

**MEETING OF THE COUNCIL OF THE  
OF THE PROBATE AND ESTATE PLANNING SECTION  
OF THE STATE BAR OF MICHIGAN**  
Friday, March 10, 2023 @ 9:00 AM

University Club of Michigan State University  
3435 Forest Rd, Lansing, MI 48910  
and  
Remote

**Minutes**

- I. **Call to Order and Welcome** (Mark Kellogg)
  - a. Chairperson Mark E. Kellogg called the meeting to order at 9:00 AM noting that the meeting was being recorded and that the resulting recording is to be deleted once the minutes of the meeting have been submitted by the Secretary and accepted by the Council.
- II. **Zoom Roll Call Confirmation of Attendees** (Mark Kellogg)
  - a. In Person: Mark E. Kellogg, Richard Mills, Susan Chalgian, Daniel Hilker, and Elizabeth Siefker.
  - b. Remote: James P. Spica, Daniel Borst, Melisa Mysliwiec, Kenneth Silver, Christine Savage, Michael Lichterman, Michael D. Shelton, Neal Nusholtz, Robert Tiplady, Sandra Glazier, Nathan Piwowski, James F. Anderton, Katie Lynwood, Marguerite Lentz, David Lentz, Kurt Olson, Jonathan Beer, David Sprague, Christine Caswell, Charlotte Shoup, John McFarland, Rebecca Gorbett, Robert Tiplady, Kathleen Goetsch, Andrew Mayoras, Hon. Shauna Dunning, Robert Labe, Angela Hentkowski, Stephen J. Dunn, Kathleen A. Cieslik, Rebecca Wrock, Warren Krueger, Sean Blume, Lindsey DiCesare (ICLE), Rebecca Bechler (Public Affairs Associates), and Andrea Neighbors (Administrative Assistant)
- III. **Excused Absences** (Mark Kellogg)
  - a. Georgette E. David
- IV. **Lobbyist's Report** (Public Affairs Associates)
  - a. According to Rep. Graham Filler, there is one bill of the EPIC Omnibus bills that the legislative service bureau has not prepared correctly, and he is hopeful that he will get it back next week. We are just waiting on that bill and then hopefully will move forward. Rep. Graham Filer will sponsor it as well as Rep. Kelly Breen.
  - b. Rep. Kara Hope, who chairs the criminal justice committee has agreed and has put in requests for the Unitrust as well as the power of attorney legislation. She does not have either blueback back yet. Becky believes that there is a competing bill
  - c. A meeting has been requested with Sen. Stephanie Chang, who chairs the Senate judiciary committee, regarding powers of appointment and rules against perpetuity to see if she could put those bills in on the Senate side. Both the house and senate are actively engaged in the councils' issues.
  - d. There will be a meeting with the attorney general's office on March 15th to speak with Judge Carl Marlinga who is the chair of the Elder Law Task Force in the attorney generals office regarding the uniform power of attorney act.
- V. **Monthly Reports**

- a. **Minutes of Prior Council Meeting** – February (Nathan Piwowarski) –Attachment 1
  - i. Motion by David Sprague, second Hon. Shauna Dunnings to accept as presented. Approved.
- b. **Chair's Report** (Mark Kellogg)
  - i. Mark is hopeful that some of the bills will go though that have been stalled. He is confident that we can make some progress this year. Mark appreciates all the time a effort put forth to get things through.
- c. **Treasurer's Report** (Rick Mills)
  - i. Suggested council member donation to Hearts & Flowers is \$35.
- d. **Committee on Special Projects** (Melisa Mysliwec)
  - i. CSP did not meet.
- e. **Tax Committee Tax Nugget** (Rob Labe) – Attachment 2. Rob Labe reviewed the information included in Attachment 2.
- f. **Membership Committee** (Angela Hentkowski)
  - i. The council receives three complementary registrations. Previously, the council would give one away. Scholarship for the other two?
  - ii. May 18<sup>th</sup> reception. ICLE is letting the council use a hospitality suite free of charge for the reception. Angela motioned for \$2,000 to be used for the May 18<sup>th</sup> reception at the institute, seconded by David Sprague. Approved.
  - iii. The council has a vendor table at the institute. If anyone is interested in manning the table, please contact Angela. Otherwise, there will be some journals on the table.

VI. **Oral Reports**

- a. Guardianship, Conservatorship and End of Life Committee (Sandy Glazier) – Attachment 3. reviewed the information included in Attachment 3. Nathan Piwowarski motioned and seconded by Sandy Glazier to oppose HB 4171 and HB 4172 with the explanation: The Section supports the goal of protecting vulnerable adults' rights but has concerns regarding likely unintended effects of these bills on vulnerable adults, including a reduction of statutorily-qualified persons available to serve as fiduciaries. The Secretary recorded a vote of 22 in favor, 0 opposed, 1 not voting, and 0 abstaining, and the Chair declared the motion carried.

VII. **Written Report Only**

VIII. **Other Business.**

- a. Katie Lynwood reminded the section of the ICLE institute in Traverse City on May 18<sup>th</sup> and in Plymouth in June. There is also an add on session in Traverse City on May 17<sup>th</sup> with Chris Hoyt talking about in-depth retirement asset planning.
- b. Dan Hilker motioned to provide discretion to the membership committee chair specifically for use of section funds up to \$250 per night for subsidy for a hotel for scholarship recipients for the ACME and/or Plymouth section events, seconded by David Sprague. Approved.

IX. **Adjournment**

- a. There being no other business before the Council, the Chairperson declared the meeting adjourned at 10:04 AM.

Respectfully Submitted,

Nathan Piwowarski, Secretary

The next Council meeting will be held on Friday, April 14, 2023.