

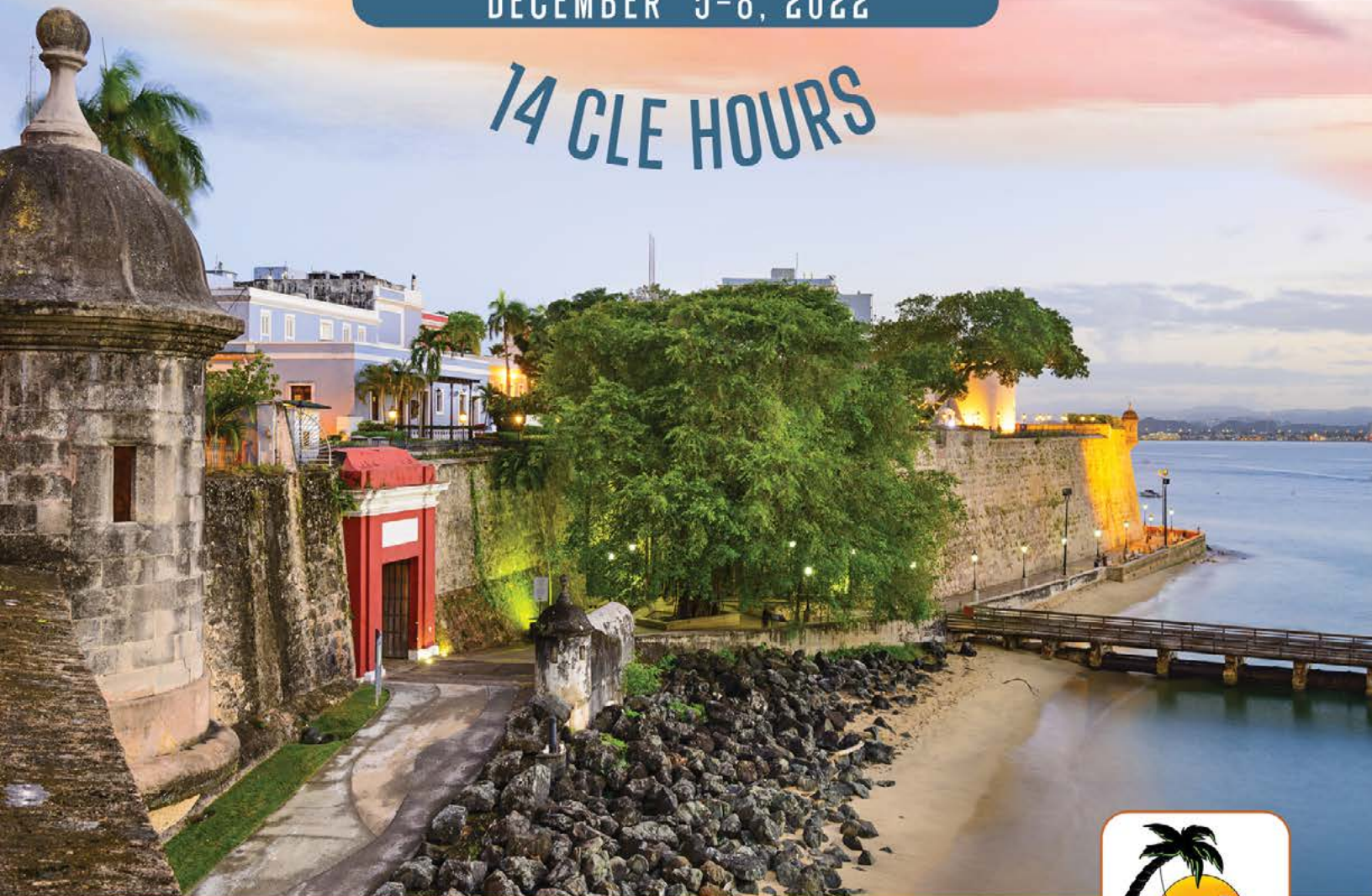
Island of Enchantment CLE 2022



SAN JUAN

DECEMBER 5-8, 2022

14 CLE HOURS



COURTYARD ISLA VERDE BEACH RESORT, SAN JUAN
Visit www.DestinationCLEs.com for more information.





Conference Schedule

Monday, December 5

8:00 a.m. **Breakfast**

9:00 a.m.

Family Law Basics for the Non-Family Law Attorney

Presented by: Laura H. Cabanilla Esq., Utah

Discuss initial consultation, preparation of answer, counter-petitions, financial declarations, mediation and alternate dispute resolution, case management and trial. Discuss how to spot the “red flags” of a difficult client, and how to gracefully exit a case. Learn tips for presenting your case to a judge in a way that will gain credibility.

11:00 a.m. **Break**

11:15 a.m.

Military Family Law Basic Considerations: Pre-Filing Considerations (Should I take this case?)

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

Understand a glossary of terms for the basic military acronyms that translates this foreign language. We’ll focus on the different Support Guidelines applicable to the individual branches of service and address the basic benefits dependents continue to be eligible to receive after a separation, but prior to the issuance of a Final Order. We will discuss TRICARE coverage pending the Final Divorce and how to calculate the income of the servicemember, including BAH, BAS, Special Pay and who receives it.

12:15 p.m.

Federal v. State: Jurisdiction Issues and Service of Process on Military Members

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

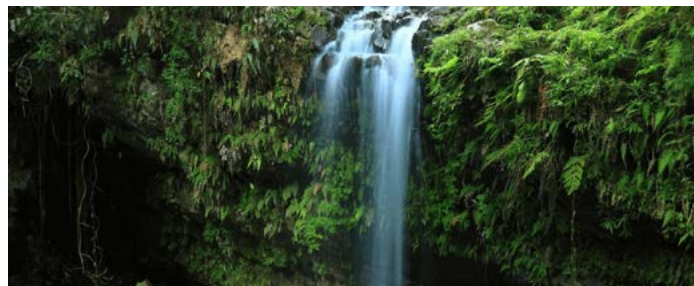
The Servicemembers’ Civil Relief Act (“SCRA”) has implications for service of process as well as jurisdictional issues with service on base. We’ll determine how to go about locating either party for service and will cover certain Hague Convention considerations regarding service and jurisdiction. Jurisdiction over the military servicemember’s military retirement will also be addressed.

1:15 p.m. **CLEs end for the day**

6:00 p.m. **Reception**

Tuesday, December 6

Spend the day enjoying the island of Puerto Rico by taking one or more of the many tours offered. See page 8 for details.



Wednesday, December 7

8:00 a.m. **Breakfast**

9:00 a.m.

Military Family Law Ethical Considerations: Should You Have Taken the Case (Ethics Credit)

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

There are ethical considerations when taking a military family law case when you are not familiar with the Uniform Former Spouses Protection Act (USFSPA). Do you know what the 10 Year Rule really is and the benefits of a 20-20-20 spouse versus a 20-20-15 spouse? There are factors counsel should consider when payment is made directly from DFAS versus paid directly to the spouse, such as, whether or not you are qualified to provide tax advice. You’ll learn how to address allegations of abuse or adultery against the servicemember and the ethical considerations of raising or not raising these factors.

10:00 a.m.

Crossover: Civilian Criminal Law Considerations and the Impact on the Dependents

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

This section will cover how to properly address an allegation of Domestic Violence or Child Abuse against the spouse, servicemember, or both. It will also address the services available from the military services to victims of Domestic Violence or Child Abuse, including Military Protective Orders and the Family Advocacy Program, and collateral career consequences to the servicemember from allegations of misconduct that arise in domestic disputes.



Conference Schedule

Wednesday, December 7 (Continued)

11:00 a.m. **Break**

11:15 a.m.

Domestic Violence – When It’s Part of Your Case

Presented by: Laura H. Cabanilla Esq., Utah

There are many challenges that domestic violence victims face in family law litigation. This session will address the many considerations that an attorney must address when violence is involved, whether you are representing a victim, or whether you represent the accused abuser. While laws regarding domestic violence and protective orders do differ from state-to-state protection orders, federal laws like the VAWA (Violence Against Women Act) have application. Discuss protective orders and other similar legal matters like stalking injunctions, civil restraining orders, protective orders in the juvenile court, child protective services and how this can affect the case.

1:15 p.m. **Lunch**

2:00 p.m.

Getting the Info You Need in Military and Family Law Cases Through the Freedom of Information Act

Presented by: Pete Sorenson, Esq.

Presented in this session are the three basic phases of FOIA: the request, the administrative appeal, and the judicial review, with special emphasis on family law and military/veterans matters. Information is crucial to the successful attorney. Without quality information, we’re often adrift. The Freedom of Information Act (FOIA) is increasingly used by attorneys to obtain the records that help lawyers win cases or assist clients in navigating complex negotiations. Making a good request is crucial and you’ll learn the ins and outs of a good request. We’ll learn more about getting the request fulfilled prior to a “final agency decision,” go over the administrative appeal and how to get the agency to reverse its prior decision., and go into major aspects of the third phase of FOIA, the judicial review.

After those basics, we’ll delve into the tested techniques for how to get the records you’re seeking faster, with less expense and how to avoid the traps -- and there are many -- in getting the records.

4:00 p.m. **CLEs end for the day**

Thursday, December 8

8:00 a.m. **Breakfast**

9:00 a.m.

Impact of Mental Health and Substance Abuse in Family Law Cases

Presented by: Laura H. Cabanilla Esq., Utah

Family law cases can often be complicated by mental health and substance abuse issues. These issues can affect your case, not only in adding extra complications, but can cause difficulties in your professional relationship with your client. In a negotiated resolution these issues can be positively and appropriately addressed; you’ll be provided the proposed language for a stipulation addressing drug testing, visitation, etc. Sometimes these issues lead to the appointment of a Guardian Ad Litem or the appointment of a Custody Evaluator to address the best interests of the children. We will discuss the differences between these professionals, as well as discuss the process and when this might be appropriate in your case and what benefits your case may achieve.

11:00 a.m. **Break**

11:15 a.m.

Legacy Retirement vs. Blended Retirement System (BRS): What and Why Do You Need to Know the Differences

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

There are detailed differences between these two retirement systems and which servicemembers are eligible for each type of retirement. We will examine TSP as a marital asset, military retirement as a marital asset, VA income considerations, and Survivor Benefit Plan (SBP) considerations. MyPay access, TSP.gov access, High-3 pay calculations, SBP premium calculations, and other financial issues will also be covered.

12:15 p.m.

Litigating the Military Retirement as an Asset and Drafting Considerations for the Final Order (When to Call for Help)

Presented by: Mary Fran Quindlen, Esq. and Jeffrey Stephens, Esq., South Carolina

This section will cover *McCarty v. McCarty*, *Mansell v. Mansell*, and *Howell v. Howell*. There is model language provided by DFAS for Orders that require direct payment to a spouse of their retirement pay as well as garnishment for alimony and/or child support. We’ll address VA benefits and pay and indemnification clauses as well as address enforcement provisions when payment is made directly to the spouse and SBP language, Post 9/11 GI Bill language and SGLI/VGLI.

1:15 p.m. **Conference ends**



Our Featured Speakers



Cabanilla

Laura Cabanilla attended college at Brigham Young University in 1980, graduating with a Bachelor's degree in English in 1986. During college she joined the U.S. Army Reserve to fund her schooling and because of her desire to serve her country. She was the only female cadet enrolled in BYU's ROTC program at that time, and the second woman

commissioned through the program.

In 2010 Laura was deployed to the Middle East in support of Operation Enduring Freedom; while she was based in Kuwait she travelled frequently to Iraq, Bahrain and Qatar, experiencing the Arab Spring first hand. She is a 1994 graduate of Brigham Young University's J. Reuben Clark Law School. She previously worked as a prosecutor with the Utah County Attorney's Office where she prosecuted many high-profile criminal cases. In 2000, Laura Cabanilla joined the law firm which is now Esplin|Weight.

Laura Cabanilla is a partner with the firm and shares in the ownership of the historic building where the firm is located. Her practice consists primarily of family law cases (including appointment on children's advocacy cases) and criminal defense. She previously served on the Provo City Council which is a four-year term. Currently Laura serves on several boards including Utah Pet Partners (an organization that trains handlers and their therapy animal to conduct therapy visits at area hospitals and other organizations); Provo City Farmers Market; and Provo City Parks and Recreation Board.

She is married to Dave Cabanilla, an airline pilot with Federal Express and local land developer. They have four adult children: triplets: Paige, Cliff and Sierra and a younger son Marc. Laura and her husband are the happy grandparents of 8 grandchildren. In her spare time, Laura oil paints and breeds Cavalier King Charles Spaniels.



Quindlen

Mary Fran Quindlen holds two bachelor's degrees in History and English from Rutgers University. She received her law degree from the University of South Carolina in 1998, where she was a member of Women in Law and the Phi Alpha Delta Fraternity.

Following her admission to the South Carolina Bar, Mary Fran practiced as a Marine Corps Judge Advocate serving as a Legal Assistance Attorney and Defense Counsel. She continued to serve in the United States Marine Corps Reserve until May of 2006 when she resigned her commission as a Major. After her release from active duty in 2002, Mary Fran became an Associate at Harvey & Battey, P.A. in Beaufort, South Carolina. She worked as their family law practitioner until 2005 when she opened her own practice in Beaufort. Mary Fran's practice is concentrated in the areas of Military and Family Law, to include custody, visitation and divorce.

Mary Fran is a Fellow in the American Academy of Matrimonial Lawyers, the International Academy of Family Lawyers, and serves on the South Carolina Bar's Fee Dispute Resolution Board. Mary Fran has been qualified as an expert in South Carolina Family Courts regarding military matters related to divorce and she teaches military family law CLE's around the country.





Our Featured Speakers



Sorenson

Peter Sorenson has been a licensed attorney for over 40 years tried over 200 jury trials and has been a small-town general practice lawyer and is now a national expert on the Freedom of Information Act. He's a former member of the staff of a United States Representative in Congress in Washington, DC where he worked on a variety of natural resource issues. He served as a special assistant to the Secretary of Agriculture, also in Washington, DC. Following his DC

experience, he served as a prosecuting attorney and as a criminal defense attorney. He switched his practice to toxic torts and environmental law and worked on Clean Air Act, Clean Water Act and Safe Drinking Act matters. During these 15 years he lectured throughout the United States at over 20 law schools, on both environmental law and attorneys' fees. After this portion of his career, he switched back to public service, serving two terms as an Oregon State Senator. He served in other elective offices and he also taught legal ethics at the University of Oregon School of Law.

Six years ago, Peter switched back to law and has concentrated exclusively on the Freedom of Information Act (FOIA). His practice is now devoted entirely to the FOIA and his judicial reviews are filed in the United States District Court for the District of Columbia in Washington, DC. He represents computer companies, journalists, nonprofit groups, physicians, and others on FOIA cases.

He is a national expert on not only how to obtain records from the Federal government but also on how to force the government to pay the reasonable attorneys' fees for the difficulties involved.



Stephens

Jeffrey Stephens is originally from Macon, Georgia. Jeff holds a Bachelor of Science degree from Georgia Tech, and a Juris Doctorate degree from the University of Tennessee. He served as an enlisted Marine Corps reservist in college and law school and was later commissioned as an officer. Jeff spent 10 years on active duty as a Marine Corps judge advocate, finally retiring from the

Marine Corps Reserve after 22 years of service in 2016. Jeff's military assignments included serving as a prosecutor, defense counsel, and recruit training company commander at Marine Corps Recruit Depot Parris Island, assignments as an Appellate Defense and Appellate Government attorney with the Office of the Judge Advocate General of the Navy, and deployments to Fallujah, Iraq and to Bahrain as an operational law attorney. After leaving active duty, Jeff served for 5 years as an assistant solicitor for South Carolina's 14th Judicial Circuit, prosecuting crimes committed in Beaufort and Jasper counties. He served for 3 years as a Beaufort County assistant public defender and has been an attorney with the Quindlen Law Firm, P.A., since 2012. Jeff and his wife have 4 children who are almost all out of their house in Beaufort, SC.



Registration Information

Join us in the Caribbean on the island of Puerto Rico.

The Island of Enchantment or "Isla del Encanto!" as the locals call it. This conference offers 12 hours of Continuing Legal Education, including ethics credit, in family law and military family law.

There will be plenty of time to enjoy the island with tours or just relaxing by the beach. We call it an Enchanted Eduvacation™ Experience! Bring your family or your law firm for some time out of the office.

The conference registration fee per attorney: \$1,845

Add \$300 after October 15, 2022.

The conference registration fee includes 12 CLE hours (presented on Monday, Tuesday, and Thursday), conference course materials, meals at conference. All optional tours are separately priced.

Puerto Rico Licensed Attorneys

Attorneys who are licensed in Puerto Rico and who have an office located in Puerto Rico qualify to register at a reduced rate. Call 907-231-2111 for more information.

The conference registration fee for non-attorney spouse/guest: \$645

Add \$300 after October 15, 2022.

This is a restricted fee intended for family members/guests who are non-attorneys. Any non-attorney spouse/guest who is interested in networking with others may pay a fee to partake in meals and attend CLE sessions.

COVID Protocol

All attendees should reference local measures developed by the Puerto Rico Tourism Company (PRTC) www.discoverpuertorico.com/promise

Location

All CLEs and meals will take place at Courtyard Isla Verde Beach Resort 7012 Boca de Cangrejos Avenue Isla Verde, Carolina, Puerto Rico 00979 The resort is located just 2 miles from the airport.



Cancellation Policy

No refunds will be granted for any cancellation initiated by registrants after Sept. 1, 2022. Before this date, refunds will be processed with a 3% processing fee.

Destination CLEs will issue refunds if forced to cancel. It is highly recommended that you get travel insurance.

MCLE Accreditation

See the website for information on the states that have accredited this program.

If your state is not listed, Destination CLEs will assist you with the accreditation process.

Please inquire by emailing Mary@DestinationCLEs.com

Register: <https://DestinationCLEs.com/puerto-rico-cle>

For more information, contact Mary at
907-231-2111 or by e-mail at Mary@DestinationCLEs.com





Courtyard Isla Verde Beach Resort

7012 BOCA DE CANGREJOS AVENUE
ISLA VERDE, CAROLINA, PUERTO RICO 00979

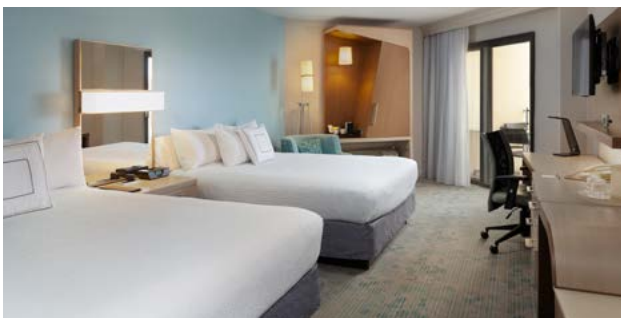
Lodging Information

Group Rate: \$239 per night, single/double occupancy;
\$264 per night, triple occupancy and
\$289/per night, quad occupancy

* Room rates are subject to applicable 18% Hotel fee plus 11% government tax. Children 12 and under may stay free in the same room with parents. Government taxes are subject to change without notice.

Includes:

- Complimentary use of Fitness Center
- Complimentary access to High-Speed Internet Communication
- Complimentary usage of the Business Center
- Two (2) complimentary bottles of water per room per day
- Complimentary Bellman and Maid Charges
- Special group self-parking charge of \$15.00 per car per day, plus taxes
- Two welcome Rum Drink vouchers per room



Reservations

Online: <https://www.DestinationCLEs.com/puerto-rico-cle>

By Phone: 787-999-6500 (Monday to Friday 10am– 6pm)

Group rate is good from December 4-December 10, 2022. Stays outside of these dates will get rack rate.

Must mention **Island of Enchantment CLE Rate** to obtain the group rate when calling the hotel. Hotel reservations are on a first-come first-served basis until the reservation's deadline of November 1, 2022, or until the block has sold out. Destination CLEs, LLC cannot guarantee the group rate if rooms are still available in the Destination CLEs, LLC block after the reservations deadline.

Do not book through a third-party site (e.g., Expedia, Kayak). Conference attendees should make their hotel reservations directly with the hotel listed above. We do not work with any other housing authority.

Air Travel:

Luis Muñoz Marín International Airport (SJU) is just 2 miles from the hotel.

Car Rental:

RENT YOUR CAR EARLY!

You may find it unnecessary to rent a car.

Puerto Rico Tours

Find All Tours at
<https://tinyurl.com/puertoricotours>



Zipline



Catamaran



Rum Tasting



Night Kayak



Rainforst



Private Sailing



Food Walk



Scuba Diving



**CRUISE
PLANNERS**



Meet Your Destination Specialists
Mary and Mike DeSpain find the right vacations and business trips for you.

When you book your trip, we will contact you about the best options for your Puerto Rico experience.