

## MINUTES

### MSBA PROBATE & TRUST LAW SECTION COUNCIL MEETING

March 17, 2011

Meeting held at MSBA Offices  
Minneapolis, Minnesota

#### Section Council Meeting

**Members Present:** Andrea Breckner, Peter Hatinen, Jane Kiker, Susan Link, Scott Nelson, Joseph Thiigs, and Thomas Woessner. Via telephone: Andrew Baese and Thomas Rauenhorst.

**Others Present:** Bridget Logstrom Koci, Richard Hawke, Robert McLeod, Judge Quam, Alan Silver. Via telephone: Tamara Peterson.

1. **Meeting called to order:** 3:30 p.m.
2. **Treasurer's Report:** The January 31, 2011 financial report was reviewed and accepted. The Council discussed fees related to the continuing review of the Uniform Trust Code.
3. **Education Committee:** The complete brochure for the 2011 Probate & Trust Law Section Conference will be mailed out in the next week. The conference is set for June 6 and 7, 2011 at the St. Paul RiverCentre. Christina Kunz, co-chair of the Electronic Commercial Law Committee in the Business Law Section is interested in working with our section on a joint program on the topic of death in cyberspace. The current plan is for this to be a panel discussion.
4. **Legislation Committee:** Peter Hatinen reported that our major bills all have sponsors. There have been a number of new developments and proposed legislation the Committee is reviewing. One such proposal would create a tortious interference with an inheritance claim that is now recognized in eighteen states.
5. **Substitute Decision Makers:** Robert McLeod updated the Council as our liaison with Substitute Decision Makers. Mr. McLeod discussed proposed legislation relating to the rights of persons under guardianship to vote.
6. **Federal Taxation Committee:** Richard Hawke provided an update. See attached April 2011 Federal Tax Update.
7. **Adjunct Judicial Officers:** Hennepin County District Court Judge Jay Quam was in attendance to solicit input of the Council regarding having individual attorneys assist the Hennepin County District Court as adjunct judicial officers. If the decision is made to proceed, it would be a pilot project. The adjunct judicial officers would only assist with uncontested matters.

8. **Consumer Protection/Publications Committee:** No report.
9. **Ethics and Professional Responsibility Committee:** Tamara Peterson is continuing to work on developing a CLE program for September regarding the issue of incapacity. The plan is to have a panel of practitioners. If you have ideas or are willing to help, please contact Ms. Peterson.
10. **Greater Minnesota Involvement Committee:** Our outstate study group usually meets by telephone the third Wednesday of the month, from September through May. We have eleven people in our study group who participated at least once in 2010. Eight persons participated three or more times. A typical call will have five or six participants. The study group was formed in 2005, which means we are starting our sixth year. The group is led by Brad Hanson, former Probate & Trust Council Section chair.
11. **Technology Committee:** No report.
12. **Litigation Committee:** No report.
13. **Wills for Heroes Committee:** We have now worked with 4,481 first responders.
14. **Newsletter Committee:** No report.
15. **Old Business:** None.
16. **New Business:** Our section dues are currently at \$12.00. After much discussion, it was decided to raise our dues to \$20.00 for the 2011/2012 bar year. Susan Link also noted that we will have three openings on the Council to consider for the fall.
17. **General Meeting adjourned:** 5:12 p.m.