

**MEETING OF THE COUNCIL OF THE  
PROBATE & ESTATE PLANNING SECTION OF THE  
STATE BAR OF MICHIGAN**

Friday, April 10, 2026

Held in person at the University Club of Michigan State University, East Lansing, with  
remote participation via Zoom

Minutes

**I. Commencement (Nathan R. Piwowarski)**

**A. Call to Order and Welcome**

Chairperson Nathan R. Piwowarski called the meeting of the Council of the Probate & Estate Planning Section of the State Bar of Michigan to order at approximately 10:00 a.m. and presided.

**B. Attendance**

Secretary Melisa M. W. Mysliwiec conducted a roll call of Zoom participants, and in-person attendees identified themselves for the record.

The following officers and members of the Council were present either in person or remotely via Zoom (“Z” reflects participation via Zoom):

1. Nathan R. Piwowarski, Chairperson
2. Richard C. Mills, Chairperson-Elect
3. Christine M. Savage, Vice Chairperson (Z)
4. Melisa M. W. Mysliwiec, Secretary
5. J.V. Anderton (Z)
6. Ernschie Augustin (Z)
7. Susan L. Chalgian
8. Georgette E. David (Z)
9. Patricia E. Davis (Z)
10. Sandra D. Glazier (Z)
11. Daniel S. Hilker
12. Warren H. Kreuger (Z)
13. Alexander S. Mallory (Z)
14. Kathleen A. Martone (Z)
15. Nicholas A. Reister (Z)
16. Michael D. Shelton (Z)
17. Hon. Sara A. Schimke (Z)
18. David Sprague (Z)
19. Joseph J. Viviano (Z)
20. Rebecca Wrock (Z)

Others present either in person or remotely via Zoom:

1. Theresa Castle (Administrative Assistant) (Z)
2. Lindsey DiCesare (ICLE) (Z)
3. Dustin Foster (Z)
4. Mark E. Kellogg (Ex Officio) (Z)
5. Marguerite Munson Lentz (Ex Officio) (Z)
6. David Lentz (Z)
7. David Lucas (Ex Officio)
8. Chad R. McDonald
9. Austin McKee (Z)
10. James Steward (Ex Officio) (Z)

### **C. Excused Absences**

The following were noted as excused:

1. Daniel W. Borst
2. Angela M. Hentkowski, Treasurer
3. Elizabeth L. Luckenbach
4. Katie Lynwood (Ex Officio)
5. Rebecca Bechler (Public Affairs Associates)
6. Peter Langley (Public Affairs Associates)
7. Hon. David M. Murkowski

## **II. Monthly Reports**

### **A. Lobbyist's Report (Public Affairs Associates)**

Council reviewed the legislative update from Public Affairs Associates. Key bills were noted as pending or advancing, including HB 4014 passing the House and moving to Senate Finance. The Chair said the Section wants to discuss newly introduced HB 5701 on electronic wills with the lobbyists. Council also asked lobbyists to continue written reports, include all bills with Section policy positions, confirm the House is aware of the Section's opposition to SB 585, and monitor HBs 5701, 5739, and 5740.

### **B. Minutes of Prior Council Meeting (Melisa Mysliwiec)**

The draft minutes of the March 13, 2026, Council meeting (Attachment 1) were presented for approval. Hearing no corrections or additions, Chairperson Piwowski moved to approve the minutes and David Sprague seconded the motion. On voice vote, the motion carried.

### **C. Chair's Report (Nathan Piwowski)**

Chairperson Piwowski proposed a new AI committee, and the motion passed as amended.

#### **D. Treasurer's Report (Angela Hentkowski)**

Treasurer Hentkowski was absent. The written Treasurer's Report included in Attachment 2 was received without further discussion.

### **III. Committee Reports**

#### **A. Committee on Special Projects (Dan Hilker)**

Mr. Hilker reported that the Committee on Special Projects continued reviewing uncapping statute revisions and requested additional materials before June.

#### **B. Amicus Curiae (Andy Mayoras)**

No separate oral report was made. The Chair noted that Mr. Mayoras had submitted a written report consisting of copies of briefs that had been filed.

#### **C. Annual Meeting (Nathan Piwowarski)**

No report.

#### **D. Awards (Katie Lynwood)**

No report.

#### **E. Budget (Melisa Mysliwiec)**

No report.

#### **F. Bylaws (David Lucas)**

Mr. Lucas reported on proposed bylaws and policy revisions, which will return for further review in June.

#### **G. Charitable and Exempt Organizations (Rebecca Wrock)**

Ms. Wrock reported that the committee's next meeting would be held on April 23, 2026.

#### **H. Citizens Outreach (Kathleen Goetsch)**

No report.

#### **I. Court Rules, Forms, and Proceedings (Patricia Davis and Georgette David)**

No report.

#### **J. Electronic Communications (Susie Chalgian)**

No report.

#### **K. Ethics and Unauthorized Practice of Law (Alex Mallory)**

No report.

#### **L. Guardianship, Conservatorship, and End of Life (Sandy Glazier)**

No oral report was given; the revised surrogate decision-maker bill remained problematic.

#### **M. Legislation Development and Drafting (Rob Tiplady and Rick Mills)**

No report.

**N. Legislation Monitoring and Analysis (Mike Shelton)**

Mr. Shelton noted that HBs 5739 and 5740 had been introduced and were already under review, and he helped confirm the Senate status of the surrogate decision-maker legislation.

**O. Legislative Testimony (Dan Hilker)**

The Chair reported that Jim Spica was asked to testify on HBs 4523 and 4408 at the April 22, 2026 House Judiciary meeting, with alternate witnesses identified if needed.

**P. Membership (Angela Hentkowski)**

No report.

**Q. Nominating (Mark Kellogg)**

Mr. Kellogg reported that the Nominating Committee will meet later in April and present recommendations in June. Council members were invited to submit recommendations in advance.

**R. Planning (Nathan Piwowarski)**

No report.

**S. Probate Institute (Chris Savage)**

No report.

**T. Real Estate (Angela Hentkowski)**

No separate report beyond the CSP discussion summarized above.

**U. State Bar and Section Journals (Melisa Mysliwiec)**

No report.

**V. Tax (J.V. Anderton)**

Mr. Anderton noted the tax item included in the materials and stated that the attached “nugget” concerned a domestic asset protection trust that had been pierced.

**W. Assisted Reproductive Technology (Nancy Welber)**

No report.

**X. Electronic Wills (Kathleen Martone)**

Ms. Martone reported that the committee will meet April 22 to discuss electronic wills legislation, with a recommendation on HB 5701 encouraged for June.

**Y. Fiduciary Exception to the Attorney-Client Privilege (Warren Krueger)**

No report.

**Z. Nonbanking Entity Trust Powers (Jim Spica and Rob Tiplady)**

Joe Viviano reported that the committee likely should reconvene because both statutes were near or at final form and the committee needed to discuss next steps.

**AA. Premarital Agreements (Chris Savage)**

No report.

**BB. Trust Accounts (Elizabeth Luckenbach)**

In Ms. Luckenbach's absence, the Chair reported that comments had been received from representatives of the banking industry and that the committee was reviewing and preparing a response.

**CC. Uniform Community Property Disposition at Death Act (Jim Spica)**

No separate report; drafting work continues.

**DD. Uniform Guardian, Conservatorship, and Protective Arrangements Act (Nathan Piwowarski and Kathleen Martone)**

Chairperson Piwowarski reported that the committee continued reviewing the Act and welcomed additional participation.

**EE. Undue Influence (Ken Silver)**

The Chair reported that the committee was taking back the Council's comments and expected to return to CSP.

**FF. Uniform Fiduciary Income and Principal Act (Jim Spica)**

No separate report. The Chair noted that related legislation remained in the legislative process.

**GG. Various Issues Involving Death and Divorce (Dan Borst and Sean Blume)**

The Chair reported that the committee had revised its proposed bill following the prior CSP discussion and intended to submit it for a public policy vote at the June meeting.

**IV. Good of the Order**

During Good of the Order, the Chair encouraged members to recruit newer probate practitioners and other interested section members to attend Council meetings and join committees.

**V. Adjournment**

There being no further business, the regular Council meeting adjourned at approximately 11:01 a.m. A roundtable discussion followed.

Respectfully submitted,

Melisa M. W. Mysliwiec, Secretary  
Probate & Estate Planning Section Council  
State Bar of Michigan