
LAW OFFICES OF BRADLEY J. FRIGON, LLC

ATTORNEYS AT LAW

Bradley J. Frigon, JD, LLM (Tax),
CELA**
bfrigon@bjflaw.com
Admitted in Colorado, Kansas and
Wyoming

Bryan C. Benbow, JD, LLM
bbenbow@bjflaw.com
Admitted in Colorado

Bradley J. Frigon, JD, LLM (Tax), CELA, CAP

EDUCATION

University of Denver, Denver, Colorado, Master of Law in Taxation (LLM), 1982
Washburn University School of Law, Topeka, Kansas, Juris Doctor (JD), 1981
University of Kansas, Lawrence, Kansas, Bachelor of Arts (BA), 1978

EXPERIENCE

Owner of Law Offices of Bradley J. Frigon, LLC, 2001 to present.

Adjunct Professor of Law, Stetson University College of Law in the Masters of Elder Law Program, 2010 to present.

National Advisory Board Member and Co-Content Editor for the Special Needs Planning Modules, ElderCounsel, 2012 to present.

AREAS OF PRACTICE

Trust and estate matters, including probate, trust administration and probate litigation, simple and complex wills and trusts, financial power of attorney documents and advanced medical directives, elder law advice from protecting your assets from nursing home costs to guardian and conservator matters. We are nationally recognized for our expertise in special needs planning and tax matters. We offer consulting services to attorneys and other professionals on public benefit and tax issues related to personal injury settlements including Medicare set aside, first party special needs trusts, Medicare claims, Medicaid liens and qualified settlement funds.

EXPERT WITNESS

Dunlap vs. T.A.W., Inc., Case No.CIV. 08-385-D, United States District Court, Western District Oklahoma.

March 2, 2015
Page 2

In the Matter of the Trusts Created by the Will of Dodds L. Buchanan, 05 PR 625, Boulder County District Court.

PROFESSIONAL AFFILIATIONS

President, National Academy of Elder Law Attorneys, 2014-2015.
President-Elect, National Academy of Elder Law Attorneys, 2013-2014.
Treasurer, National Academy of Elder Law Attorneys, 2011-2012.
Secretary, National Academy of Elder Law Attorneys, 2010-2011.
Board of Directors National Academy of Elder Law Attorneys, 2006 to Present.
Fellow, National Academy of Elder Law Attorneys.
Fellow, American College of Trust and Estate Counsel.
Colorado Bar Association.
Arapahoe County Bar Association.
Kansas Bar Association.
Wyoming Bar Association.
Special Needs Alliance.
Treasurer, Special Needs Alliance, 2010, 2011, 2012, 2013.
Board of Directors, Special Needs Alliance, March 2009 to 2013.
Uniform Law Commission, Decanting Committee, 2013.
Fee Dispute Resolution Committee, Kansas Bar Association.
Board of Directors, Colorado Fund for People with Disabilities, 2010 to Present.
Appointed by Governor to Colorado Advisory Council for People with Disabilities, 2010-2011

PROFESSIONAL RATINGS

SuperLawyer, 2012, 2013, 2014, 2015.
Martindale Hubbell, rated AV Preeminent 5.0 out of 5.0.
Avvo rated "10" for superb professional conduct and experiences.

STATE LICENSES

State of Colorado, Attorney registration number 27883
State of Kansas, Supreme Court Registration number 11032
State of Wyoming, Attorney registration number 7-5428

CERTIFICATIONS

Certified Elder Law Attorney (CELA) by the National Elder Law Foundation
Council of Advance Practitioners (CAP), National Academy of Elder Law Attorneys

PUBLICATIONS

Fundamentals of Special Needs Trusts, by Stuart D. Zimring, Rebecca C. Morgan and Bradley J. Frigon (Matthew Bender, 2012).

Colorado Personal Injury Practice - Torts and Insurance, Appendix 1 Taxation of Damages, by Bradley J. Frigon (West Publishing, 2012).

2011 Elder Law in Colorado 4th Edition, June 2011, Managing Editors John C. Campbell and D. Wayne Stewart. CBA-CLE Books. Contributing author Bradley J. Frigon.

Fundamentals of Special Needs Trusts, by Stuart D. Zimring, Rebecca C. Morgan and Bradley J. Frigon (Matthew Bender, 2009)

Which Special Needs Trust, When and Why?, Bradley J. Frigon and W. Eric Kuhn, NAELA Journal, 2009, vol. 5, number 1.

Special Needs Trusts and Individual Retirement Accounts, Elder Law Advisor, June 2007.

Amendments to Medicare Secondary Payer Statute: Broader Authority for Government Recovery,
New Case Limits Government Recovery under the Medicare Secondary Payer Statute, NAELA E-Bulletin, March 4, 2003.

Tax Basis Rules, Elder Advisor, The Journal of Elder Law and Post-Retirement Planning, Marquette University Law School, Spring 2003.

Tax Rules Relating to the Sale of a Principal Residence, Elder's Advisor, The Journal of Elder Law and Post-Retirement Planning, Marquette University Law School, Spring 2002.

New Proposed Regulations on Sale of Principal Residence, NAELA News, April 2001.

Taxation of Disability Trusts, Research Institute of America, Practice Alert, June 1998.

STETSON LAW COURSES

"Estate and Gift Tax and Estate Planning," Spring Semester, 2014.

"Estate and Gift Tax and Estate Planning," Spring Semester, 2013.

"Basic Federal Income Taxation for Elders," Fall Semester, 2012.

“Estate and Gift Tax and Estate Planning,” Spring Semester, 2012.

“Basic Federal Income Taxation for Elders,” Fall Semester, 2011.

“Estate and Gift Tax and Estate Planning,” Spring Semester, 2011.

SEMINARS AND PRESENTATIONS

“To Stretch or Not to Stretch IRA Planning for Owners and Beneficiaries,” 2015 NAELA Summit, January 2015.

“Overview of IRA and Retirement Plans,” 2015 Advanced Elder Law Review Program, January 2015.

“Self-Settled Special Needs Trust,” ElderCounsel Draft Camp, December 2014.

“Legal Planning for Carepartners and People with MS”, National Multiple Sclerosis Society webinar, November 2014.

“It’s All About the MAGI Under the Affordable Care Act,” “How Do You Leave an IRA/Qualified Plan to a SNT?,” and “Taxation of SNTs - Plain and Simple,” 2014 Special Needs Trusts-The National Conference, St. Petersburg, Florida. October 2014.

“Special Needs Planning on the Ground Floor,” ElderCounsel National Symposium Planning for the Generations, July 2014.

Neuro Matters Radio Show with Dr. Sam Brinkman, Ph.D., June 2014.

“Overview of IRA-Retirement Plans,” NAELA Advanced Elder Law Review, Scottsdale, Arizona, May 2014.

“Investment & Tax Strategies for Special Needs Trust, Webinar, May 2014.

“Special Needs Trusts Tax Issues,” Academy of Special Needs Planners, March 2014.

"Special Needs Trusts Tax Issues," NAELA Webinar, January 2014.

“Special Needs Trusts Tax Issues,” Washington State Bar Association, Seattle, Washington, November 2013.

March 2, 2015

Page 5

“Complex Planning with IRA’s,” NAELA Advanced Elder Law Review, Washington D.C., November 2013.

“Understanding Medicare Set Aside Trusts” and “Understanding Medicare Set Aside Trusts - Drafting a Medicare Set Aside Subtrust into a First Party Special Needs Trust” ElderCounsel Webinar, October 2013.

“How Do You Leave an IRA/Qualified Plan to a SNT?,” Pre-Conference: The Tax Intensive, and “MSA, Liens and the *Ahlborn* Progeny-What Attorneys and Trustees Need to Know,” 2013 Special Needs Trusts-The National Conference, St. Petersburg, Florida. October 2013.

"Top 5 Practice Tips for the Special Needs Practitioner," ElderCounsel National Symposium Planning for the Generations, Denver, Colorado. July 2013.

“Special Needs Trust Planning” and Tax Panel Discussion, Pennsylvania Association of Elder Law Attorneys, Bedford, Pennsylvania, February 2013.

“Special Needs Trusts and Qualified Retirement Accounts - What You Need to Know to Maximize Your Benefits” ElderCounsel Webinar, January 2013.

“Roles of an Elder Law Attorney in the Case,” Washington State Bar Association, Seattle, Washington, November 2012.

"How to Leave Retirement Benefits to a Trust," NAELA Advanced Elder Law Review, Washington D.C., November 2012.

"Taxations of Special Needs Trusts” and “Medicare Set Aside Update and Medicare Secondary Payer Law Update," 2012 Special Needs Trusts - The National Conference, St. Petersburg, Florida. October 2012.

"Medicare Set Aside Trusts," ElderCounsel National Symposium Planning for the Generations, Denver, Colorado. July 2012.

“Drafting and Using the Special Needs Trust," Washington State Bar Association - Credit Legal Education, WSBA-CLE Conference Center, Seattle Washington, November 2011.

"Employment and Retirement," National Aging and Law Institute, NAELA Advanced Elder Law Bootcamp, Boston Seaport Hotel, Boston, Massachusetts, November 2011.

March 2, 2015

Page 6

"Taxation of SNT's," and "Drafting a Medicare Set Aside Sub Trust into a SNT." 2011 Special Needs Trusts, The National Conference, St. Petersburg, Florida, October 2011.

"How to Develop and Implement a Financial Plan for Trustees," 2010 Special Needs Trust National Conference, St., Pete Beach FL. October 2010.

"Tax Issues Related to Special Needs Trusts," presented to Tampa Bay Estate Planning Council, Tampa, FL. October 2010.

"Medicare's Interest in a Personal Injury Settlement: What Every Elder Law Attorney Needs to Know About Medicare Set Aside Requirements and Medicare Secondary Payer Rules," Colorado Bar Association, Breckenridge, CO. August 2010.

"Advanced Tax Planning with Special Needs Trust", NAELA Annual Program, Orlando, FL, May 2010.

"Retirement Planning", Advanced Elder Law Review Course, Orlando, FL, May 2010.

"Strategic Trusts for Elderly and Disabled Clients", Colorado Bar Association, March 2010.

"Special Needs Planning for Wealthy Families", Wealth Strategies Laureate Gathering, San Diego, CA, February 2010.

"The Battle Between Special Needs Trusts, Qualified Retirement Plans and Tax Rules", 2010 Changes and Trends Affecting Special Needs Trusts, University of Texas School of Law, Austin, TX, February 2010.

"2010 Estate Tax Update", "Taxation of Special Needs Trusts", and "How To Leave Retirement Benefits to a Trust", Utah Elder Law Conference, Salt Lake City, UT, December 2009.

"Selected Income Tax Issues for the Elder Law and Special Needs Law Practitioner", Colorado Bar Association-CLE Elder Law Retreat, Breckenridge, CO, October 2009.

"Special Needs Planning for Wealthy Families", Chicago Wealth Counsel: Planning for the Generations Symposium, Chicago, IL, August 2009.

"Special Needs Trusts Part II", ALI-ABA Telephonic Conference, June 2009.

"Medicaid and Special Needs Trusts", Colorado Bar Association Estate Planning Retreat, Snowmass, CO, June 2009.

March 2, 2015

Page 7

“The Battle Between Special Needs Trusts, Qualified Retirement Accounts and Tax Rules”, NAELA Summer Special Needs Program, Phoenix, AZ, May 2009.

“How to Leave Retirement Benefits to a Trust”, NAELA Telephonic Training Program, May 2009.

“Special Needs Trust Tax Update”, Special Needs Alliance Spring Meeting, New Orleans, LA, March 2009.

“Avoiding Liability and Adding Value: What Every Personal Injury Attorney and Estate Planning Attorney Must Know About Special Needs Trusts,” ALI-ABA Webcast Seminar, Special Needs Trusts: What Every Personal Injury Attorney and Estate Planning Attorney Must Know, February 2009.

“Recovering for Personal Injury: Successful End or Just the Beginning? Medicare’s Interest in a Personal Injury Settlement,” ALI-ABA Webcast Seminar, Medicaid Set Aside Trusts: Critical Issues Surrounding Personal Injury, December 2008.

“Taxes, SNTS and Retirement Accounts,” Special Needs Trust IX, Stetson University College of Law, St. Petersburg, Florida, October 2007.

“Which SNT, When and Why,” Special Needs Trusts - The National Conference, St. Petersburg, Florida, October 2007.

“Which SNTs, When and Why,” National Association of Structured Settlement Brokers, Tampa, Florida, October 2007.

“Special Needs Trusts and Retirement Accounts,” Elder Law Conference, State Bar of Georgia, Atlanta, Georgia, April 2007.

Special Needs Trust Administration Review Course presentation, Wealth Counsel, Orlando, Florida, February 2007.

“Special Needs Trusts and Retirement Plans,” Special Needs Trust VIII, Stetson University College of Law, St. Petersburg, Florida, October 2006.