1. Call to Order: The Chair of the Section, Marlaine C. Teahan, called the meeting to order at 10:20 am.

2. Introduction of Guests and attendance.
   a. meeting attendees introduced themselves
   b. The following officers and members of the Council were present:

Marlaine C. Teahan, Chair
Marguerite Munson Lentz, Chair Elect
Christopher A. Ballard, Vice Chair
David P. Lucas, Secretary
David L.J.M. Skidmore, Treasurer
Christopher J. Caldwell
Rhonda M. Clark-Kreuer
Kathleen M. Goetsch
Nazneen Hasan
Angela M. Hentkowski
Michael G. Lichterman
Katie Lynwood
Raj A. Malviya
Andrew W. Mayoras
Richard C. Mills
Melisa M.W. Mysliwiec
Lorraine F. New
Kurt A. Olson
Nathan R. Piwowarski
Christine M. Savage

A total of 20 Council officers and members were present, constituting a quorum

3. Absences
   a. The following members of the Council were absent with excuse:

Michael L. Jaconette
Mark E. Kellogg
Robert B. Labe

   b. The following officers and members of the Council were absent without excuse:

none
c. The following ex-officio members of the Council were present:
   Robert D. Brower, Jr.
   George W. Gregory
   Amy N. Morrissey

d. The following liaisons to the Council were present:
   Susan Chalgian
   Jeanne Murphy
   James P. Spica

e. Others present:
   Aaron Bartell
   John Roy Castillo
   Dan Hilker
   John Hohman
   Neal Nusholtz
   Paul Vaidya

4. Geoffrey R. Vernon Tribute: the Chair informed the meeting that Geoffrey R. Vernon, a long
time Council member and participant in Council and Section matters, died on April 3, 2018. A
time of sharing remembrances, Geoff’s achievements, and accolades for Geoff followed. It was
universally recognized that Geoff will be sorely missed, both personally and professionally.

The Chair also reported the death of Rosenele H. Zack, the spouse of Ev Zack (former Chair of
the Council), and shared remembrance of Ms. Zack.

5. Election of Council member: the Chair stated that, pursuant to the Section’s Bylaws, in the
event of a vacancy in the Council’s membership by death of a Council Member, the Council may
appoint a qualified individual to as a Member until the next election. The Chair announced that
since Geoffrey R. Vernon was going to be nominated by the Nominating Committee to serve as
Treasurer next year, the Nominating Committee also planned to nominate Andy Mayoras to fill
the remainder of Geoff’s remaining one-year term, after Geoff took on the role as Treasurer, if
he was elected. Andy was asked if he would fill the rest of Geoff’s term this year term and he has
agreed. Upon hearing a motion and second to the motion, after a unanimous voice vote, the
Chair declared Mr. Mayoras elected to so serve, effective immediately.

The Chair announced that the Insurance ad hoc Committee that was chaired by Geoff Vernon
was disbanded, and after receiving input from the other Committee members, the Chair
reassigned the Committee's remaining projects to the Legislative Development and Drafting
Committee. The Chair also indicated that she will determine and announce the next Chair of the
Council’s Committee on Special Projects.

6. Minutes of March 24, 2018: Meeting of the Council: it was moved and seconded to approve the
Minutes of the March 24, 2018 meeting of the Council, as included in the meeting agenda
materials and presented to the meeting. On voice vote, the Chair declared the motion approved.

7. Chair's Report – Marlaine C. Teahan: the Chair gave a report, including matters described in her written report, which was included with the meeting materials:
   a. The Chair received a request from the Young Lawyer’s Section for sponsorship for the Young Lawyer’s Summit. On motion duly made and seconded, on voice vote, the Council approved a sponsorship of $350 for the Young Lawyer’s Summit.
   b. The Chair stated that Howard S. Krooks contacted her about speaking for a Section event. After much discussion, Jeanne Murphy, the Section’s ICLE Liaison, recommended that Mr. Krooks be invited to ICLE for a video presentation. The Chair stated that she would follow-up with ICLE on this matter.
   c. The Chair stated that the Council’s Ethics Committee recommended taking no position on ADM File 2016-27, and after some discussion, no further action was taken by the Council on that matter.
   d. The Chair invited individuals to contact Doug Mielock or the Chair if that individual has an interest in serving on the Ad Hoc Committee on Electronic Wills.

8. Treasurer’s Report - David Skidmore: the Treasurer of the Section, David L.J.M. Skidmore reviewed the Treasurer’s report, which was included with the meeting materials. Mr. Skidmore noted that the balance of the Hearts and Flowers Fund was down, and requested that Council members consider making a contribution to the Fund.

9. Committee Reports
   a. Committee on Special Projects (CSP) - Marlaine Teahan reported for the Committee and reported that the CSP discussed the proposed definition of “charitable trust” in the proposed EPIC Omnibus. Given that the Committee currently has no Chair, a motion was made and seconded to approve the Committee’s definition of "charitable trust" as follows:

      The Probate and Estate Planning Section amends the Section’s Public Policy Position, originally adopted on November 11, 2017, entitled “Proposed Bill to Amend the Estates and Protected Individuals Code, by adding the phrase “if that charitable purpose is a material purpose of the trust” at the end of the proposal for amendment of EPIC section 7103(c).

      The Chair stated that since this would be a public policy position of the Section, the vote of the Council would have to be recorded. Following discussion, the Chair called the question, and the Secretary recorded the vote of 20 in favor of the motion, 0 opposed to the motion, 0 abstain, and 3 not voting. The Chair declared the motion approved.
b. Legislative Development and Drafting Committee - Katie Lynwood: Ms. Lynwood reported on the status of HB 4410 (Jajuga fix). The Chair indicated that since we often get only a day or two notice of the need for testimony in support of our legislative positions, at House or Senate Committee hearings in Lansing, she'd like to assemble a list of 5-10 attorneys who practice in the Greater Lansing area who would be willing to attend future Legislative Committee hearings on behalf of the Section. Anyone willing to be on such a list should contact the Chair or Meg Lentz, the Chair-Elect. At the meeting, Dan Hilker volunteered to be so available.

c. ART Update - Nancy Welber: Ms. Teahan reported that she had been in touch with Ms. Welber and the Committee requests that the Council approve a modification to the Council’s Public Policy Position regarding Assisted Reproductive Technology to give the Committee Chair authority to make non-substantive modifications to the Section's ART legislative proposal. The motion was made and seconded, as follows:

The Probate and Estate Planning Section amends the Section’s Public Policy Position, originally adopted on April 22, 2017, entitled “Proposed Changes to EPIC, MCL 700.1101 et seq.” by authorizing the Chair of the Council’s Assisted Reproductive Technology Ad Hoc Committee to make non-substantive modifications to such Position.

The Chair stated that since this would be a public policy position of the Section, the vote of the Council would have to be recorded. Following discussion, the Chair called the question, and the Secretary recorded the vote of 18 in favor of the motion, 0 opposed to the motion, 0 abstain, and 5 not voting. The Chair declared the motion approved.

d. Tax Committee - Mark DeLuca: Raj Malviya, the Vice Chair of the Committee, reported that the Committee intends to have nationally known tax experts present on tax issues from the 2017 Tax Act that are related to trusts and estates. These presentations will be conducted as a conference call meetings, open to all Section members. The Committee will provide reports of those meetings; the Chair requested that the phone conferences and Committee reports include any drafting tips developed by the presenters. Mr. Malviya referred the Council members to the Committee’s Tax Nugget included with the meeting materials.

e. Electronic Communications Committee - Mike Lichterman: Mr. Lichterman reported on the status of the transition from use of the Section’s listserv to SBM Connect: use of SBM Connect has substantially increased, the Committee continues to publicize the transition, and that the Committee continues to work on the conversion of listserv archives to SBM Connect. Presentations at the annual Probate Institute on how to use the SBM Connect system within emails will be given at both Acme and Plymouth locations.
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f. Guardianship, Conservatorship, and End of Life Committee - Rhonda Clark: Ms. Clark reported on the status of SB 713, and HB 5075 and HB 5076.

g. Membership Committee - Nick Reister: On behalf of the Committee, the Chair reviewed and distributed the Membership Committee's invitation card for a Section member social gathering at the Acme location of the annual Probate Institute to be held on Friday, May 18, 2018 from 4-11 p.m..

h. Amicus Committee - David Skidmore: Mr. Skidmore reviewed the report of the Committee that updated the status of the 6 amicus briefs filed by our Section in 2017-18 and, included as a supplement to the meeting materials.

10. Liaison Reports
   a. ADR Section - John A. Hohman: Mr. Hohman reported on activities of the ADR Section.
   b. Taxation Section - George W. Gregory: Mr. Gregory reviewed the Liaison’s Report to the Council, included with the meeting materials.

11. Written Reports Without Oral Presentation: the Chair noted the several reports that were included with the meeting materials.

12. Other Business
   
   HB 5811: Dan Hilker reported that HB 5811, regarding remote notarization, had been introduced. Mr. Hilker noted that such legislation has been adopted in Florida and Ohio. Mr. Hilker suggested that remote notarization be discussed as a future Council matter.

   There was no other business offered or requested.

13. Adjournment: seeing no other matters or business to be brought before the meeting, the Chair declared the meeting adjourned at 11:59 am.

Respectfully submitted,
David P. Lucas, Secretary