

A blue-tinted photograph of hands reviewing documents with a pen. The image is the background for the entire page, showing a person's hands holding a pen and pointing at a document, with another hand resting on the paper.

Private Client Practice

Your Training Guide

May – October 2018

CENTRAL
**LAW
TRAINING**

Wilmington Professional

www.clt.co.uk

Your Private Client Training Guide

With the second mandatory year of the SRA continuing competence regime already at its midway point, solicitors around England and Wales are **finalising their training for the second half** to ensure their learning and development needs are **addressed by 31 October**.

To support you in developing your professional competence, **Central Law Training** organises **over 650 courses and 200 webinars each year** covering a wide variety of practice areas developed with the four SRA competencies in mind.

With experience of working closely with firms of all sizes, corporates and public bodies, we are the **perfect partner to help you maximise your training budget** and ensure you and your firm receive the training that you need.

A Key to Your Training Guide

To help you identify the right training for you, each course is tagged with the SRA competency area(s) that it covers, the training duration and level.

| SRA Competences | Length of training and prices |
|---|---|
| A Ethics, professionalism and judgement | 3 3 hour course £105 + VAT Package price £120 + VAT CLT Members / £240 + VAT Non-members |
| B Technical legal practice | 5 5 hour course £175 + VAT Package price £240 + VAT CLT Members / £480 + VAT Non-members |
| C Working with other people | 6 6 hour course £210 + VAT Package price £240 + VAT CLT Members / £480 + VAT Non-members |
| D Managing themselves and their own work | 12 2 day course £420 + VAT Package price £480 + VAT CLT Members / £960 + VAT Non-members |
| | 5 5 hour Masterclass £175 + VAT Package price £300 + VAT CLT Members / £600 + VAT Non-members |
| | 6 6 hour Masterclass £210 + VAT Package price £300 + VAT CLT Members / £600 + VAT Non-members |
| | W Webinars are 1 hour £35 + VAT Package price £60 + VAT CLT Members / £120 + VAT Non-members |

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Certificate in Will Drafting

5 B

Foundation

Rebecca Sharp

Area B of the SRA's competence statement states that practitioners should be able to 'obtain relevant facts,' develop and advise on the relevant options' and 'draft documents which are legally effective and accurately reflect the client's instructions'.

With this in mind, this course is designed for those with little or no experience in will drafting to ensure that they can comply with area B in the context of will preparation. By the end of the course the delegate will feel confident in drafting not only simple, but also more complex wills and their ensuing due execution.

In particular it will deal with:

- Capacity and intention to make a will and how to resolve problems
- Appointment of executors
- Appointment of guardians
- Types of legacy and problems in drafting including: lapse, ademption and abatement
- Particular assets including – business assets – advantages, problems and pitfalls, the matrimonial home – how to protect the surviving spouse's rights of occupation
- Drafting residuary gifts: how to avoid a partial intestacy
- Trusts: types, uses and taxation
- Trustees' powers in the light of the Trustee Act 2000: are express powers still necessary?
- Formalities and solicitor's duty in relation to execution
- Tax efficient will drafting
- Some common howlers

*Excellent introduction to the world of wills.
I now feel confident to take instruction and draft wills.*

| | |
|------------|--------|
| Birmingham | 16 May |
| London | 24 Oct |

Wills and Probate Update 2018

5 A

Update

Professor Lesley King

This course will acquaint private client practitioners with recent developments in the areas of will drafting, construction and interpretation, trusts and probate practice and related tax issues to ensure practitioners can apply these developments to their daily practice and be able to discuss the changes in an informed way with colleagues and clients. It will also look ahead to future developments.

The course will cover:

- Wills, trusts and probate cases and developments
- IHT cases and developments
- Miscellaneous Tax issue
- Future Developments

Admirably clear and comprehensive exposition of a wide range of will and probate issues. First class!

| | |
|------------|---------------|
| London | 18 Jun, 5 Oct |
| Birmingham | 17 Oct |
| Newcastle | 19 Oct |
| Bristol | 31 Oct |

BEST SELLER

Practical Probate: The Works

6 B

Foundation

Linda Pratt

This course will give a detailed and reassuring overview of the complete process of handling an estate in a cost efficient manner without compromising client service. A winning combination!

- Taking instructions: who is your client and who is not
- Ascertaining details of assets for both probate and tax purposes, taking control and identifying type of ownership of the assets and establishing liabilities of the estate
- Establishing a client led step by step procedure to confidently handle the estate information received throughout the whole administration of the estate, resulting in an excellent relationship between you and your client
- Establishing the validity of the will/status under intestate succession, and preparing and completing through worked examples the Oath and HMRC accounts (full copies and supporting documentation provided)
- Collecting in, transferring the assets, settling debts/liabilities from the correct assets of the estate
- Distribution under the intestacy rules or terms of the will, interim distributions and missing beneficiaries
- Finalising the administration preparation of estate accounts, obtaining client acceptance of your legal fees, tax vouchers and vesting of estate assets

| | |
|------------|--------|
| Manchester | 8 Oct |
| London | 10 Oct |

BEST SELLER

Will Drafting Masterclass

5 **B**

Masterclass

Professor Lesley King

In a time of increased competition and legislative changes, anyone preparing wills needs to be confident in the quality of the product offered. This practical course is designed to allow practitioners to take a fresh look at their drafting practices, particularly in the light of recent legislation and case law.

Mini-case studies and suitable precedents will accompany the materials and there will be opportunities for questions and discussion. The course will also provide a thorough review of negligence and best practice.

Session 1: Taking Instructions: What do You Need to Know?

- Details of property owned including examination of case law surrounding proprietary estoppel, constructive/ resulting trusts and bank accounts
- Details of family and dependants including possible claims under I(PFD) A 1975 *Ilott v Mitson*
- Any reason to question capacity/consider undue influence? Should you see earlier wills? *Kenward v Adams, Charles v Fraser*. What about the golden rule? *Key v Key, Wharton v Bancroft and Others*. What is undue influence: *Hubbard v Scott*? Liability for costs?

Session 2: Planning the Will

- Spouses and children including advantages and disadvantages of using the transferable nil band, residence nil rate band, discretionary trusts and IHTA 1984, s.144 and flexible life interest
- Cohabitees and children

- Opportunities and pitfalls of using pilot trusts?
- Property eligible for BPR-maximising relief, IHTA 1984, s.39A and double dip
- Are mutual wills ever a good idea?

Session 3: Will Drafting

- Topping: revocation and foreign wills (EU Succession Regulation considered) and will in expectation of marriage/ formation of civil partnership
- Tailing: signature on behalf of testator and special attestation clauses
- People: executors and trustees, partners in firm, charging clauses, IHTA 1984, s.144 problems, exemption clauses, self dealing and guardians
- Beneficiaries including survivorship clauses, charities and Wills Act 1837, s.33
- Non-residuary gifts

£175 + VAT Package price

£300 + VAT CLT Members/£600 + VAT Non-members

| | |
|------------|----------------|
| London | 11 Jun, 18 Sep |
| Birmingham | 13 Sep |
| Manchester | 25 Oct |

HOT TOPIC**A Tricky Business: BPR and APR Explained **NEW******3 B**

Intermediate

Rebecca Sharp

The availability of BPR and APR can provide some welcome tax planning opportunities for your clients, both during their lifetime, and upon death via their will. However, the legislation can be tricky to understand and whether or not the reliefs apply can sometimes be unclear.

Suitable for all private client practitioners with business or agricultural clients, this fresh new course will ensure that you leave with a thorough grip on the issues at hand by examining not just the theory, but how the law is applied by HMRC in practice.

Points covered include:

- What does the legislation say and what is HMRC looking for?
- Trading businesses v investment businesses
- Caravan sites and holiday lettings
- APR on farmhouses – including functionality test
- The relationship between APR and BPR
- Trusts
- Entrepreneur's Relief
- Tax planning opportunities via the Will and lifetime gifting
- Examination of recent cases

| | |
|-------------------|------------------|
| Manchester | <i>12 Sep pm</i> |
| London | <i>23 Oct pm</i> |

BEST SELLER**Advising and Planning With the Residence Nil Rate Band****3 B**

Intermediate

Professor Lesley King

The residence nil rate band (RNRB) is now in force for deaths on or after 6 April 2017 and with it having been described as 'complicated and convoluted', this course is a must for anyone involved in will drafting and estate administration.

The RNRB has attracted significant media comment (much of it wrong) and confusion as to its application still exists among some practitioners. It is therefore important to be fully briefed to deal with client enquiries and ensure wills are drafted to get the best results for your clients.

Learn when lineal descendants are treated as 'inheriting' and the meaning of a 'residence' as our expert speaker, Lesley King takes you through the new rules complete with case study examples, to ensure you are as up to date and prepared as you can be to advise your clients fully.

The course will cover:

- How the RNRB works
- The effect of the downsizing provisions
- The implications for will drafting and estate planning
- Case studies

| | |
|--------------------|------------------|
| London | <i>6 Sep pm</i> |
| Newcastle | <i>21 Sep pm</i> |
| Bristol | <i>1 Oct pm</i> |
| Southampton | <i>22 Oct pm</i> |

IHT400: A Practical Guide **NEW**

3 B D

Intermediate

Rebecca Sharp

This practical and interactive half day course is a must for anyone involved in probate practice that is required to complete form IHT400. Our expert, Rebecca Sharp is more than happy to answer your questions, so there really is no need to struggle with this form any longer! The course deals with a number of quirky issues that can arise from the assets and liabilities of an estate and their subsequent impact on the IHT400.

These include:

- What is the estate and how to value it
- Exemptions and reliefs
- Grossing up
- Transferrable and residence nil rate band
- Amendments
- Making mistakes and penalties

HOT TOPIC

A Practical Guide to Variations and Disclaimers

3 B

Intermediate

Rebecca Sharp

Following the government's decision in 2015 not to restrict how deeds of variation are used for tax purposes, post death variations continue to be a very important tool for re-arranging the estate of deceased persons both for tax reasons or to achieve a more equitable distribution and potentially avoid litigation. Case studies and delegate participation ensure that after attending this course, practitioners are aware of the requirements for after death variations to be effective, when each type should be used and the tax consequences of the different types of variation.

The course will cover:

- Deeds of Variation vs Disclaimers
- Inheritance (Provision for Family and Dependants) Act 1975
- Precatory Trusts
- Requirements and scope of the arrangements
- Tax consequences and tax planning
- Transferable nil rate band
- Tips and Traps

Birmingham 22 Jun pm, 17 Oct am

Birmingham 17 Oct pm

BEST SELLER

Private Client Conversion Course

27 A B

Intermediate

Caroline Bielanska, Linda Pratt, Rebecca Sharp and Richard Adkinson

This course is designed to bring delegates up to a basic level of competence in private client work. It is suitable for practitioners in any field wishing to change specialisms and also for trainees as it assumes no knowledge at the outset. There will be practical exercises and case studies throughout with plenty of opportunity for questions and discussion.

Accompanying the course materials will be a resources pack with forms, guidance and other materials. Due to the introductory nature of the course and the fact that only the basics are covered, it may be necessary to attend some of our other courses for more advanced training.

Day 1: Will Drafting and Basic Tax

Includes structure and specific clauses, IHT and CGT and variations and disclaimers.

Day 2: Trusts

Includes principles and essential elements for creating trusts, taxation, drafting lifetime trusts and a look at the intestacy rules.

Day 3: Advising Elderly Clients

Includes the Mental Capacity Act 2005, the Code of Conduct, assessing mental capacity, Lasting Power of Attorney forms and nursing care funded by NHS.

Day 4: Probate and Administration of Estates

Includes, property passing outside the Will/intestacy, preparing the IHT205/IHT400, oaths, tax during the administration of estate, finalising IHT and estate accounts.

Day 5 AM: Workshop of Practical Exercises and Case Studies

This will provide an opportunity to review your learning over the course and look at detailed case studies with worked examples. Feedback from earlier events shows this is a much needed exercise in consolidation.

Requires booking specifically:

Day 5: Fee Charging for Private Client Work (Optional afternoon lecture: 1pm – 4pm)

Using the course case studies Linda will explain her approach to the challenging exercise of setting an effective fee charging structure. (See next page)

£945 + VAT Package price

£1080 + VAT CLT Members/£2160 + VAT Non-members

| | |
|------------|-------------|
| Manchester | 18 - 22 Jun |
| London | 8 - 12 Oct |

HOT TOPIC

Fee Charging for Private Client Work

3 **D**

Foundation

Linda Pratt

Developed following popular demand! Using the course case studies from the Private Client Conversion Course, our highly engaging speaker, Linda Pratt, will explain her approach to the challenging exercise of setting an effective fee charging structure.

Linda ran her private client practice with a strong personal input into the costing of the legal services provided by her firm. Recognising the value of the will, trust, power of attorney, accurate and timely administration of an estate rather than only the physical creation of the document/estate distribution produced for the client, formed the basis of her highly successful practice. Added to this was an empowerment of her staff to have the knowledge and confidence to apply a fee charging structure based on a range of agreed practice guidelines.

Always a lively discussion between Linda and the course delegates, this lecture aims to round off a very rewarding week for all but is also available to non Private Client Conversion Course delegates.

Linda is excellent at presenting the course and keeping everyone interested, whilst being very informative

Manchester 22 Jun pm
London 12 Oct pm

HOT TOPIC

Drafting Commercial Lasting Powers of Attorney

3 **B**

Intermediate

Craig Ward

Company and Private Client Lawyers take heed! Legislative changes concerning company directors say; if they lack mental capacity they may not necessarily now be removed. This creates a quandary for a company, particularly their attitude to risk. Doing nothing could endanger the company; creating a Commercial LPA reduces the risk. Commercial LPAs can be used to manage decisions where a director is unavailable or away on business, just like an ordinary LPA or where they become incapacitated for longer periods of time or lack mental capacity.

This course will take solicitors through relevant company law; identifying business structures and drafting Commercial LPAs. Showing how different areas of law impact and how best to advise a company on making a Commercial LPA.

Topics covered:

- Personal & commercial LPA clashes
- Directors: problems and removals
- Taking instructions
- Checking & adjusting business structures
- Applying current case law
- Drafting a Commercial LPA

London 23 May pm
Sheffield 18 Sep pm

Certificate in Probate and Administration of Estates

12 B

Foundation

Anthony Miller

This is a structured two day course designed for those practitioners wishing to gain a good practical grounding in this field.

It is suitable for trainees and newly qualified solicitors who have had little or no grounding at the academic stage, for those returning after a career break and those wishing to change specialisms. It covers all aspects post-death through to finalisation of the estate.

- Good overview of steps in an administration
- Personal representatives: different types, their duties and authority and options available
- The initial interview: who is my client? What is my general duty to my client?
- Taking instructions: information required, immediate practicalities to address
- Setting up the file; initial letters; organising and managing the file
- Obtaining information about the estate and ascertaining beneficial entitlement
- Property passing outside the will or intestacy: 'jointly owned property'
- Is there a 'will'? Is it the last will? Are the clauses valid? Is it admissible to probate?
- Entitlement on intestacy
- Preparing the papers to lead to the grant: Responsibilities of Personal Representatives; Form IHT 400, calculation and payment of IHT, and raising funds to meet IHT liability
- Completion of Oath for common form Grants: Probate, Letters of Administration with the will annexed and Letters of Administration
- Other evidence: affidavits of due execution, plight and condition and identity
- Administering the estate: collecting in assets, paying debts and legacies, settling deceased's tax liability to date of death
- Tax during the administration of estate: PRs liability, payments to beneficiaries during the administration and disposals during administration
- Finalising IHT, corrective accounts and obtaining Clearance Certificate
- Finalising the administration: Estate and Distribution Accounts, transfer to beneficiary entitled
- Inheritance (Provision for Family and Dependants) Act claims
- Post-mortem tax planning

Sheffield 12 - 13 Jun

London 3 - 4 Jul

Birmingham 18 - 19 Sep

Contentious Probate: Current Issues and Problem Areas for Practitioners

5 B

Intermediate

Luke Harris

Contentious probate is an expanding area of practice. This course equips practitioners to advise personal representatives, beneficiaries and potential claimants with confidence and is equally suitable for contentious and non-contentious probate practitioners and civil litigators who seek a greater understanding of the issues involved.

It will include a review of developments and relevant case law over the last five years, a consideration of preparation of cases, and practical obstacles and how to overcome them.

The course will cover:

- The probate jurisdiction of the court
- Issues as to formal validity of wills: testamentary intention and due execution
- Probate claims based upon testamentary incapacity, want of knowledge and approval, undue influence and forgery
- Interest claims
- Evidence
- Practice and procedure in probate claims
- Costs in contentious probate claims

Contentious Probate and Will Disputes: Developing Your Knowledge

5 A B

Foundation

Richard Land

Unlike some other litigation, contentious probate and will disputes are increasing year on year. This course is designed for litigators who wish to develop their knowledge in this field and enable them to start to build a practice in an area which is both interesting and challenging in equal measure.

The course will cover both legal and practical issues:

- Different types of claim
- Probate and intestacy
- Standing searches, caveats, warnings and appearances
- Challenging a will
- Inheritance Act claims: factors to consider, pre-action steps, the effect of prenuptial agreements, dispositions intended to defeat claims
- Cost and Case Management
- When to mediate and when not to?
- Costs: usual rules and exceptions, Part 36 offers and conduct of parties

The speaker was very engaging and relevant and involved the attendees to interact during the presentation.

| | |
|------------|--------|
| Birmingham | 19 Jun |
| Manchester | 6 Sep |
| London | 4 Oct |

| | |
|-----------|--------|
| London | 6 Sep |
| Newcastle | 18 Oct |

HOT TOPIC

Tax Doesn't Have To Be Taxing Part 1: Foundation

3 A

Foundation

John Bunker

Ideal for trainees, newly qualified solicitors, those changing specialisms or even those more experienced practitioners who would like a refresher, our expert, John Bunker, demystifies the three main taxes for private client practice: Inheritance Tax (IHT), Capital Gains Tax (CGT) and Income Tax.

Knowledge of Inheritance Tax alone is not enough as the estate planning you undertake for your clients may well impact on their CGT and Income Tax position. This course will help you understand the importance of getting into the habit of considering the taxes together.

This course explores:

- IHT on death: calculation, exemptions and reliefs
- CGT on lifetime gifts and on death
- Trust taxation: the basics of lifetime trusts and will trusts
- IHT valuation issues – land and other assets
- IHT and CGT issues on gains and losses in estates
- Deeds of variation: basic tax issues
- Income Tax basics including allowances and rates

London

14 Jun am

HOT TOPIC

Tax Doesn't Have to Be Taxing Part 2: Intermediate/Advanced

3 A

Advanced

John Bunker

A course that can either build upon Part 1, or stand alone for those wanting to get straight into the tax planning side. This addresses key issues around IHT and CGT planning in relation to mainstream private client work, including issues arising in estates and trusts. It also picks up some key points around the new SDLT charge, from April 2016, and some planning tips that may help you advise clients, especially those inheriting residential properties or holding interests in trusts.

- IHT Residence Nil Rate Band (RNRB) basics including downsizing relief
- IHT Nil Rate Band Discretionary Trusts: exploring when and how to use NRB D/T's
- Transferable Nil Rate Band and the interaction with using the Nil Rate Band
- Deeds of Variation: planning issues around variations
- SDLT: the new 3% higher rate for additional properties & how it works
- Pensions death benefits: the tax rules and planning issues

London

14 Jun pm

Certificate in Trusts **NEW**

12 B D

Foundation

Leon Pickering and Stephanie Churchill

This course will equip private client practitioners with all the knowledge they need to tackle the topic of trusts with confidence. Suitable for trainees, newly qualified solicitors, those requiring a refresher and anyone who needs to be confident in providing advice relating to trusts, this course covers trusts from start to finish; from deciding upon the most appropriate form of trust for the client's needs, right through to the distribution to the beneficiaries.

Under the SRA Competence Statement, amongst other things, solicitors need to show they can 'maintain the level of competence and legal knowledge needed to practise effectively, taking into account changes in their role and/or practice contexts and developments in the law', 'draft documents which are legally effective and accurately reflect the client's instructions' and 'plan manage and progress legal cases and transactions'. Rest assured, this course will help you demonstrate competency in these areas.

Day One

Topics covered include:

- Aims, purposes and types of trusts
- Powers and duties of trustees
- Administering the trust effectively
- Trustee liability and overview of litigation
- Termination of the trust; death of beneficiary, achieving contingencies, by exercise of trustee powers, apportionment, tax issues
- Checklist prior to completion/closure of trust

Day Two

This part of the course will cover:

- Income tax and capital gains tax: tax payable on trust income and the burden of this tax on trustees and beneficiaries
- Inheritance tax: the rules for both interest in possession trusts and those trusts which are subject to the Discretionary Trust (relevant property) regime, whether created in lifetime or by will, and how IHT is calculated for all types of trust.
- Trusts and Financial Planning: including types of trust and uses, trusts for testator's family and children, and accumulations of income

| | |
|--------------------|-------------------------------|
| London | <i>15 - 16 May, 4 - 5 Sep</i> |
| Sheffield | <i>18 - 19 Jun</i> |
| Birmingham | <i>11 - 12 Sep</i> |
| Manchester | <i>17 - 18 Sep</i> |
| Southampton | <i>27 - 28 Sep</i> |

Producing Estate Accounts Made Simple: A Workshop

3 B

Foundation

Mark Vickers

This practical, half day course is aimed at practitioners who are involved in the day to day administration of estates. It provides guidance in the use of basic accounting techniques and the sources of information necessary in the production of estate accounts. Our speaker will give you the knowledge and understanding you need to prepare estate accounts as well as how to communicate effectively with accountants, executors and beneficiaries.

Topics covered include:

- Completion of the Estate at Death (Capital 1) Account from data extracted from forms IHT400/IHT205
- Completion of an analysed cash account sourced from the client ledger
- Completion of the Estate Capital (Capital 2) Account
- Amendments and adjustments to the net estate
- The treatment of Inheritance Tax, Administrative expenses and specific and general legacies
- Completion of the Estate Income Account
- The Distribution Statement and Investment Schedule
- The Balance Sheet

London

23 Oct am

Producing Trust Accounts Made Simple: A Workshop

3 B

Foundation

Mark Vickers

This half day course is aimed at practitioners who are involved in the day to day administration of trusts. It provides guidance in the use of basic accounting techniques and the sources of information necessary in the production of trust accounts. Our speaker will give you the knowledge and understanding you need to prepare trust accounts as well as how to communicate effectively with, accountants, trustees and life tenants.

Topics covered on this course include:

- Components of a Trust Balance Sheet
- Revaluation of Trust investments
- Realization of Trust investments
- The updating of the analysed cash account sourced from bank transactions
- Updating the Trust Capital Account
- Updating the Trust Income Account
- The treatment of administrative expenses
- The Distribution Statement and the Investment Schedule
- The closing Trust Balance Sheet where appropriate

London

23 Oct pm

BEST SELLER

The Older Client: A Masterclass

6 A B

Masterclass

Sheree Green

The implications of working with clients in the early stages of dementia, or vulnerable due to bereavement or other influences will be explored, with use of case studies and sample precedents. Ample opportunity will be given for questions and discussion, and the course will allow for thorough consideration of the relevant ethics and duties of the solicitor where issues of capacity and undue influence may arise.

Session 1: Lasting Powers of Attorney

Successful drafting and common pitfalls focusing on:

- Taking instructions
- Choice of attorneys
- Issues regarding joint, joint and several and replacement attorneys (*Re Boff* (COP) case 12338771)
- Use of restrictions, conditions and guidance
- Role of Certificate Provider
- Confidentiality & 3rd party involvement
- Duties to the attorney
- Concerns of financial abuse (*The Public Guardian v JM* [2014] EWHC B4 (COP))

Session 2: Statutory Wills

- Initial considerations
- Making the application including the draft will
- Respondent sensitivities (*Re AB* [2013] EWHC B39 (COP))
- Best Interests (*NT v FS* (2013) EWHC 684)

Session 3: Sharing a Home

Hoping for the best, yet planning for the worst.

- Informal arrangements (*JS v KB, MP* [2014] EWHC 483 (COP))
- Pooling to purchase
- Paying for the extension
- 'Move in to look after me, and the house will be yours' (*Bradbury v Taylor & Burkinshaw* [2012] EWCA Civ 1208)
- The role of the 'family solicitor'
- Drafting challenges
- Tax matters

Session 4: Gifts

- Minimising the risks
- Anti-avoidance
- Lifetime gifts from settlements (*Re JDS:KGS v JDS* [2012] EWHC 302 (COP) and *Re AK* (Gift Application) [2014] EWHC B11 (COP))
- 'De Minimis' (In the Matter of GM (Case number 11843118))

£210 + VAT Package price

£300 + VAT CLT Members/£600 + VAT Non-members

| | |
|------------|--------|
| Manchester | 26 Sep |
| Birmingham | 10 Oct |
| London | 17 Oct |

Court of Protection and Lasting Powers of Attorney Update 2018

5 A

Update

Caroline Bielanska

This practical course updates on current issues affecting all lawyers who undertake Court of Protection and LPA work.

The course will cover:

- Reducing rejection of LPAs at registration
- Drafting to reduce abuse of LPAs
- Accurately identifying the limits on the attorney's authority
- Acting as a professional attorney: getting it right
- Court of Protection Rules 2017
- Case law update, including capacity and best interest decisions
- Calling in of the deputy bond
- Costs: getting paid, risks & retainer letters
- The Guardianship (Missing Persons) Act 2017

An excellent course which really brings the course notes to life

| | |
|------------|--------|
| Manchester | 11 Sep |
| Birmingham | 19 Sep |
| London | 9 Oct |

Central Law Training Membership

Making training affordable and simple for you and your team

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- Access a range of free webinars
- Pay for your training with an interest free finance plan
- Save even more by purchasing a training package

For more information visit
www.clt.co.uk/membership

Certificate in Court of Protection Practice

5 A B

Intermediate

Caroline Bielanska

Suitable for newly qualified solicitors, those returning after a career break or those private client lawyers who need to offer a service to clients in order to meet the demand for Court of Protection applications, this course covers everything from marketing and practice opportunities, to sample forms and a case law update.

Delegates will leave with the skills to tackle the range of applications with confidence.

The SRA Competency Statement area A says that solicitors should maintain an adequate and up-to-date understanding of relevant law, policy and practice and Area B looks at technical legal practice including drafting documents which are legally effective and states that solicitors should plan, manage and progress legal cases and transactions. With this in mind, plus the fact that a large proportion of applications submitted to the Court of Protection contain errors, this course has been designed to help you eliminate these errors.

This course helps achieve competency by covering the following areas in easy to understand detail:

- Basic applications and wider applications
- The court's jurisdiction and functions of the Office of Public Guardian
- When to apply to the Court for a welfare/financial decision
- The application and procedure for the appointment of a Deputy
- The application and procedure for Single Orders
- Sale and purchase of Property
- Trustees' applications
- Gifts, settlements and statutory wills
- Making decisions as a Deputy
- Making the most of state support
- Getting paid

London

14 Jun, 12 Sep

Residential Property: An Intensive Introduction for Qualified Practitioners

6 B

Foundation

Lorraine Richardson

This intensive and practical course is aimed at those qualified practitioners looking to change practice areas (for example, due to Legal Aid cuts) or for those returning after a career break. No prior knowledge of conveyancing (residential or otherwise) is required!

The course will provide a practical overview of residential conveyancing and the pitfalls which may occur on a daily basis in today's market including:

- An overview of the conveyancing transaction
- Identifying your client and the source of funds – why this is your responsibility
- Review of searches available in the market – online or paper based?
- Conveyancing Quality Scheme – what is it all about?
- The Protocol and the new forms
- Key risk areas – CML and your duty to the lenders
- What is SDLT? how does it differ from Stamp Duty?
- Standard Conditions of Sale (5th edition)
- Changes in Land Registry practice – where did office copies go?

The course is supported by clear flowcharts of the residential conveyancing process.

Manchester 21 May
London 8 Oct

Handling the Average Money Divorce

5 B C D

Foundation

Mena Ruparel

Make the most of limited resources and resolve cases quickly and effectively.

This workshop takes you through the whole process of dealing with a financial remedy case from the preparation of the Form E, analysis of the 'usual' financial disclosure, through to preparing the negotiation correspondence to try to settle the case.

- How to fund the average case post LASPO
- How and when to use voluntary disclosure, mediation, collaborative law and arbitration
- How to manage the client's expectations from first instruction onwards
- How to apply Section 25 Matrimonial Causes Act criteria
- Analysing financial disclosure
- How to identify and narrow issues prior to the First Directions Appointment
- Instructing experts; property and pension valuations
- Approaches for dealing with pensions and maintenance
- Negotiation handling

This course is designed for any practitioner in their first few years of family work.

Birmingham 18 May, 12 Sep

BEST SELLER

Masterclass in Unmarried Couples, Separation and TOLATA Claims

6 B C

Intermediate

Gwyn Evans and Gerald Wilson

This day will provide you with a comprehensive guide to TOLATA claims in the context of family work to meet the challenges of this difficult area. Unfamiliarity with Civil Procedure Rules, costs, the risk of taking claims to court and difficulties with quantification are just some of the issues that practitioners face.

Property fundamentals:

- Declarations of trust
- MPPA 1970
- Priority of interests, occupiers and overreaching
- Land Registry

Sole ownership and joint ownership claims:

- Claims against a sole owner and claims between co-owners
- Displacing express agreements
- Proprietary estoppel

Negotiating a settlement:

- Assessing the case
- Quantifying the claim
- Negotiating
- Drafting

Remedies:

- Buy-out, sale and postponement of sale
- Equitable accounting
- Occupational rent
- Mortgage payments

- Schedule 1 CA 1989
- Inheritance Act 1975
- Money claims
- Life policies, credit card debts and possessions
- Claims between married couples
- Third party interests
- Creditors, insolvency and confiscation orders

Practice and Procedure:

- Pre-action steps
- Making the claim
- Evidence and disclosure
- The hearings
- Tactics and procedural considerations
- Part 36, settlement and costs orders
- Costs management

Cohabitation Agreements and Declarations of Trust:

- Law, practice and drafting tips

Interaction with other claims: £210 + VAT Package price
£300 + VAT CLT Members/£600 + VAT Non-members

London 14 May, 3 Oct

BEST SELLER

Legal Aid Supervision: An Introduction

6 A B C

Foundation

Vicky Ling and Matthew Moore

This course has specifically been designed for those who are stepping into the role of legal aid supervisor or deputy for the first time.

The course has been written with the demands upon supervisors under the SQM/Lexcel and legal aid contracts in mind, and explains the role of the legal aid supervisor and the management skills needed to be effective.

- It meets the generic requirements for supervisor status on page 1 of the LAA Supervisor Form
- Meets the supervisor standards for new crime contracts
- Meets the supervisor standards for civil and family contracts to be re-tendered in 2017
- Covers supervision requirements in current legal aid contracts
- Covers SQM 2013 and Lexcel 6 requirements for supervision and file review
- Provides levels of competence as required by the SRA competence statement
- Practical supervision – day to day techniques for better file compliance
- Hints and tips for dealing with legal aid audits
- Building relationships and credibility
- Time management

| | |
|----------------|---------------|
| Bristol | <i>14 Jun</i> |
| Leeds | <i>19 Jun</i> |
| London | <i>5 Jul</i> |

Charity Land Transactions

3 B

Advanced

Jane Lonergan

This course looks at the obligations and requirements which apply on the acquisition, mortgage or disposal of land where charities are involved. It is suitable for all who advise charities or the parties who deal with them.

The course covers the Charities Acts of 1993 and 2006 and the consolidating legislation in the Charities Act 2011 and will look at:

- Charities - introduction for property lawyers
- Disposals by a charity and ss.117-121 Charities Act 2011
- Mortgages by a charity and ss.55, 124-126 Charities Act 2011
- Acquisitions by a charity
- Commercial leases generally and specific issues for charities
- Official custodian for charities – s.122 certificates
- Some common issues, including title issues

| | |
|---------------|----------------------------|
| London | <i>18 Jun pm, 3 Oct pm</i> |
|---------------|----------------------------|

Webinars

One hour webinars are the perfect way of expanding expertise and supplementing face-to-face training. To see our full range of webinars visit www.clt.co.uk/webinars

B

Foundation

Whistlestop Wills

Rebecca Sharp

Confident will drafting comes with a good understanding of the law and principles that underpin it. The client meeting is your opportunity to obtain the information you need to draft a will that meets your client's needs but occasionally it can raise red flags in the form of doubts about capacity, inheritance tax liability or potential post-death claims on the estate.

B

Foundation

IHT100 - Your Guide to Completion

Rebecca Sharp

The completion of form IHT100 is more than a simple 'tick box' exercise and requires considerations such as valuing assets and calculating charges. Failure to complete the form correctly can result in penalties being levied.

B

Intermediate

Post Death Variations

Rebecca Sharp

There have been some suggestions that post death variations may enjoy something of a revival following the introduction of the residence nil rate band in April 2017. In this informative webinar, Rebecca Sharp examines whether or not this is true and also takes a look at:

- Deeds of Variation vs Disclaimers
- Requirements and scope of the arrangements
- Tax consequences and tax planning
- Tips and Traps

B

Intermediate

Arranging Care at Home

Caroline Bielanska

With social care in crisis, many family members feel they have no option but to provide their own care for family members or contract directly with personal assistants. This webinar will consider, among others, issues relating to paying family to care, gratuitous care, employment considerations, sleep-in payments and using agency staff.

B

Intermediate

Care Home Contracts

Caroline Bielanska

Finding good care is a challenge. This webinar will cover issues such as how to identify a good care home, unfair contract terms, third party top ups, family visits, and what to do when things go wrong.

C

Foundation

Advising Vulnerable Clients

Max Duddles

This webinar will help you to properly identify and act for vulnerable clients. We will consider the responsibilities that a practitioner has towards vulnerable clients and how, in meeting those responsibilities, they can benefit themselves, their practice and the client.

A

Intermediate

Undue Influence and the Older Client

Patricia Wass

This webinar will explore the role of the practitioner in recognising and responding to the possibility of undue influence, by examining relevant case law, considering practical examples, and outcomes focused conduct requirements. The main relevant areas for private client practitioners dealing with older clients are examined, namely, lifetime giving, wills and lasting powers of attorney.

A

C

Foundation

An Introduction to Mental Capacity

Max Duddles

This webinar will help you to properly identify and act for clients who lack the mental capacity to give instructions or take advice. We will consider the responsibilities that a practitioner has towards such clients and how, in meeting those responsibilities, they can benefit themselves, their practice and the client.



Intermediate



Update

Construction and Rectification: Where Are We Now?

Edward Hewitt

There have been a number of cases on the subject of construction and rectification of wills and trust instruments in recent years. Although drafting problems can be, and often are, resolved by a process of construction and/or rectification, there are important limits on the court's jurisdiction and various practical considerations to be borne in mind when dealing with a claim for construction and/or rectification.

Essentials: What's New in Wills and Probate 2018

Professor Lesley King

This webinar offers an update on the very latest developments in wills and probate. It will provide you with a practical digest of recent and upcoming case law, key changes to legislation and other events of relevance to both you and your clients.



Intermediate



Update

Tax Planning with Entrepreneurs' Relief Webinar

Stephanie Churchill

In this era of blurred lines between tax evasion and tax avoidance, and an apparent willingness of courts to find in favour of HMRC, it is a difficult time to be an advisor providing tax planning advice. In this informative webinar, our expert, Stephanie Churchill, considers the current environment surrounding entrepreneurs' relief (ER) and what planning opportunities still remain.

Property Tax Update 2018

Stephanie Churchill

Our expert, Stephanie Churchill, looks at the latest developments and changes relating to the main taxes affecting residential properties (Income Tax, Inheritance Tax, ATED and Capital Gains Tax), and considers the options still available to improve your clients' tax position. Including a look at property management companies, trusts, replacement domestic item relief and principal private residence relief, this webinar is a relevant and useful resource.

Management & Personal Skills Training

Management and Strategy

For those new to management responsibilities or looking to deepen their understanding of law firm management and strategy.

12 C D

Advanced

Two Day Law Firm Management Masterclass
London 4 - 5 Jul
Bristol 10 - 11 Sep

6 C

Foundation

Management Course Stage 1
London 13 Sep
Birmingham 11 Oct

6 A C D

Intermediate

Preparing for Partnership
London 7 Aug

People Management

Courses to help staff at any level understand how to support and manage team members.

6 D

Intermediate

Managing and Motivating People
Sheffield 19 Sep
London 16 Oct

6 D

Intermediate

Performance Management in Legal Practice
London 11 Sep

6 D

Intermediate

Supervision: Essential Skills for Lawyers
London 16 Oct

Business Development

Courses that equip lawyers and firms to win new business and keep existing clients happy.

6 D

Intermediate

Presentation Skills for Lawyers
London 10 Jul

Financial Management

Courses from the functional to the strategic, to ensure your firm's finances are well-managed.

6 D

Intermediate

SRA Accounts Rules for Accounts Staff
Sheffield 22 May
London 5 Jun

5 C

Intermediate

SRA Accounts Rules: Achieving Compliance
Bristol 22 May
Birmingham 3 Oct
London 22 Oct

6 A

Foundation

Understanding and Interpreting Company Accounts
London 16 May

3 D

Foundation

Improving Your Financial Performance on Client Work
London 3 Jul

Project and Time Management

Develop key skills to enable your work to be managed effectively.

6 C D

Foundation

Case Analysis and Project Management for Junior Litigators
London 17 May, 3 Oct

6 B D

Intermediate

Project Management for Transactional Lawyers
London 26 Sep

5 C

Intermediate

Getting the Very Most Out of Your Day
London 3 Sep
Southampton 6 Sep

Compliance

Practical courses that will help you and your firm stay on the right side of SRA and general business regulation.

6 A

Foundation

COLPs, COFAs and Managing Compliance 2018
Leeds 12 Jun
London 7 Sep
Bristol 12 Sep
Newcastle 19 Sep

6 A

Update

Money Laundering Compliance for Solicitors
London 26 Sep
Newcastle 3 Oct
Leeds 9 Oct
Southampton 16 Oct

5 A

Intermediate

Conflicts and Confidentiality in Law Firms
London 12 Jun

6 A B

Intermediate

Data Protection: Get Ready for the GDPR
London 17 May

6 B

Intermediate

An Introduction to Data Protection and GDPR
London 14 Jun, 13 Sep
Sheffield 26 Jun

6 B C D

Intermediate

Duties of the Data Protection Officer
London 22 Aug

3 B D

Foundation

Data Protection: Conducting a Data Audit
London 30 Aug, 16 Oct

3 B C

Foundation

Data Protection: Privacy Notices, SARs, Consent and More
London 30 Aug, 16 Oct

For In-House Lawyers

Courses designed to help in-house lawyers develop and succeed in their careers.

6 C D

Foundation

The Successful In-house Lawyer
London 25 Sep

6 C D

Advanced

The Successful Leader and Manager of an In-house Legal Team
London 26 Sep

12 A B C D

Foundation

Essential Toolkit for In-House Counsel
London 4 - 5 Sep

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