

MSBA ELDER LAW SECTION E-NEWSLETTER
December 4, 2017

Vol. 9, No. 36

E-Newsletter Editorial Staff:

Communications Committee Chair: Rachel Schromen

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NEWSLETTER HIGHLIGHTS

Sponsored by the Elder Law Section:

Working with Muslim and Somali Clients: A CLE on Islamic Wills and Cultural Competency with Somali Clients

There are more Somali immigrants in Minnesota than in any other state. The number of Somali attorneys is growing, but is still very small (for the time being). There is a burgeoning need for culturally appropriate Elder Law and estate planning services as these newer Americans settle their multi-generational communities in this state. Not to be underappreciated is also the growing business law needs of the ambitious Somali young men and women whose entrepreneurial spirit is just starting to show itself in a significant way.

If you are interested in learning more about where legal services are headed and exploring under-charted territory (ie. a new potential client base), this CLE is for you!

Come join us for lunch **December 14, 11:30 a.m. -1 p.m.** and learn more about Islamic estate planning and the Somali culture.

Presenters:

Imani Jaafar – An attorney with Islamic estate planning experience, Imani has presented and written on the topic many times. Additionally, she now works for the City of Minneapolis in their Civilian Oversight of Police Conduct department, where she addresses issues using her cultural competency skill set and legal education.

Abdi Ali – Abdi is a native Somali who works at the Center for Multicultural Mediation in Edina. Abdi is committed to building cultural bridges and helping his community integrate the

old with the new in respectful and harmonious ways. He has presented to the MSBA community before and is happy to have been asked back!

CLE Credits:

1.5 Elimination of Bias CLE Credits approved

Cost (includes lunch):

Elder Law Section Member: \$5

Non-Section Member: \$15

Non-MSBA Member: \$20

Law Student: FREE

Remote Participation:

Participation via teleconference and webcast is available.

[Registration](#) is due by December 12.

Elder Law Choir!

Come one, come all and join the Elder Law Choir! We will gather informally at 3 nursing homes for 2 performances - one at the holiday season and one at the 4th of July season. The songs will be easily recognizable Carols and Americana. We will have song sheets and good cheer. No rehearsals needed.

Who knows maybe even a bump with friends after the concert!

Email Pook Grathwol at pgrathwol@chestnutcambronne.com if you are interested.

EVENTS SCHEDULED IN THE NEXT MONTH

December 14, 11:30 a.m. - CLE on Islamic Wills and Cultural Competency with Somali Clients (President's Room, MSBA, Minneapolis).

December 15, 2017 3:30 p.m. - Governing Council (Monroe Village Community Room, Minneapolis).

December 19, 2017 at 3:30 p.m. - MA Committee (Monroe Village Community Room, Minneapolis).

ELDER LAW NEWS

[Part 1 of 5: Star Tribune Special Report on Nursing Home Abuses](#)

[Gov. Dayton Calls for New Elder-Abuse Work Group](#)

[Klobuchar presses for tougher action against abuse in senior homes, citing Star Tribune series](#)

Please submit news articles of interest to emily.flesch@mitchellhamline.edu.

QUESTIONS AND ANSWERS FROM THE MSBA COMMUNITIES

Q. Can a lengthy legal description be an addendum to a Statutory Short Form Power of Attorney (SSF POA) rather than typing it into Paragraph A of the SSF POA? If so I assume it is only needed to be labeled to be suitable as a future addendum so for all other SSF POA purposes the SSF POA can operate without the addendum, with initials of the principal to be identifiable.

A. The legal description can always be included in an attachment incorporated by reference into the main body of the SSF POA, for example “See Attachment A which is incorporated by reference into this power of attorney” or “See Attachment A which is made part of this power of attorney.” The attachment becomes part of the SSF POA and must always be included as part of the SSF POA in future uses.

Putting the legal description into the SSF POA will limit the SSF POA to the described real estate only. I usually do not include a legal description in a SSF POA in case the SSF POA might be needed to deal with an interest in other real property (for example an unexpected inheritance of an interest in real property). An Affidavit by the Attorney-in-fact is used to identify the real property affected by the SSF POA if the SSF POA is to be used for a real estate transaction at a later date.

Submitted by Julian J. Zweber

DIVERSITY COMMITTEE

On August 16, 2016, the Elder Law Council established our section’s Diversity Committee, with Jeanine Hill as its original chairperson. Jean Gustafson of Brainerd will be chairing the committee for the coming year. If you would like to join the committee, please contact Jean Gustafson at jean@guslaw.net.

ELDER LAW CASES

Please submit Elder Law cases of interest to emily.flesch@mitchellhamline.edu

STATUTES, REGULATIONS, BULLETINS

Please submit statutes, regulations, or bulletins of interest to emily.flesch@mitchellhamline.edu

ELDER LAW SECTION ACTIVITIES

ADVOCACY SUPPORT COMMITTEE:

We need members! We need your ideas and input! We are challenged to respond in advocacy on multiple fronts – come help us assure that we are providing the supports our section members need.

Please contact Committee Chair, Laura Zdychnec at lzdychnec@mnelderlaw.com with any suggestions or information.

COMMUNICATIONS COMMITTEE:

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

January 10, 2018 at 8:30 a.m.

March 14, 2018 at 8:30 a.m.

May 9, 2018 at 8:30 a.m.

July 11, 2018 at 8:30 a.m.

September 12, 2018 at 8:30 a.m.

November 14, 2018 at 8:30 a.m.

The meeting location is Schromen Law, 600 Marshall Avenue, Saint Paul, MN 55102.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Rachel Schromen at rachel@schromenlaw.com or 651-571-2515.

GOVERNING COUNCIL:

The Elder Law Section Governing Council will meet at the following dates and times during the MSBA year ending in June 2018:

December 15, 2017 3:30 pm at Monroe Village Community Room

February 16, 2018 3:30 pm at Monroe Village Community Room
April 20, 2018 3:30 pm at Monroe Village Community Room
June 15, 2018 3:30 pm at Monroe Village Community Room

Monroe Village is located at 1900 Central Avenue NE, Minneapolis, Minnesota 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. For further information, please contact Tram Nguyen, section services manager, at tnghuyen@mnbar.org or 612-278-6316.

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 john.j.austin3@gmail.com

MA COMMITTEE:

The 2017-2018 Medical Assistance (MA) Committee meetings will be at 3:30 p.m. on the third Tuesday of even-numbered months. The next meeting will be:

December 19, 2017 at 3:30 p.m.

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 Legal, PLLC, at tsherman@plutolegal.com or [507-247-5900](tel:507-247-5900) at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to tsherman@plutolegal.com under the subject heading "MA Committee Topic," or faxed to [507-247-5868](tel: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.

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.

Upcoming meeting dates will be announced.

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:

Meetings will be held via teleconference on the third Friday of every other month from 12-1 pm unless otherwise communicated. Upcoming meeting dates:

January 19, 2018 at 12 p.m.

March 16, 2018 at 12 p.m.

May 18, 2019 at 12 p.m.

Questions may be directed to Maya Missaghi at mayamissaghi@gmail.com.

STRATEGIC PLANNING COMMITTEE:

The next Strategic Planning Committee meeting will be held on December 12, 2017, at 3:30 p.m., 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 Emily Flesch at emily.flesch@mitchellhamline.edu. The e-newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the 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@statebar.gen.mn.us

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