

**MINUTES OF THE MEETING OF THE COUNCIL  
OF THE PROBATE AND ESTATE PLANNING SECTION**

**October 20, 2007 11:30 a.m.**

**Oakland County Bar Building, Bloomfield Hills, Michigan**

- I. The meeting was called to order at approximately 11:30 a.m. by the chair, Lauren M. Underwood
- II. **A. Council Members Excused:**
- B. Council Officers and Members Present:**
- |                     |                     |
|---------------------|---------------------|
| Lauren M. Underwood | Nancy L. Little     |
| Harold Schuitmaker  | Douglas G. Chalgian |
| George W. Gregory   |                     |
| W. Josh Ard         | Michael J. McClory  |
| John R. Dresser     | Amy N. Morrissey    |
| Robin D. Ferriby    | Rebecca A. Schnelz  |
| Mark K. Harder      | Richard J. Siriani  |
| Ellen Sugrue Hyman  | Marlaine C. Teahan  |
| Shaheen I. Imami    | Robert P. Tiplady   |
|                     | Joan C. Von Handorf |
- C. Others Present:**
- |                     |                    |
|---------------------|--------------------|
| Susan M. Allen      | Daniel P. Marsh    |
| Cynthia S. Andrews  | Jeanne Murphy      |
| Jill M. Booth       | Lorraine F. New    |
| Kenneth E. Konop    | Valerie L. Rice    |
| Valerie F. Lafferty | Teresa S. Sullivan |
- III. **Introduction of Guests:** All attendees, including guests, introduced themselves.
- IV. **Secretary's Report:** The minutes of the September 29, 2007 meeting were approved. Motion by Robin D. Ferriby, second by Joan C. Von Handorf.
- V. **Treasurer's Report:** No Report.
- VI. **Chairperson's Report:** Lauren M. Underwood gave the Chair's report and discussed the training that the State Bar had provided to incoming officers. She provided interesting statistics regarding the demographics of our section. (see attached exhibit).

Ms. Underwood also discussed streamlining the committees and requiring that committees notify the secretary well in advance of Council meetings of issues that they would like placed on the agenda.

Ms. Underwood also discussed coordinating the George A. Cooney Society Award with the Michael Irish Award.

Ms. Underwood also gave a brief report that the upcoming Probate Institute planning is well underway.

**VII. Report of the Committee on Special Projects: No Report.**

**VIII. Standing Committee Reports**

**A. Internal Governance**

1. **Budget** - *George A. Cooney, Jr., chair.*
2. **Bylaws** - *Marilyn K. Lankfer, chair.* No report.
3. **Michael Irish Award** - *Brian V. Howe, chair.* No report.
4. **Long-Range Planning** - *Lauren M. Underwood, chair.* No report.
5. **Nominations** - *Henry M. Grix, chair.*
6. **Relations with the State Bar** - *John R. Dresser, chair.* No report.
7. **Annual Meeting** - *Lauren M. Underwood, chair.* No report.

**B. Education & Advocacy Services for Section Members**

1. **Amicus Curiae** - *Mark K. Harder, chair.* No report.
2. **Continuing Education & Annual Probate Institute** - *Nancy L. Little, chair.* No report.
3. **Section Journal** - *Nancy L. Little, chair.* No report.
4. **State Bar Journal** - *Sebastian V. Grassi, Jr., chair.* No report.
5. **Pamphlets** - *Ellen Sugrue Hyman, chair.* No report.

6. **Electronic Communication** - *John R. Dresser, chair*. No report.
7. **Committee on Special Projects** - *George W. Gregory and Doug G. Chalgian, co-chairs*: No report.

**C. Legislation and Lobbying**

1. **Legislation** - *Harold Schuitmaker and John R. Dresser, co-chairs*: Becky Bechler provided a legislative report indicating that the legislative process is currently going through a period in which there is a high level of political distrust and that it is unlikely that anything other than budget work will be accomplished (if that can be accomplished) through the end of the year, but at the beginning of next year there will be opportunities to get legislation introduced as many lawmakers will be looking to put something on their resumes indicating that they have, in fact, accomplished something.
2. **Michigan Trust Code** - *Mark K. Harder, chair*.
3. **Statute of Repose** - *John A. Scott*: No report.

**D. Ethics, Professionalism and Standards**

1. **Ethics** - *Marilyn A. Lankfer, chair*. No report.
2. **Unauthorized Practice & Multidisciplinary Practice** - *Thomas F. Sweeney, chair*. No report.
3. **Specialization and Certification** - *Shaheen I. Imami and Richard A. Shapack, co-chairs*: No report.
4. **Practice Management** - *Richard J. Siriani, chair*. No report.

**E. Administration of Justice**

1. **Contested and Uncontested Probate Proceedings** – *Amy N. Morrissey, chair*. No report.
2. **Uniformity of Practice** - *Sebastian V. Grassi, Jr. and Joan Von Handorf, co-chairs*: No report.

**F. Practice Issues, Related Areas & Liaisons**

1. **Charitable Giving/Exempt Organizations** - *Robin D. Ferriby, chair*. No report.
2. **Estate Gift Tax** - *George W. Gregory, chair*. No report.
3. **Real Property Tax Issues** - *George W. Gregory, chair*.  
Lorraine F. New gave a report as the Tax Section Liaison and provided a tax nugget that will be an exhibit. (See attached exhibit)
4. **Guardianships and Conservatorships** - *Douglas G. Chalgian, chair* : No report.
5. **Business Law and Business Section Liaison** - *John R. Dresser, chair* : No report.
6. **Court Rules and Forms** - *Harold Schuitmaker and Joan Von Handorf, co-chairs*: No report.
7. **Elder Law/Elder Law Section Liaison** – *W. Josh Ard*: Mr. Ard provided an elder law report. (See attached exhibit). Mr. Ard also discussed proposed guardianship legislation.
8. **Family Law/Family Law Section Liaison** - *Patricia M. Ouellette*: No report.
9. **Real Property Law/Real Property Section Liaison** - *Richard Shapack*: No report.
10. **Tax Section Liaison** - *Shirley A. Kaigler* : No report.
11. **State Bar Liaison** - *Francine Cullari*: No report.
12. **Trust/Michigan Bankers Association Liaison** - *Daniel E. Cogan*: No report.
13. **Michigan Probate Judges** – No report.

**IX. Other Business:**

**X. Hot Topics:**

**XI. Adjournment** - the meeting was adjourned at 12:00 noon.

**Respectfully submitted,**

**Douglas G. Chalgian**