

**MINUTES
MSBA PROBATE & TRUST LAW
SECTION COUNCIL MEETING**

September 18, 2009

Meeting held at MSBA Offices
Minneapolis, MN

Section Council Meeting

Members Present: Bob McLeod, Jolene Cutshall, Richard Hawke, Sonny Miller, Tom Woessner, Susan Link, Peter Hatinen, Scott Nelson, Mary Shearen, Tom Rauenhorst, Jane Kiker, Joe Thiigs.
(and by phone: Chad Roggeman, JoEllen Doebbert, and Michael Cowles).

Others Present: Ashley Hacker

1. Meeting called to order: 3:31 p.m.
2. Minutes of June 9, 2009 meeting were approved.
3. **Treasurer's Report.** June 30, 2009 approved.
4. **Education Committee.**

The Education Committee is looking for new ideas for Section CLEs. The suggestion was made to have a CLE on how to advise clients "To Select A Financial Advisor". There are Section CLEs scheduled for October 5th and December 3rd. The first planning meeting for the Annual Section Conference will be held in late October or early November. Please contact Tom Woessner if you would like to be involved in the planning process. A suggestion was made to have the Annual Section Conference on a Thursday – Friday schedule rather than a Monday – Tuesday schedule. The relative merits of each schedule was discussed.

5. Legislation Committee

The MSBA is requiring all section proposed legislation be submitted to the MSBA Legislative Committee by November 1st. There are nine pieces of legislation under review by the Legislation Committee. An excellent summary is available from either Scott Nelson or Peter Hatinen. There is expected to be a debate over sales tax on legal services in the legislature this year. There is expected to be a debate over the funding of the courts this year. Non-controversial legislative proposals stand a better chance of passing this year than controversial proposals. There was meeting with the Uniform

Laws Commissioners regarding the upcoming legislative session. It was a productive meeting.

6. Federal Taxation

The new Actuarial Tables were reviewed. The Benz decision was discussed. Revenue rulings 2009-13 and 2009-14 were reviewed. Proposed Reg Section 26.6011-4 provides new rules for disclosure in certain GST transactions. Reg Section 301.7477-1 establishing procedures for gift tax litigation were finalized.

7. Greater Minnesota

The study group continues to meet. There was discussion over the need to update the website.

8. Wills For Heroes

The Wills For Heroes program continues to expand. There are four to five clinics per month scheduled through January 2012. Fundraising options for the program were discussed. The Section's donation of \$7,500 for this fiscal year was approved. The decision was made to refer any estate administration legal work that might arise from a Wills For Heroes plan would be referred to the Minnesota State Bar Association Attorney Referral program.

9. No Reports

There were no reports from the Consumer Protection, Ethics and Professional Responsibility, Technology, Gene Daly Award and Litigation Committees.

10. New Business

The Section council decided to turn down the requests for Amicus briefs.

A request for a co-sponsorship with the Children & the Law Committee was reviewed. Bob McLeod will obtain more information regarding this request.

A request to assist in the development of a pro se website was turned down.

The Section Council is looking for a new editor for the newsletter.

A proposal for having a Section Council Facebook page was referred to the Technology Committee.

The MSBA request for involvement in the 9 Days in June Events was discussed.

The Minnesota Supreme Court is considering an increase of \$75.00 to fund the public defenders.

The need to update the Section's by-laws was discussed. Bob McLeod and Tom Rauenhurst will coordinate this effort.

11. Adjourn

The meeting adjourned at 4:30 p.m.