

The 2026 Real Property, Probate and Trust Section Midyear Conference: Real Property Track

ORIGINAL PROGRAM DATE
June 5 – 7, 2026

Presented in partnership with the WSBA Real Property, Probate and Trust Section

REPORTING YOUR CREDIT

This on-demand program was a live seminar presented on June 5 – 7, 2026. If you attended or viewed the original presentation, please note that WSBA members may not claim credit for the same CLE sessions if repeated within their three-year reporting period.

DESCRIPTION

Practitioners, and other professionals from around the state will assemble to present on critical updates, success stories and challenges. Leave inspired with valuable information and tips on a variety of topics to improve your practice.

AGENDA

1 Real Property Updates
A review of recent case law, legislation and regulatory actions affecting real estate transactions in Washington.
Scott B. Osborne – Foster Garvey PC, Seattle, WA

2 Probate and Trust Updates
This session will focus on the last year of important cases and legislation in the areas of estate planning, probate, and trusts.
Liberty B. Upton – Bertram & Cashman PLLC, Seattle, WA

3 Staying Out of Trouble: Real Estate Issues for Fiduciaries
This session provides an overview of fiduciary duties in estate/probate and real estate contexts, with a focus on identifying common pitfalls that can expose personal representatives, trustees, and agents to liability. It will cover core obligations such as loyalty, prudence, disclosure, and proper accounting, alongside real-world examples of missteps in property management, transactions, and estate administration. The focus of the presentation is on risk mitigation, best practices, and strategies to navigate complex situations while minimizing exposure to legal claims.
Jenica Cassidy – Helsell Fetterman LLP, Seattle, WA
Makenzie Spinks – Helsell Fetterman LLP, Seattle, WA

Agenda continues on the next page.

The 2026 Real Property, Probate and Trust Section Midyear Conference: Real Property Track *(agenda continued from previous page)*

4 Ethical Thickets in Alternative Dispute Resolution

This session discusses the legal and ethical rules involved in ADR, focusing on their application and impact on lawyers participating in mediations. Also included are ethical considerations and concepts facing neutrals in mediation with an emphasis on how those concepts can impact a mediation.

Commissioner Bradford Moore (Ret.) – JAMS, Seattle, WA

5 Gifts, Death & Dirt – An Update on Real Property in Trust and Estate Planning

This presentation will focus on several real estate issues that arise in administering a trust or estate. We will discuss fiduciary duties regarding sales of real estate, the appropriate means of conveyance, seller disclosures, and tax considerations.

Anna M. Cashman – Bertram & Cashman PLLC, Seattle, WA
Nathan Smith – Kutak Rock LLP, Spokane, WA

6 Development Agreements: The Power of Collaboration

This session begins with the history of development agreements. We then continue with the mechanics of development agreements and the practical use of them the when, why, where and how.

James Howsley – Jordan Ramis, PC, Portland, OR

7 Recent Changes to WUCIOA

This session will review the material changes made to WUCIOA in the 2024, 2025 and 2026 legislative sessions, including the termination of the Horizontal Property Regimes Act, the Washington Condominium Act, and the Washington Homeowners' Association Act, the creation of an express warranty alternative to the implied warranties of quality, and the expansion of the small communities exemption, and the ability to waive receipt of a resale certificate.

Joseph P. McCarthy – Stoel Rives LLP, Seattle, WA

8 Contaminated Property Transactions 101

This presentation will provide an overview of Washington's contaminated sites law, the Model Toxics Control Act, and its liability provisions. The session will also discuss tools and negotiation strategies for buyers and sellers of contaminated property as they assess and allocate risk.

Michael Dunning – Perkins Coie, Seattle, WA

9 Commercial Title Endorsements: The Coverage Behind the Checklists

This presentation provides a practical overview of commercial title insurance endorsements, including what endorsements are, why they are requested, and how they expand or limit coverage under ALTA policies. It walks through commonly requested commercial endorsements—such as zoning, access, condominium, environmental, leasehold, and financing endorsements—highlighting what each covers and when underwriting involvement is required. The session also explains general issuing standards and rate considerations, emphasizing the importance of surveys, documentation, and underwriting review in complex transactions. This is an educational guide to understanding endorsement purpose, risk allocation, and best practices in commercial title insurance.

Lori Bullard – First American Title Insurance Corporation, Seattle, WA
Michelle Taylor – First American Title Insurance Corporation, Seattle, WA

Agenda continues on the next page.

The 2026 Real Property, Probate and Trust Section Midyear Conference: Real Property Track *(agenda continued from previous page)*

10 The Modern Talent Market: Is Your Firm Built to Last or Ready to Evolve?

Law firms across Washington continue to ask the same question: "Why is it so hard to find and keep great people?" The answer is more complex than it seems. Today's talent market has shifted—experienced candidates are scarce, hiring timelines are shorter, and expectations have evolved. Drawing from real-world recruiting and workforce strategy experience, this session will explore common hiring challenges, key drivers of retention, and what high-performing firms are doing differently, with practical strategies attendees can implement immediately.

Katryn Whitney – Emerald Search Partners LLC, Seattle, WA
Jason Smith – Game Set Match Consulting, Seattle, WA