

MSBA ELDER LAW SECTION E-NEWSLETTER

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E-Newsletter Editorial Staff:

Communications Committee Chair: Mardell Presler

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E-NEWSLETTER HIGHLIGHTS

The Elder Law Section Hall of Fame

Cathryn D. Reher and Laura J. Zdychnec, both at Long, Reher, Hanson & Price, of St. Louis Park, MN were inducted into the Elder Law Section Hall of Fame.

The Elder Law Section Hall of Fame was started in 2015. The criteria for admission to the Hall of Fame include:

1. Membership in the Elder Law Section.
2. Success in litigation or other public or private advocacy having a substantial positive impact on the elderly or on the way Elder Law attorneys practice Elder Law.
3. Success in persuading CMS, DHS or another government agency to adopt substantial positive changes in medical assistance or other government programs or policies affecting the Elderly.
4. Publication of important works in the literature or other media to educate consumers or Elder Law attorneys regarding any important subject affecting the Elderly.
5. Success in obtaining legislation to protect or improve the rights or condition of the Elderly.
6. Efforts to accomplish the criteria in sections 1 to 4 that fall short of success but still deserve recognition for substantial efforts toward an important goal.
7. Other important activities by Section members that the committee members believe deserve recognition in our Hall of Fame.

The Mary Alice Gooderl Memorial Award

John A. Kantke of Estate and Elder Law Services of Volunteers of America, in Minneapolis, MN received the Mary Alice Gooderl Memorial Award.

The Mary Alice Gooderl Memorial Award is presented by the Elder Law Section to acknowledge outstanding contributions to the field of Elder Law by a member of the Elder Law Section, as exemplified by Mary Alice Gooderl, one of the founders of the Elder Law Section.

Please submit news articles of interest to mardell@mardellpreslerlaw.com.

NOVEMBER CLE

Difficult Estate Planning Clients: How to Spot Them, How to Manage Them and How to Part with Them

Thursday, November 14, 2019, 12:00 PM to 1:00 PM at First National Bank Building, Saint Paul. Remote participation is available.

Practical ways to navigate ethical issues and avoid malpractice pitfalls when dealing with difficult estate planning clients. We will discuss current trends of legal malpractice claims with respect to trusts and estates, common red flags to help spot difficult clients before undertaking the representation, how attorneys can manage relationships that have begun to deteriorate, and how attorneys can end a representation in a way that reduces the likelihood of a subsequent malpractice or ethics complaint by the client's estate or a beneficiary.

Presenters:

Danielle Parry | Claims Attorney, [Minnesota Lawyers Mutual Insurance Company](#)
Patty Beck | Claims Attorney, [Minnesota Lawyers Mutual Insurance Company](#)

Click here to register:

[Difficult Estate Planning Clients: How to Spot Them, How to Manage Them and How to Part with Them](#)

Advance Health Care Directives - Drafting and Dispute Resolution Strategies

Friday, November 22, 2019, 8:00 AM to 9:00 AM at Town and Country Club, Saint Paul.

The presenters for this program will draw on their experience as an estate planning practitioner, health law and policy attorney, and emergency department physician. The presenters will provide an overview of advance health care directive laws in Minnesota, discuss drafting considerations and practical tips, common problems faced by medical professionals in interpreting and implementing advance directives in the care setting, and processes and procedures followed by health care providers where an advance directive is unclear or there is conflict regarding the patient's care (whether among family members or between the patient's family and provider), including court intervention and involvement of hospital ethics committees.

Presenters:

[Melissa H. Bayne](#), Attorney at Larkin Hoffman

[Thaddeus Pope](#), Director Mitchell Hamline Health Law Institute
[Peter Currie](#), MD | Medical Director of Quality, EPPA

Click here to register:

[Advance Health Care Directives - Drafting and Dispute Resolution Strategies](#)

ELDER LAW SECTION ACTIVITIES

ADVOCACY SUPPORT COMMITTEE:

The Advocacy Support Committee meets at the offices of Long, Reher, Hanson & Price. Telephone participation is available. Please contact committee chair Laura Zdychnec at lzdychnec@mnelderlaw.com for call-in instructions or more information.

Upcoming meeting dates to be announced.

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 are to be held every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey. Upcoming meetings for the Communications Committee are as follows:

December 11th, 2019 at 8:30 a.m.

February 12th, 2019 at 8:30 a.m.

April 8th, 2019 at 8:30 a.m.

June 10th, 2019 at 8:30 a.m.

August 12th, 2019 at 8:30 a.m.

The meeting location is Julian's Office at 1360 Energy Park Drive, Saint Paul, MN 55108 in the First Floor Conference Room.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Mardell Presler to mardell@mardellpreslerlaw.com or 763-360-7833.

DIVERSITY COMMITTEE:

Meetings will be held via teleconference on the second Tuesday of every month from 9:30-10:15 am.

Please contact Maya Missaghi at maya@mmlawservices.com if you would like to join!

EDUCATION COMMITTEE:

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets by telephone on the second Thursday of each month from 9:30 A.M. to 10:30 A.M.

If you would like to participate, please contact the committee chair, Laura Orr at laura.orr@smrls.org.

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.

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 (763) 647-0042 or suzy@schellerlegalsolutions.com; or Vice-Chair, Julian J. Zweber, at (651) 646-4354 or julianzweber@qwestoffice.net.

Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the Elder Law Section Community Forum.

MEDICAL ASSISTANCE COMMITTEE:

The Medical Assistance (MA) Committee meetings will be at 3:30 p.m. on the third Tuesday of even-numbered months. The next meetings will be:

December 17th at 3:30 p.m.

February 18th at 3:30 p.m.
April 21st at 3:30 p.m.

To attend by telephone, call 1-800-226-9607 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

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 Traci Sherman with Pluto Boes Legal, PLLC, at tsherman@plutoboeslegal.com or 507-247-5900 at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to tsherman@plutoboeslegal.com under the subject heading "MA Committee Topic," or faxed to 507-247-5868.

The Committee is hosted by Estate & Elder Law Service at Monroe Village, 1900 Central Avenue NE, Minneapolis, MN 55418. Parking is available behind the building and along adjacent streets. In-person attendees should enter through the door facing the parking lot behind the building. This door leads directly into the community room.

MA Committee members are invited to join the Medical Assistance Community forum at my.mnbar.org. Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the community.

NEW LAWYERS COMMITTEE:

Meetings will be held the second Thursday of even-numbered months at noon. Each meeting has a different topic based upon input from the new lawyers committee. Minutes of past meetings are available. The meetings are formatted so that a seasoned elder law attorney will speak for the first half hour, and the second half hour will be questions and answers.

Meetings will be held at Chestnut Cambronne PA, 17 Washington Ave N #300, Minneapolis, MN, 55401. Please contact Pook Grathwol at pgrathwol@chestnutcambronne.com or (612) 336-2919.

PRO BONO COMMITTEE:

The Pro Bono Committee, due to lack of attendance, is suspending committee meetings until further notice. Please contact Jennifer Wright, Chair, at jlinderwright@gmail.com, if you have an interest in working with the Pro Bono Committee.

STRATEGIC PLANNING COMMITTEE:

The next Strategic Planning Committee meeting date is to be announced. Meetings are held at the law office of Maser, Amundson, Boggio & Hendricks, P.A., located at 6601 Lyndale Avenue

South, Suite 320, Richfield, MN 55423. Questions may be directed to Brenna Galvin at bgalvin@maserlaw.com.

VULNERABLE ADULT COMMITTEE:

Contact Marit Peterson at marit.peterson@elderjusticemn.org or 651-440-9303, if you are interested in participating in this committee.

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

You may email Bridget-Michaele Reischl at bridget@decorolaw.com to suggest changes to website content.

Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Mardell Presler at mardell@mardellpreslerlaw.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.

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