



## **ELDER LAW SECTION E-NEWSLETTER**

November 6, 2023

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Communications Committee Chair: Lucas Spaeth

Editor in Chief: Margaret (Maggie) Cook

Web Coordinator: Lucas Spaeth

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### **ELDER LAW NEWS AND HIGHLIGHTS**

#### **ELDER LAW SECTION AWARDS FOR 2023**

The Awards Committee presented the following Awards to Section members at the Elder Law Institute on October 5, 2023;

The Mary Alice Gooderl Memorial Award to Mary Frances Price for outstanding contributions to the Elder Law Section and the field of Elder Law;

A Special Recognition Award to J. Noble Simpson for his contributions to the Elder Law Section's Amicus Brief in the Zika case

A Special Recognition Award to Emily F. Weichsel for her contributions to the Hennepin County Adult Representation Services' Amicus Brief in the Zika case; and

A Special Recognition Award to Elizabeth C. Henry for her contributions to the NAELA, Minnesota Chapter, Amicus Brief in the Zika case.

*Contributed by Julian J. Zweber, Chair, Awards Committee*

#### **NEW LAWYER COMMITTEE**

The New Lawyer Committee of the Elder Law Section is looking for members! If you are a new lawyer, help us decide how the section can support your work as a new elder law attorney. If you are an experienced attorney, join us in providing interactive support for our new colleagues. We'll meet virtually via zoom when necessary (TBD by consensus) unless we organize an event for new attorneys.

*Contributed by Bridget-Michaele Reischl*

Please submit upcoming news and highlights to [mcook@vgllaw.com](mailto:mcook@vgllaw.com)

## **UPCOMING CLE AND EVENTS**

### **Elder Law Institute Re-Cap Webinar**

Thursday, November 16, 2023, from 12:00 PM to 1:00 PM

If you were not able to attend the live presentation of the 2023 Elder Law Institute, this hour-long re-cap will provide you with a snapshot of some of the key presentations at ELI.

Join us for highlights on the topics of Advanced Medical Assistance and tricky scenarios; a look at one of this year's critical elder law cases, *Hammerberg* ; a Legislative update and bills to follow in 2024; testamentary capacity and dementia; tactics for Medicare appeals and continued care; and Marijuana use and older adults under the new laws.

#### **Presenters:**

##### **Ben Kaufman, Esq.**

Ben is a staff attorney of the Legal Advocacy for Older People Project at Southern Minnesota Regional Legal Services.

##### **Cathryn Reher, Esq.**

Cathryn is a shareholder with Barna, Guzy & Steffan. Cathryn handles estate and long-term care planning, as well as special needs planning. Cathryn is also certified in federal veterans' benefits and has helped clients with Veterans Homes planning.

##### **J. Noble Simpson, Esq.**

Noble is a litigation attorney at Maser, Amundson and Boggio. He practices primarily in the areas of contested wills, contested trusts, contested guardianships, contested conservatorships, and other contested probate and financial exploitation matters.

##### **Suzanne Scheller, Esq.**

Suzanne is the owner of Scheller Legal Solutions, LLC. Suzanne's practice includes an array of areas impacting clients in later life including elder abuse and neglect, estate planning, financial exploitation, long term care and advanced age planning.

Register at [www.mnbar.org/cle-events/tri-bar-event?EventID=6220](http://www.mnbar.org/cle-events/tri-bar-event?EventID=6220)

This Webinar is free for section members.

Approved for 1.0 CLE credit.

Please submit upcoming CLEs to [mcook@vgllaw.com](mailto:mcook@vgllaw.com).

## **ELDER LAW SECTION ACTIVITIES**

### **ADVOCACY SUPPORT COMMITTEE:**

The Advocacy Support Committee is currently recruiting members. Interested individuals can email Martha Amdahl at [marthaa@northwoodlawgroup.com](mailto:marthaa@northwoodlawgroup.com) or call her at (952) 259-9647.

The Advocacy Support Committee meets remotely at the call of the chair.

Upcoming meeting dates to be announced.

### **AWARDS COMMITTEE:**

The Awards Committee Chair is appointed by the incoming Council Chair after the Council Chair takes office each year. The current Committee Chair is Julian J. Zweber. Members of the Committee are appointed each year by the Council Chair on recommendation by the Committee Chair as approved or modified by the Council Chair. The Committee usually meets from July to October of each year, at the call of the Committee Chair. For more information, please contact Julian J. Zweber at 651-646-4354 or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

### **COMMUNICATIONS COMMITTEE:**

The Communications Committee oversees the monthly Elder Law E-Newsletter and the Elder Law Section website. The committee is composed of the e-newsletter editor, web editor, associate editors, contributors, and any other interested section members. Meetings will be held remotely every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey.

The Communications Committee will meet on **December 13, 2023, at 8:30 A.M.**

The meeting will be arranged by video chat on Zoom or Microsoft Teams. The meeting link will be emailed to all committee members. Anyone interested in joining the meeting should email Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) for a link to the meeting.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) or (612) 676-6302.

### **DIVERSITY COMMITTEE:**

Are you interested in advancing equity in elder law practice? Please contact the current chair, Laura Orr ([laura.orr@elderjusticemn.org](mailto:laura.orr@elderjusticemn.org)), with any questions.

### **EDUCATION COMMITTEE:**

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets via Zoom on the second Thursday of each month from 9:00 A.M. to 10:00 A.M. Subcommittees of the Education Committee include New Lawyers and Law Students.

The Education Committee will meet next on **November 9, 2023, at 9:00 A.M.**

If you would like to participate, please contact the committee chair, Lauren Fink at [lfink@maserlaw.com](mailto:lfink@maserlaw.com). Anyone is welcome to join the committee or simply attend a meeting.

#### GOVERNING COUNCIL:

The Elder Law Section Governing Council is chaired by Lauren Fink.

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) or Lauren Fink at [lfink@maserlaw.com](mailto:lfink@maserlaw.com) to receive Zoom instructions to join the meeting.

#### LAW STUDENT COMMITTEE:

The Law Student Committee helps attract students to become the next generation of elder law attorneys. The committee meets as needed during the school year. Our goal for this bar year is to host a panel event at each local law school where students can ask questions about the practice of elder law. We are always looking for other ways to engage students, so please feel free to attend meetings and make suggestions.

If you have questions about the committee, contact Jack Austin at [jack@hawkelawgroup.com](mailto:jack@hawkelawgroup.com).

#### LEGISLATIVE COMMITTEE

The Elder Law Section's Legislative Committee monitors proposed legislation at the state and federal level affecting the Section's membership; reviews legislative proposals put forward by other Sections and Committees of the MSBA; reviews proposals from other groups, agencies and individuals; keeps Section membership informed of proposed legislation; provides comment and other responses to legislative proposals; makes recommendations concerning support of, or opposition to, legislative proposals; develops relationships with other organizations affected by legislation of interest to the Section; acts as a coordinator for the Section's legislative activities; develops legislative proposals for inclusion in the MSBA legislative agenda; provides witnesses and testimony in support of, or opposition to, legislative proposals; and in general supports the MSBA and the Section's legislative agendas. Members interested in joining the committee or learning more about the legislative issues being reviewed by the committee may contact the Legislative Committee Chair, Suzy Scheller, at (7630 647-0042) or [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com); or Vice-Chair, Julian J. Zweber, at (651-646-4354) or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

Several Elder Law Section only proposals are in effect for the current legislative session. The Elder Law Section is currently supporting proposals to pass new legislation regarding medical assistance treatment of life estates and irrevocable trusts as well as opposing proposed language related to resident trusts. Please contact Suzy Scheller at [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com) with questions or requests for further information.

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the Elder Law Section Community Forum.

**MEDICAL ASSISTANCE COMMITTEE:**

The Medical Assistance Committee is a study group to analyze the members' questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. For directions, or to attend by phone, please contact Callyn Bedker at 507-587-8766 at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to Callyn at [callyn@bedkerlaw.com](mailto:callyn@bedkerlaw.com) under the subject heading "MA Committee Topic."

**Please note, all meetings will be held remotely by telephone at this time.**

To attend by telephone, call 1-888-354-0094 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

MA Committee members are invited to join the Medical Assistance Community forum at [my.mnbar.org](http://my.mnbar.org). Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the community.

**PRO BONO COMMITTEE:**

Please contact Emily Weichsel at 612-524-7356 or [emilyweichsel@gmail.com](mailto:emilyweichsel@gmail.com) if you are interested in participating in this committee.

**STRATEGIC PLANNING COMMITTEE:**

The Strategic Planning Committee meets at the call of the Section Chair. Questions can be directed to Lauren Fink at 651-952-4147 or [LFink@maserlaw.com](mailto:LFink@maserlaw.com).

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The Elder Law Section's Website contains information about section committees and leadership. It also contains useful practice resources.

You may email Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) to suggest changes to website content.

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Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Maggie Cook at [mcook@vgllaw.com](mailto:mcook@vgllaw.com). The E-Newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the E-Newsletter will be distributed on the following Monday.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org).

Current and prior E-Newsletters are posted on the website for the Elder Law Section and are available [HERE](#).