

MSBA ELDER LAW SECTION E-NEWSLETTER
August 9, 2011

Vol. 4, No. 31

E-Newsletter Editorial Staff:

Communications Committee Chair: Laurie Hanson, Esq.

Editor in Chief: Marjorie Austin, Esq.

Contributors: Joel Smith, Esq., Peter Hendricks, Esq., Andrea M. Palumbo, Esq.

ELDER LAW NEWS

Ecumen: Rethinking senior care-- The nonprofit has changed from primarily running nursing homes to developing assisted-living centers

<http://www.startribune.com/business/126836518.html>

Variety of programs offered for seniors at State Fair

http://www.reviewmessenger.com/index.php?option=com_content&view=article&id=11858:variety-of-programs-offered-for-seniors-at-state-fair&catid=35:other-local-news

To afford food, seniors stretch dollars and rely on others

<http://minnesota.publicradio.org/display/web/2011/08/03/hunger-tour-big-stone-county/>

The cost of caregiving

<http://minnesota.publicradio.org/display/web/2011/07/28/midmorning1/>

States cut programs to help poor cool their homes

<http://minnesota.publicradio.org/display/web/2011/07/22/heat-wave-budget-cuts/>

Boomers worry about finances, health costs

<http://minnesota.publicradio.org/display/web/2011/07/28/boomers-worry-finance-health-cost/>

ELDER LAW CASES

The following unpublished decision was released by the Minnesota Court of Appeals on August 1, 2011:

A11-233

In the Matter of the Estate of: Genelda M. Nelson, a/k/a Genelda Mae Nelson, a/k/a Gen Nelson, Decedent.

COLLINS, Judge

Appellant, attorney Hugh P. Markley, challenges the amount awarded to him by the district court for his representation of the decedent's estate. Respondent Animal Humane Society (AHS) filed a notice of related appeal, contending that the district court erroneously failed to consider the extent to which certain estate securities appreciated in value between the time of the decedent's death and the settling of her estate. We affirm the attorney fees award because it is supported by the record and is not an abuse of the district court's discretion. We remand, however, for the district court to address and decide whether the final probate account properly recognized appreciation in the value of the estate stocks during the pendency of the probate administration.

The decision is available at: <http://www.lawlibrary.state.mn.us/archive/ctapun/1108/opa110233-0801.pdf>

Unpublished opinions may not be cited except as provided by Minn. Stat. Section 480A.08, Subd. 3 (2009).

STATUTES, REGULATIONS, BULLETINS

There are no Statutes, Regulations, or Bulletins to report this week.

UPCOMING EVENTS AND CLE PROGRAMS

Minnesota CLE

Highlights from the 2011 Probate & Trust Law Section Conference

August 30, 2011

<http://www.minncle.org/seminardetail.aspx?ID=103611201>

Ramsey County Bar Association

Medical Assistance – Dealing with the Five-Year Look-Back Period and the Problems It Can Cause

September 23, 2011

https://netforum.avectra.com/eweb/DynamicPage.aspx?Site=RCBA&WebCode=EventDetail&evt_key=0c13d08e-2371-468e-9b90-ca1da1e3a849

Minnesota State Bar Association

2011 Elder Law Institute

October 6 and 7, 2011

<http://www.minncle.org/seminardetail.aspx?ID=103441201>

ELDER LAW SECTION ACTIVITIES

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, August 16, 2011. Topics for the meeting may be submitted to MA Committee Chair, Cathryn Reher, at creher@mnelderlaw.com, or faxed to 952-542-9201. For directions, or to attend by phone, please contact Tracie Fenske with Long, Reher & Hanson, P.A. at 952-929-0622. Please be reminded that the meeting location is: Estate & Elder Law Services (formerly MAO Legal Services), Monroe Village, 1900 Central Avenue NE, Suite 106, Minneapolis, Minnesota 55418. There are a few parking spaces behind the building and lots of street parking. People should walk to the back of the building and come to the back door which faces directly into the meeting room.

GOVERNING COUNCIL: The next meeting of the Elder Law Section Governing Council will be 3:30 p.m. on Friday, August 19, 2011. The meeting will be held at Estate & Elder Law Services (formerly MAO Legal Services), Monroe Village, 1900 Central Avenue NE, Suite 106, Minneapolis, Minnesota 55418. There are a few parking spaces behind the building and lots of street parking. People should walk to the back of the building and come to the back door which faces directly into the meeting room. For further information, please contact Suzy Scheller, Chair, at: suzy@schellerlegalsolutions.com. MSBA ELDER LAW SECTION E-NEWSLETTER August 9, 2011

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