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Fall Focus on ERISA Fiduciary Compliance

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Holland & Hart benefits attorney Bret Busacker will be speaking at two national conferences this fall. The focus of the presentations will be on recent developments in Employee Retirement Income Security Act (ERISA) fiduciary compliance. These presentations will help employers analyze the impact of recent court cases and Department of Labor (DOL) guidance on benefits governance practices. Please join Bret at these conferences:

- AmeriBen · IEC Group *Annual Management Conference*, September 23-25, Sun Valley, ID. **Bret will be presenting** “2015 Fiduciary Hot Topics – What Does the U.S. Supreme Court and the U.S. Department of Labor Think of Your Plan Administration Practices?”
- American Conference Institute, *Minimizing Legal Risks in the Design, Implementation & Administration of Employee Benefit Plans*, November 17-18, 2015, New York, NY. **Bret will be part of a Panel discussion on** “Excessive Fees: Claims Against Fiduciaries.”

Please see below for more information about each conference and the topics covered.

“2015 Fiduciary Hot Topics – What Do the U.S. Supreme Court and the U.S. Department of Labor Think of Your Plan Administration Practices?”

This session will provide key insights into how the DOL, the U.S. Supreme Court, and other federal courts view the roles of employers and other fiduciaries in administering qualified retirement plans. We will examine the lessons learned from the 2014 and 2015 U.S. Supreme Court decisions that have looked at fiduciary plan administration. We will also examine the recently published DOL guidance on the role of advisors as retirement plan fiduciaries and consider the impact this guidance will have on the employer-advisor relationship. We will boil the cases and guidance down to a number of best practices employers and service providers should be following.

A full agenda for the conference is available [here](#).

“Excessive Fees: Claims Against Fiduciaries.” Topics will include:

- *The Tibble Decision*
- The impact of fees on defined contribution balances
- The Exclusive Benefit Rule and what 'reasonable' fees are
- The Prohibited Transaction Exemption
- Fee models and revenue sharing
- Case Law Review
 - Key issues and basic claims
 - Fiduciary status of service providers
 - Definition of plan assets

A full agenda for the American Conference can be found [here](#). If you would like to attend, you can receive the Speaker Referral rate of \$1,611, which is **available through August 31**. To take advantage of the speaker referral rate, contact Joseph Gallagher (j.Gallagher@americanconference.com) and mention Bret's name.

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