

MINUTES

MSBA PROBATE & TRUST LAW SECTION COUNCIL MEETING

March 18, 2010

Meeting held at MSBA Offices
Minneapolis, MN

Section Council Meeting

Members Present: Bob McLeod, Tom Rauenhurst, Tom Woessner, Susan Link, Peter Hatinen, Andrea Breckner, Drew Baese, Mary Shearen and via telephone; Michael Cowles, Joe Thiigs, and JoEllen Doebbert.

Others Present: Richard Hawke, Richard Bunin, Catherine Clifford and Chad Bigalke.

1. Meeting called to order: 3:33 p.m.
2. Minutes of February 18, 2010 meeting were approved.
3. **Treasurer's Report.** Period ending January 31, 2010 approved.
4. **Education Committee.** Tom Woessner reports that: the Section CLE on April 21, 2010 on Selection and Monitoring of Investment Managers is going well. The CLE will be hosted by Briggs and Morgan in Minneapolis. The brochures for the Section Conference CLE have been mailed out. The registrations are ahead of last year at this time.
5. **Legislation Committee.** Peter Hatinen reports that: the Probate and Trust bill is making its way through the legislature. Scott Nelson was unable to make the Section Council meeting because he was testifying in support of the Probate and Trust bill at the legislature. Peter also gave an update on the discussions with the Minnesota Department of Revenue regarding the State QTIP election and other issues relating to the Minnesota estate tax. The DOR is taking the position that no elections normally made on a federal estate tax return will be valid this year, including QTIP, alternate valuation, etc. The Legislation Committee is beginning to review the Uniform Trust Code and there was a discussion on how to organize the review.
6. **Newsletter Committee.** Catherine Clifford Chad Bigalke report that: the next edition of the newsletter will be sent out in May. They already have one article completed for that edition of the newsletter.
7. **Federal Taxation Committee.** Richard Hawke reviewed the G.O'Shea case from West Virginia, the IRS Dirty Dozen Tax Scam list and the Extenders bill. Please see attached for the complete Update.
8. **Professional Responsibility/Consumer Protection Committee.** No report.

9. Greater Minnesota Committee. No report.

10. Technology Committee. Richard Bunin reviewed proposed Opinion No. 22 from the Lawyer's Professional Responsibility board. A copy of the opinion is attached.

11. Gene Daly Award. No report.

12. Litigation Committee. No report.

13. Wills for Heroes Committee. Susan Link reports that the volunteers have completed 2,997 estate plans for First Responders. Events are planned through March of 2013.

14. Old Business.

The Minnesota State Bar Association Governance Committee has approved our proposed amendments to the Section by-laws with minor changes. The Council will propose the amended by-laws to the Section during the Section annual meeting during the Section Conference CLE.

15. New Business.

The MSBA LawPac requested some podium time at the Section Conference CLE. The Council turned down the request and will give LawPac podium time at the April CLE.

The Section Council reviewed the annual dues for the section and determined there should not be an increase in the annual dues for 2010-2011 fiscal year.

At this point in the meeting, Bob McLeod turned over the Chair responsibilities to Susan Link and left the room. Tom Boyd reviewed the Greer case and requested the Section Council consider whether to file an amicus brief in the case. Tom Boyd then left the room. A motion was made, seconded and approved to have the Section file an amicus brief in this case. The council authorized Susan Link and Tom Rauenhurst to select the attorney to prepare and file the amicus brief and authorized a budget for the project.

General Meeting adjourned at 4:55 p.m.