



▲ **QDRO After Death**

The death of the former spouse of a pension-plan participant that occurs after entry of a dissolution judgment stating that the former spouse shall receive an interest in the participant's pension pursuant to a qualified domestic relations order, but before the qualified domestic relations order is issued, does not preclude entry of the qualified domestic relations order. This was the ruling in *In re the Marriage of: Loydene J. May, et al.*, A05-1157, (Minn. App. 05/16/06).

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▲ **Anxious Clients**

If you have clients that call several times each week, try some simple tactics to cut down on the amount of time you and your staff must spend while making sure the clients' needs are met. Suggest that the client keep a list of questions



rather than calling each time a question occurs to him. Remind clients paying an hourly rate that each contact costs them money. Provide each client with envelopes already addressed to you (and stamped), including an invitation for the client to send you a note once a week or monthly if she has questions, concerns, etc. — and answer them. Send copies of correspondence to clients with a brief note if necessary telling them what is happening or what this particular document means. Client comfort makes you look good!

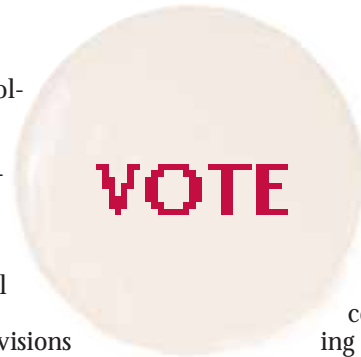
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▲ **Election Leave**

Employees in Minnesota are entitled to time off from work on Election Day, and perhaps more time if they are in labor unions. Minn. Stat. §204C.04, subd. 1, requires that employers allow their workers who are eligible voters to be absent from work in order to vote "during the morning of the day of that election." They cannot penalize them or deduct salary or wages because of their absence. Violation of the leave law is a misdemeanor.

Employers may have policies allowing more time off for employees for voting pur-

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poses. Collective bargaining agreements often include additional election leave provisions that are more extensive than the state law requires. The mechanisms to enforce these provisions vary. The statutory leave provision can be enforced, and an employer's policy may, if violated, be pursued

through a breach of contract claim. The failure by a unionized employer to abide by leave provision in a collective bargaining agreement usually is subject to remedy through the grievance and arbitration provisions of the bargaining agreement.

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▼ **"Disqualifying" Crimes**

Criminal defense lawyers need to be aware that clients who are licensed health and human services workers may lose their jobs following a plea bargain or a continuance of dismissal after being charged with any one of a number of "disqualifying" crimes. These disqualifying crimes include relatively common crimes such as fifth degree assault.

Human services workers must pass a state background check, and so may be "disqualified" under Minn. Stat. §245A.04 from continuing to work in human services based on a conviction, an admission of guilt, or "a preponderance of the evidence [that] indicates the individual has committed an act or acts that meet the definition of any of the [disqualifying] crimes." This problem can be addressed either in the court's order or by going to trial. Appeal procedures are available to a "disqualified" worker, but it may be easier to prevent a disqualification than to have it set aside.

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