

MSBA ELDER LAW SECTION E-NEWSLETTER

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Communications Committee Chair: Lucas Spaeth

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ELDER LAW NEWS

Welcome to our New Section Chair and Committee Chairs

Please welcome the following individuals in their new (or continued) role as Committee Chairs:

Elder Law Section Chair – Jack Austin

Advocacy Committee Chair – Laura Zdychnec

Communications Committee Chair – Lucas Spaeth

Diversity Committee Chair – Maya Missaghi

Education Committee Chair – Laura Orr

New Lawyers Subcommittee Chair – SaRoi Brown

Law Student Subcommittee Chair – John Kantke

Elder Law Institute Subcommittee Chair – Jack Austin

Legislative Committee Chair – Suzy Scheller

Medical Assistance Committee Chair – Callyn Bedker

Executive Committee Chair – Jack Austin

Strategic Planning Subcommittee Chair – Jack Austin

Awards Committee Chair – Julian Zweber

Bylaws Committee Chair – Mary Joki Ebb

Membership Committee Chair – Jeff Schmidt

Contributed by Jack Austin and Mallory Moen.

Call to Action from our New Section Chair

Dear Elder Law Section Members:

Welcome to the 2020-2021 bar year! I am honored and excited to serve as Section Chair of the MSBA Elder Law Section for the coming year. The purpose of this letter is to share some of my thoughts about the coming year, and to ask you to commit yourself to enriching our Section, our practice area, our profession, and the lives of our clients.

The last few months have presented daunting challenges on several fronts. The COVID-19 pandemic has placed a staggering burden on the clients that we represent—not only by threatening their health, but by forcing our elders to isolate themselves from their friends and family. At the same time, the killing of George Floyd—and the resulting global unrest—has exposed long-simmering tensions that can no longer be ignored. Both of these challenges call for broad societal changes, but we do not yet know what form these changes will take.

Challenging times can be disheartening, but they can also be opportunities for growth and improvement. The coming year will present many opportunities for us to improve ourselves and our institutions. My experience coaching athletes has taught me that we must leave our “comfort zones” in order to grow or to learn a new skill. I ask you to leave your comfort zone this year in an effort to learn and grow, and demand that your Section do so as well.

Your participation is needed to improve and grow the MSBA Elder Law Section! Consider joining a committee (governing council participation is not required for committee service). Our committees are always looking for new ideas and presenters for CLEs, ideas to make the e-newsletter and Section website more useful for our members, ways to promote diversity and inclusion, and pro bono opportunities to improve our community. We are always happy to welcome newcomers to our governing council meetings. Our Section will benefit from your knowledge, perspective, and ideas—please share them with us!

Our members have more than enough passion and courage to rise to the challenges of the moment. I am honored and excited to serve as Section Chair for the coming year, and to participate in what I know will be a year of learning and growth. I am excited to work with you this the year!

Enthusiastically,

Jack Austin

Contributed by Jack Austin.

Update on the Probate and Trust Law Section Conference

The 2020 Probate and Trust Law Section Conference has been moved to **October 16th and 17th, 2020, and will be *remote only* with no in-person attendance.** Individuals who have already registered do not need to take any action to convert their registration to the new dates. Instructions on accessing the conference will be provided to registrants later this summer.

Contributed by Mallory Moen.

JUNE CLE AND EVENTS

All bar association programming is currently REMOTE-ONLY participation. There is NO in-person attendance.

For the bar association statement on COVID-19 click [here](#). Thank you.

REMOTE ONLY: Ashes to Ashes, Dust to Fuss – Part 2

Thursday, July 16, 2020 from 12:00 P.M. to 1:00 P.M., Remote Only.

Join Attorneys Jill Sauber and Michael Sharkey to continue the lively discussion about Minnesota laws and legal issues surrounding human remains, including handling of a person's body after death, who has the right to control final disposition, and issues commonly encountered about the transfer of human remains (cremated or otherwise). Questions are welcome prior to and during the presentation –this seminar will address the timely issue of how funerals are being arranged or body donations are taking place during COVID-19, and what that means for families.

The deadline to register is July 14, 2020. To register, click [here](#).

Presenters:

Jill Sauber of Sauber Legal Services, LLC

Michael Sharkey of Cousineau, Van Bergen, McNee & Malone, P.A.

REMOTE ONLY: Planning for the Family Cabin Virtual Roundtable

Wednesday, July 22, 2020 from 12:00 P.M. to 1:00 P.M., Remote Only.

Please join J. Steve Nys and Ruthanne Vos for a video conference and round table discussion regarding Planning for the Family Cabin. Bring your own questions and comments to be included among some of the pre-planned topics for consideration:

- The Joint Revocable Cabin Trust, from Drafting Wills and Trust Agreements:
- Review of recent changes, and new information on forthcoming updates.
- How is the form working for you?
- What changes would you like to see?
- Any common client requests the form doesn't address?
- Cabin Trusts vs. Cabin LLCs: Practitioner preferences and practical considerations.
- Hindsight is 20/20: Problems with Trustees, Beneficiaries, and LLC Members, and how we try to prevent them from happening again.

Presenters:

J. Steve Nys of Fryberger Law Firm

Ruthanne Vos of Mathison and Vos, PLLC

The deadline to register is July 20, 2020. **This Event is limited to 25 participants.** To register, click [here](#).

Please submit upcoming CLEs to mmoen@chandlerandbrown.com.

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.

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. The Committee solicits nominations from Section members for Section Awards and determines what Awards should be presented at the next Elder Law Institute sponsored by MN CLE, usually in October of each year. For more information, please contact Julian J. Zweber at 651-646-4354 or 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 coordinator, 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.

The meeting location is Julian's Office at 1360 Energy Park Drive, Saint Paul, MN 55108 in the First Floor Conference Room. If you're not able to attend in person, please contact Lucas Spaeth or Tram Nguyen to request a conference call in number, lucas.spaeth@voamn.org or tnguyen@mnbars.org. **Please note, due to COVID-19, all meetings will be held remotely by telephone at this time.**

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Luca Spaeth at lucas.spaeth@voamn.org.

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 via conference call 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 John Kantke at john.kantke@voamn.org.

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 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 Medical Assistance (MA) Committee meetings will be at 3:30 p.m. on the third Tuesday of even-numbered months. 2020 meetings are tentatively scheduled for the following dates:

August 18, 2020 at 3:30 p.m.

October 20, 2020 at 3:30 p.m.

December 15, 2020 at 3:30 p.m.

Please note, due to COVID-19, all meetings will be held remotely by telephone at this time.

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 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.

PRO BONO COMMITTEE:

The Pro Bono Committee, due to lack of attendance, is suspending committee meetings until further notice. The Pro Bono Committee currently does not have a Chair. If you have an interest in working with the Pro Bono Committee, please contact Elder Law Section President, Jack Austin, at jack@hawkelawgroup.com.

STRATEGIC PLANNING COMMITTEE:

The next Strategic Planning Committee meeting date is to be announced. Questions may be directed to Committee Chair, Jack Austin, at jack@hawkelawgroup.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 Lucas Spaeth at lucas.spaeth@voamn.org to suggest changes to website content.

Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Mallory Moen at mmoen@chandlerandbrown.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](#).