Institute attendees may subscribe for a special rate of \$169. For more information, please contact Liz Airhart at earhart@primediabusiness.com.

2. **LexisNexis** (TM) (<http://www.lexis.com>): Lexis now offers its own headnotes for cases, organized by legal topics, as well as three-part case summaries for each case: Procedural Posture, Overview, and Outcome. Users may also obtain and print their documents in one submission instead of proceeding through several steps. Document delivery methods include dual-column printing, PDF, e-mail attachments, facsimile, Microsoft Word, Corel WordPerfect, rich text format, and HTML. Lexis added a very helpful feature that allows users to copy a highlighted portion of a case and automatically generate a pinpoint legal citation for that selection, called "Copy with Cite." Finally, users can save their search histories for up to 30 days.

F. MISCELLANEOUS VENDORS:

1. **Alaska Trust Company** (<http://www.alaskatrust.com>): The Alaska Trust Company web site contains helpful information on the numerous estate planning developments in Alaska. One of the most helpful pages, Section 20. Selected Cases, Rulings & Commentary, which is available on the left-hand navigation pane, includes summaries and full-text versions of relevant cases, rulings, and portions of *Practical Drafting* and other resources. Section 16. Sample Trust Documents provides sample Alaska trusts in Adobe Acrobat or Microsoft Word format. Those who attended (or wanted to attend) the special session on domestic asset protection trusts will find this web site especially

informative.

2. **Connect2A** (<http://www.connect2a.com>): Connect2A has just announced that this is your last chance to take advantage of the low introductory Connect2A monthly membership fee of \$60 per month prior to their first every price increase on February 1st for their new member monthly standard membership fee to \$70.00 per month (for up to 250 clients for 1 advisor and up to 4 associates). If you are a member of one of their alliance partners (e.g., WealthCounsel), new member alliance partnership pricing will also be increasing on February 1st. If you complete your membership application by February 1st, they will include their Premium Service, Custom Connect (tm) at no additional monthly cost (normally it costs an additional \$10 per month) although presumably the initial implementation fee that usually ranges from \$250 to \$1,000 still applies.

Well, that's it for Heckerling 2004. We've covered about all we can cover given our time and energy. If we have missed something important or something is in need of an errata, let us know and we will do what we can to add or correct it, at least in the Reports as they are posted on the RPPT Web site. See you in 2005.

The Reporters

GENERAL INFORMATION ABOUT INSTITUTE:

Inquiries/Registration:

University of Miami School of Law

P.O. Box 248087

Coral Gables, FL 33124-8087

Telephone: 305-284-4762 / FAX: 305-284-6752

Web site: www.law.miami.edu/heckerling

E-mail: heckerling@law.miami.edu

=====

Headquarters Hotel - Fontainebleau Hilton

4441 Collins Avenue

Miami Beach, FL 33140

Telephone (305) 538-2000, FAX (305) 674-4607

=====

A complete listing of the proceedings and speakers is available on [the Institute's Web site](#)