I. **Call to Order** – The meeting was called to order by the Chair at 10:20.

II. **Attendance.** Guests were introduced. A total of 5 officers and 15 members of the Council were present, representing a quorum.

   A. **The following 5 officers of the Council were in attendance:**

   Amy N. Morrissey, Chair  
   Shaheen I. Imami, Chair Elect  
   James B. Steward, Vice-Chair  
   Marlaine C. Teahan, Secretary  
   Marguerite Munson Lentz, Treasurer

   B. **The following 15 members of the Council were in attendance:**

   W. Josh Ard  
   Christopher A. Ballard  
   Constance L. Brigman  
   Rhonda M. Clark-Kreuer  
   Hon. Michael L. Jaconette  
   Mark E. Kellogg  
   David P. Lucas  
   Raj A. Malviya  
   Michele C. Marquardt  
   Richard C. Mills  
   Lorraine F. New  
   David L.J.M. Skidmore  
   James P. Spica  
   Geoffrey R. Vernon  
   Nancy H. Welber

   C. **The following officers and members were absent with excuse:**

   George F. Bearup  
   Patricia M. Ouellette  
   Susan M. Allan

   D. **The following officers and members were absent without excuse:** None.

   E. **The following ex-officio members of the Council were in attendance:**

   George W. Gregory  
   Henry M. Grix  
   Mark K. Harder  
   Dirk C. Hoffius  
   Robert B. Joslyn  
   Nancy L. Little  
   John H. Martin  
   Douglas A. Mielock  
   Harold Schuitmaker  
   John A. Scott  
   Susan S. Westerman
F. Others in attendance:

John Dresser          Julie Paquette
Kathy Goetsch         Amy Peterman
Raymond A. Harris     Nathan Piwowarski
Jeff Kirkey           Nick Reister
Michael Lichterman    Carol Sewell
Katie Lynwood         Tess Sullivan
Jeanne Murphy         Nazneen H. Syed
Laurie Murphy         Robert M. Taylor
Neal Nusholtz         Amy Tripp
Robert M. O'Reilly    Geoffrey Weed

III. Minutes of September 6, 2014, Meeting of the Council. The September 6, 2014 minutes of the Council were approved, as amended. These minutes include an approved report of an electronic vote taken by email during the month of September.


V. Chairperson’s Report – Amy N. Morrissey. Ms. Morrissey reported on the following items:

- Sebastian Grassi will get the Michael Irish award. George Gregory and Nancy Little will present Mr. Grassi with this award at his home. To send congratulatory notes, or to call, Mr. Grassi's contact information is as follows:
  Sebastian v. Grassi, Jr.
  4372 Brightwood Drive
  Troy, MI 18084
  248-740-8963
  svgjr@aol.com

- The Council held a very nice dinner last night to honor Tom Sweeney's year as Chairperson of the Section.

- An updated biennial plan of work is included in material as Attachment B.

- Many thanks go to committee chairs for confirmed continued membership. Updated roster in materials. Attachment C.

- This year, we have a new Membership Committee, chaired by Raj Malviya. Several new members have been added to other Committees.

- Our section now has a new website at The State Bar of Michigan website. In September, Ms. Morrissey attended section orientation and learned about the new section websites being launched (ours will launch soon). One of the features is a searchable community forum, like ICLE’s community. Ms. Morrissey encouraged those in attendance to explore the new website.

- On the legislative front – on September 6, 2014, we took an electronic vote in opposition to a UAGPPJA bill. The vote was to take a position against SB 465 and SB 466 because the bill's language did not tie in well with EPIC provisions on similar subject matter. A public policy position was reported on this vote. Also, mentioned that HB 5552 relative to uncapping has passed with immediate effect but note that several new exemptions are effective for transfers on or after 12-31-14. Public Act 310 of 2014. Even
though this bill has passed, our Real Estate Committee is still working on this legislation to possibly amend certain provisions.

- Congratulations to John H. Martin on his retirement as a law professor from Ohio Northern University, Pettit College of Law. With John's departure, the University is advertising two open faculty positions that may be of interest to Section members. See www.law.onu.edu.

VI. Report of the Committee on Special Projects (CSP) – Christopher A. Ballard

A. At CSP, we reviewed the Fiduciary Access to Digital Assets Legislation, led by Meg Lentz. The bills under discussion relate to HB 5366, 5367, 5368, 5369, and 5370. The Committee drafted standalone proposed legislation that would be a substitute for these bills. Amendments to the proposed materials were approved at CSP and presented to Council. These amendments include:

- Retain the language related to minors in Section 2 (5), and create a new sentence related to the definition of conservator to include a parent for the parent's minor child if no conservator, plenary guardian or partial guardian has been appointed for the minor child;
- Modify Section 2(13) to take out "or is appointed in will" and "of a trust or is appointed in the terms" of a trust;
- In Section 3a, delete phrase "Subject to Section 7(b) and" begin the sentence with "Unless.....".
- In Section 6 delete phrase "Subject to Section 7(b) and" to begin sentence with "Unless...".

A vote was taken by Council to support HB 5366, 5376, 5368, 5369 and 5370 in concept, provide the Committee's draft legislation for the standalone bill, and give the Committee Chair the ability to make non substantive changes.

The vote taken was 20 for, 0 against, 0 abstentions, and 3 did not vote due to excused absences. A public policy position is posted online at the State Bar of Michigan.

B. Proposed new section MCL 700.1513 – Geoffrey Vernon led a discussion of memo explaining the proposal and draft legislation for new section MCL 700.1513. This new section of EPIC concerns exculpation of trustees of life insurance trusts from liabilities related to the administration of life insurance policies held in the trust.

VII. Committee Reports

A. Internal Governance

1. Budget – Marlaine C. Teahan – A complete Budget report will be made next month.

2. Bylaws – Nancy H. Welber reported that amended Bylaws were approved at the Section's Annual Meeting last month. We are waiting on the Board of Commissioners to approve our amended Bylaws at the November 21, 2014 meeting.

3. Awards – Douglas A. Mielock No report other than Sebastian Grassi is to receive the Michael W. Irish Award.
4. **Planning** – Shaheen I. Imami reported that he is exploring options for electronic meeting participation for our Section. Various considerations and concerns were shared by council members who have participated in meetings electronically.

5. **Nominating** – George W. Gregory – No Report

6. **Annual Meeting** – Shaheen Imami. No Report other than that the meeting will be held on 9-12-2015

### B. Education and Advocacy Services for Section Members

1. **Amicus Curiae** – David L. Skidmore – No Report

2. **Probate Institute** – James B. Steward reported that reservations opened yesterday. There will be a Wednesday special session with Lou Harrison about the life cycle of a trust.


   The schedule for the Annual Institute is final, as per Jeff Kirkey. The schedule can be reviewed at:


3. **State Bar and Section Journals** – Richard C. Mills indicated that we are on track for upcoming issue of the Section Journal and that Nancy Little is working with ICLE on the revised contract for the electronic journal.

4. **Citizens Outreach** – Constance L. Brigman updated Council on the Patients' Guide. The guide is being copyrighted; last year, Chair Tom Sweeney put in an application for the copyright.

5. **Electronic Communications** – William J. Ard is reviewing our section webpage to see what needs updating. The work with the State Bar continues. Some changes include:

   - Each webpage will show the date of last review;
   - Monthly meeting minutes will continue to be posted separately from annual meeting minutes;
   - Remove outdated information, including the tab on Michigan Trust Code;
   - Revise email list guidelines relative to forwarding of messages and when posts related to commercial purposes are appropriate.

6. **Membership** – Raj A. Malviya. This is a new committee. Mr. Malviya introduced the new committee members. He reported that the committee has several goals, including determining how to best serve our members and to encourage participation in the Section, our committees, and attendance at CSP and Council meetings. The Committee members are enthusiastic and will be meeting early in November.
C. Legislation and Lobbying

1. **Legislation** – William J. Ard. Becky Bechler of Public Affairs Associates reported on the activities of the Legislature between now and the end of the year. She will meet with Representative Cotter on the digital assets legislation. A brief discussion was had on pending legislation related to determining who has priority to a dead body when no one claims it as well as how that bill relates to the slayer statute.

2. **Updating Michigan Law** – Geoffrey R. Vernon discussed the digital assets legislation that was discussed at CSP. We are looking for a sponsor for next session for the domestic asset protection statute. The committee is also looking at several new items that will be on CSP agenda next month including tenancy by the entireties issues. In addition, the Committee will be looking at what updates to EPIC will be required in the event Michigan law allows same gender marriages.

3. **Insurance Ad Hoc Committee** – Geoffrey R. Vernon - more on this next month at CSP.

4. **Artificial Reproductive Technology Ad Hoc Committee** – Nancy H. Welber reported that the Committee is about 2/3 of the way through their review and will be meeting in the coming week.

D. Ethics and Professional Standards

1. **Ethics** – David P. Lucas requested input on issues needing attention.

2. **Unauthorized Practice of Law & Multidisciplinary Practice** – Patricia M. Ouellette – no report.

3. **Specialization and Certification Ad Hoc Committee** – James B. Steward – no report.

E. Administration of Justice

1. **Court Rules, Procedures and Forms** – Michele C. Marquardt reported on her participation at a hearing before the Supreme Court on various Michigan Court Rule changes. The Committee's proposed changes were adopted and are contained in ADM File No. 2013-29, issued on October 1, 2014 by the Supreme Court.

2. **Fiduciary Exception to Attorney Client Privilege Ad Hoc Committee** – George F. Bearup – no report.

F. Areas of Practice

1. **Real Estate** – George F. Bearup – no report.

2. **Transfer Tax Committee** – Lorraine F. New – See report below as part of the Taxation Section Liaison report.

4. **Guardianship, Conservatorship, and End of Life Committee** – Rhonda M. Clark-Kreuer reported that the Committee will be taking a look at proposed legislation, SB 1102, especially as it relates to the evidentiary standard.

G. **Liaisons**

1. **Alternative Dispute Resolution Section Liaison** – vacant – no report.


3. **Elder Law and Disability Rights Section Liaison** – Amy R. Tripp reported on a recent change on how the "for the sole benefit" of a spouse trusts are treated by the Department of Human Services for Medicaid eligibility. While changes of this type are usually preceded by notice and comment, DCH did not follow this process with this change. Instead, on August 20, 2014 a memo regarding the change was sent to caseworkers to count all assets in the SBO trust when there is an application for long term care. The Elder Law section has prepared a complaint and is seeking injunctive relief in the Court of Claims that there was inadequate notice in this public policy change. There is no hearing date yet.

4. **Family Law Section Liaison** – Patricia M. Ouellette – no report.

5. **ICLE Liaison** – Jeanne Murphy reported on the Experts in Estate Planning series with Natalie Choate. So far, 200 people are registered. She expressed thanks from ICLE to the section for their generous support of this lecture series.


10. **SCAO Liaisons** – Constance L. Brigman, Michele C. Marquardt, Rebecca A. Schnelz – no report.


13. **Taxation Section Liaison** – George W. Gregory reported on materials on a taxation section upcoming meeting. To attend, RSVPs are extended to Monday, October 27, 2014.

Mr. Gregory shared his concern with RAB draft 2014-XX, a replacement for RAB 198-19. Mr. Gregory thinks this revised Administrative Bulletin changes Michigan law and that Treasury should approach the Legislature with a law change instead of drafting a new Revenue Administrative Bulletin. Mr. Gregory and Mr. Bob Joslyn will draft a letter of comment to the Treasury Department for review and submission by the Chair. A motion was made by Mr. Gregory and seconded by Mr. Jim Spica to oppose this RAB draft. The vote was 20 to oppose, 0 against, 0 abstentions, and 3 did not vote due
to excused absences. Details regarding the position can be found in the formal public policy position report sent to the State Bar reporting on this vote.

Mr. Gregory concluded his report by inviting those in attendance to the Oakland County Bar Association meeting on Monday, October 27, where he will discuss HB 5552 and the draft RAB, discussed above.

VII. **Other Business.** The Chair noted that materials for the next meeting will be due on November 6, 2014.

VIII. **Hot Topics** – None.

IX. **Adjournment** The Chair adjourned the meeting at 11:38 a.m.
Attachment A
Probate and Estate Planning Council  
Treasurer’s Report  
October 25, 2014

Income/Expense Reports
An audited report through September 30, 2014 is attached. This month's spreadsheet covers from July, 2014 to September, 2014. This spreadsheet is the year-end report for 2013-14, prepared by the outgoing Treasurer, Marlaine C. Teahan.

Highlights:

- We expended 80% of our expected disbursements and were under budget for the 2013-14 fiscal year by $25,654.73.
- Our net increase this year in our general fund was $15,868.23.
- Our general fund year-end balance is $222,164.83.
- For budgeting purposes, we are dividing our general fund up into two portions: the Amicus Fund of $25,785 and the General Fund of $196,379.83.

Mileage Reimbursement Rate Effective 1/1/2014
The IRS business mileage reimbursement rate for 2014 is $0.56 per mile. If you are eligible for reimbursement of your mileage for Probate Council business, please use this rate on your SBM expense reimbursement forms. The SBM forms and instructions are attached.

Expense Reimbursement Requests
- Form: http://www.michbar.org/generalinfo/pdfs/sectexp.pdf
- Email forms to mlentz@bodmanlaw.com or provide paper copies in person or by mail.

Hearts and Flowers Fund
Given the healthy balance in this fund, thanks to everyone's participation last year, no additional contributions this year are requested. If this situation changes, a request for donations will be made.

Marguerite Munson Lentz, Treasurer  
Probate and Estate Planning Section  
Treasurer contact information:

Marguerite Munson Lentz  
BODMAN PLC  
6th Floor at Ford Field  
1901 St. Antoine Street  
Detroit, Michigan 48226  
office: 313-393-7589  
fax: 313-393-7579  
email: mlentz@bodmanlaw.com
## Probate and Estate Planning Section - Treasurer's Report through 9-30-14

<table>
<thead>
<tr>
<th>Fund Balance</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>FY to Date</th>
<th>Budget 2013-14</th>
<th>Variance</th>
<th>Year to Date Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$219,133.65</td>
<td>$212,313.63</td>
<td>$209,739.19</td>
<td>$180,511.60</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amicus Fund</td>
<td>$25,785.00</td>
<td>$25,785.00</td>
<td>$25,785.00</td>
<td>$25,785.00</td>
<td></td>
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<tr>
<td>Total Fund Balance</td>
<td>$244,918.65</td>
<td>$238,098.63</td>
<td>$235,524.19</td>
<td>$206,296.60</td>
<td></td>
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</table>

### Use of Amicus Fund overage

<p>| | | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
</table>

### Revenue

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>FY to Date</th>
<th>Budget 2013-14</th>
<th>Variance</th>
<th>Year to Date Percentage</th>
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<tr>
<td>Membership Dues</td>
<td>175.00</td>
<td>70.00</td>
<td>-</td>
<td>115,640.00</td>
<td>115,000.00</td>
<td>640.00</td>
<td>100.56%</td>
</tr>
<tr>
<td>Publishing Agreements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>650.00</td>
<td>650.00</td>
<td>-</td>
<td>100%</td>
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<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>35.00</td>
<td>350.00</td>
<td>(315.00)</td>
<td>10%</td>
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<tr>
<td>Total Receipts</td>
<td>175.00</td>
<td>70.00</td>
<td>-</td>
<td>116,325.00</td>
<td>116,000.00</td>
<td>325.00</td>
<td>100%</td>
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### Disbursements

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>FY to Date</th>
<th>Budget 2013-14</th>
<th>Variance</th>
<th>Year to Date Percentage</th>
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</thead>
<tbody>
<tr>
<td>Journal (1)</td>
<td>-</td>
<td>75.00</td>
<td>8,193.29</td>
<td>24,167.11</td>
<td>25,000.00</td>
<td>(832.89)</td>
<td>97%</td>
</tr>
<tr>
<td>Chairperson's Dinner(2)</td>
<td>-</td>
<td>-</td>
<td>288.35</td>
<td>5,745.55</td>
<td>6,500.00</td>
<td>(754.45)</td>
<td>88%</td>
</tr>
<tr>
<td>Travel</td>
<td>179.20</td>
<td>69.44</td>
<td>1,100.91</td>
<td>15,476.48</td>
<td>18,500.00</td>
<td>(3,023.52)</td>
<td>84%</td>
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<tr>
<td>Lobbying</td>
<td>5,000.00</td>
<td>2,500.00</td>
<td>2,500.00</td>
<td>30,000.00</td>
<td>30,000.00</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>Meetings(3)</td>
<td>1,620.82</td>
<td>-</td>
<td>1,126.81</td>
<td>11,789.09</td>
<td>14,000.00</td>
<td>(2,210.91)</td>
<td>84%</td>
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<tr>
<td>Long-range Planning</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1,000.00</td>
<td>(1,000.00)</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Support for Annual Institute</td>
<td>45.00</td>
<td>-</td>
<td>-</td>
<td>11,911.68</td>
<td>14,000.00</td>
<td>(2,088.32)</td>
<td>85%</td>
</tr>
<tr>
<td>Amicus Briefs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>10,000.00</td>
<td>(10,000.00)</td>
<td>0%</td>
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<tr>
<td>ListServ(4)</td>
<td>150.00</td>
<td>-</td>
<td>150.00</td>
<td>984.03</td>
<td>1,400.00</td>
<td>(415.97)</td>
<td>70%</td>
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<tr>
<td>Postage</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>100.00</td>
<td>(100.00)</td>
<td>0%</td>
</tr>
<tr>
<td>Telephone</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>250.00</td>
<td>(250.00)</td>
<td>0%</td>
</tr>
<tr>
<td>Seminars</td>
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<td>-</td>
<td>-</td>
<td>4,000.00</td>
<td>(4,000.00)</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Other(5)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>21.33</td>
<td>1,000.00</td>
<td>(978.67)</td>
<td>2%</td>
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<tr>
<td>Total Disbursements</td>
<td>6,995.02</td>
<td>2,644.44</td>
<td>13,359.36</td>
<td>100,456.77</td>
<td>125,750.00</td>
<td>(25,654.73)</td>
<td>80%</td>
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### Net Increase (Decrease)

<table>
<thead>
<tr>
<th></th>
<th>FY to Date</th>
<th>Budget 2013-14</th>
<th>Variance</th>
<th>Year to Date Percentage</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>(6,820.02)</td>
<td>(2,574.44)</td>
<td>(13,359.36)</td>
<td>(15,868.23)</td>
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</tbody>
</table>

### Ending Fund Balance (6)

<table>
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<tr>
<th></th>
<th>FY to Date</th>
<th>Budget 2013-14</th>
<th>Variance</th>
<th>Year to Date Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$238,098.63</td>
<td>$235,524.19</td>
<td>$222,164.83</td>
<td>$222,164.83</td>
</tr>
</tbody>
</table>

### Footnotes

1. Includes e-blast for the Journal
2. Includes plaques for outgoing Chair and Council Members
3. Includes SBM Leadership Conference expenses for incoming Chair and Chair Elect
4. Includes ListServ, telephone, e-blast & other electronic communications
5. Includes copying costs; budget for this line increased to $1,000 & now includes $750 for Young Lawyers' Summit
6. Includes $25,000 allocated to "Amicus Fund" for extra amicus brief expenses in excess of current budget amount
## Expense Reimbursement Form

Staple receipts to back of form as required. For electronic transmittal, scan and PDF receipts and send with form by e-mail. Policies and procedures on reverse side.

<table>
<thead>
<tr>
<th>Date</th>
<th>Description &amp; Purpose</th>
<th>Mileage</th>
<th>Lodging/Other Travel</th>
<th>Meals</th>
<th>Miscellaneous</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Note start &amp; end point for mileage.)</td>
<td>Rate</td>
<td>Mileage</td>
<td>Reimbursement</td>
<td>(Self + attach list of guests)</td>
<td>(i.e. copying, phone, etc.)</td>
</tr>
<tr>
<td></td>
<td>0.56</td>
<td>$0.00</td>
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<td>0.56</td>
<td>$0.00</td>
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</tbody>
</table>

I certify that the reported expense was actually incurred while performing my duties for the State Bar of Michigan as:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Grand Total $0.00

Approved by (signature)
STATE BAR OF MICHIGAN

Section Expense Reimbursement Policies and Procedures

General Policies
1. Requests for reimbursement of individual expenses should be submitted as soon as possible following the event and no later than two weeks following the close of the fiscal year in which the expense is incurred so that the books for that year can be closed and audited.

2. All out of pocket expenses must be itemized.

3. Detailed receipts are recommended for all expenses but required for expenses over $25.

4. Meal receipts for more than one person must indicate names of all those in attendance unless the function is a section council meeting where the names of those present. Seminar meal functions should indicate the number guaranteed and those in attendance, if different.

5. Spouse expenses are generally not reimbursable.

6. Mileage is reimbursed at the current IRS approved rate for business mileage. Reimbursement of mileage or travel expenses is limited to actual distance traveled; not distance from domicile to the meeting site.

7. Receipts for lodging expenses must be supported by a copy of the itemized bill showing the per night charge, meal expenses and all other charges, not simply a credit card receipt, for the total paid.

8. Airline tickets should be purchased as far in advance as possible to take advantage of any cost saving plans available.
   A. Tickets should be at the best rate available for as direct a path as possible.
   B. First class tickets will not be reimbursed in full but will only be reimbursed up to the amount of the best or average coach class ticket available for that trip.
   C. Increased costs incurred due to side trips for the private benefit of the individual will be deducted.
   D. A copy of the ticket receipt showing the itinerary must be attached to the reimbursement request.

9. Reimbursement for car, bus or train will be limited to the maximum reimbursable air fare if airline service to the location is available.

10. Outside speakers should be advised in advance of the need for receipts and the above requirements.

11. Bills for copying done by a firm should include the numbers of copies made, the cost per page and general purpose (committee or section meeting notice, seminar materials, etc.).

12. Bills for reimbursement of phone expenses should be supported by copies of the actual phone bills. If that is not possible, the party called and the purpose of the call should be provided.

13. The State Bar of Michigan is Sales tax exempt. Suppliers of goods and services should be advised that the State Bar of Michigan is the purchaser and that tax should not be charged.

14. Refunds from professional organizations (Example: ABA/NABE) for registration fees and travel must be made payable to the State Bar of Michigan and sent to the attention of the Finance Department. If the State Bar of Michigan is paying your expenses or reimbursing you for a conference and you are aware you will receive a refund, please notify the finance department staff at the time you submit your request for payment.

15. Reimbursement will in all instances be limited to reasonable and necessary expenses.

Specific Policies
1. Sections may not exceed their fund balance in any year without express authorization of the Board of Commissioners.

2. Individuals seeking reimbursement for expenditures of funds must have their request approved by the chairperson or treasurer. Chairpersons must have their expenses approved by the treasurer and vice versa.

3. Requests for reimbursement of expenses which require council approval must be accompanied by a copy of the minutes of the meeting showing approval granted.
Attachment B
<table>
<thead>
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<th>Action Pending</th>
<th>Statutory/Legislative</th>
<th>Court Rules, Procedures and Forms</th>
<th>Council Organization &amp; Internal Procedures</th>
<th>Professional Responsibility</th>
<th>Education &amp; Service to the Public &amp; Members</th>
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<td></td>
<td>-Prop tax uncapping exempt. (HB5552)</td>
<td></td>
<td>-Supreme Court Task Force Report</td>
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<td>-“Who Should I Trust?”Program</td>
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<td></td>
<td>-Fiduciary Access to Digital Assets (HB5366-5370)</td>
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<td>-Bylaw Update</td>
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<td>-55th Annual P&amp;EP Institute</td>
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<td>-PR access to online accts (SB 293)</td>
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<td>-Hearings minors &lt; 18 (SB 144 &amp; 177)</td>
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<td>-Funeral Representative (HB 5162/SB 731)</td>
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<td>Priority Items</td>
<td>-Domestic Asset Protection Trusts</td>
<td>-SCAO Meetings*</td>
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<td>-Communications with members*</td>
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<td>-Artificial Reproductive Technology</td>
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<td>-Section Journal*</td>
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<td>Secondary Priority</td>
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<td>-Inventory Lawyer</td>
<td>-Opportunities with ICLE</td>
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<td>-ADR Revision</td>
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<td>-Property tax on trust property</td>
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<td>-Uniform Real Property TOD Act</td>
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<td>Priority To Be Determined</td>
<td>-Dignified Death (Family Consent) Act</td>
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<td>-Budget Reporting</td>
<td>-Action on SC recommendations</td>
<td>-Probate Court Opinion Bank</td>
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<td>-Pooled income trust exclusion</td>
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<td>-Action on SC recommendations</td>
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<td>-Neglect Legislation</td>
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<td>-Foreign Guardians</td>
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<td>-Inheritance Tax</td>
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<td>-Estate Recovery</td>
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<td>-PRE after death &amp; nursing home</td>
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*ongoing
Attachment C
Budget Committee
Mission: To develop the annual budget and to alert the Council to revenue and spending trends

Marlaine C. Teahan, Chair
Marguerite Munson Lentz
James B. Steward

Annual Meeting
Mission: To arrange the annual meeting at a time and place and with an agenda to accomplish all necessary and proper annual business of the Section

Shaheen I. Imami

Bylaws Committee
Mission: To review the Section Bylaws and recommend changes to ensure compliance with State Bar requirements, best practices for similar organizations and assure conformity of the Bylaws to current practices and procedures of the Section and the Council

Nancy H. Welber, Chair
Christopher A. Ballard
David P. Lucas

Awards Committee
Mission: To periodically award the Michael Irish Award to a deserving recipient and to consult with ICLE concerning periodic induction of members in the George A. Cooney Society

Douglas A. Mielock, Chair
Robert D. Brower, Jr.
George W. Gregory
Phillip E. Harter
Nancy L. Little
Amy N. Morrissey

Planning Committee
Mission: To periodically review and update the Section’s Strategic Plan and to annually prepare and update the Council’s Biennial Plan of Work

Shaheen I. Imami, Chair

Committee on Special Projects
Mission: The Committee on Special Projects is a working committee of the whole of the Section that considers and studies in depth a limited number of topics and makes recommendations to the Council of the Section with respect to those matters considered by the Committee. The duties of the Chair include setting the agenda for each Committee Meeting, and in conjunction with the Chair of the Section, to coordinate with substantive Committee chairs the efficient use of time by the Committee

Christopher A. Ballard, Chair

Nominating Committee Mission: To annually nominate candidates to stand for election as the officers of the Section and members of the Council

George W. Gregory, Chair
Mark K. Harder
Thomas F. Sweeney

10-15-14
Probate & Estate Planning Section Committees 2014-2015

Legislation Committee
Mission: In cooperation with the Section’s lobbyist, to bring to the attention of the Council recent developments in the Michigan legislature and to further achievement of the Section’s legislative priorities, as well as to study legislation and recommend a course of action on legislation not otherwise assigned to a substantive committee of the Section

William J. Ard, Chair
Christopher A. Ballard
Mark E. Kellogg
Sharri L. Rolland Phillips
Harold G. Schuitmaker

Amicus Curiae Committee
Mission: To review requests made to the Section to file, and to identify cases in which the Section should file, amicus briefs in pending appeals and to engage and oversee the work of legal counsel retained by the Section to prepare and file its amicus briefs

David L. Skidmore, Chair
Kurt A. Olson
Patricia M. Ouellette
Nazneen H. Syed
Nancy H. Welber

Citizens Outreach Committee
Mission: To provide for education of the public on matters related to probate, estate planning, and trust administration, including the publication of pamphlets and online guidance to the public, and coordinating the Section’s efforts to educate the public with the efforts of other organizations affiliated with the State Bar of Michigan

Constance L. Brigman, Chair
Michael P. Dean
Kathleen M. Goetsch
Phillip E. Harter
Michael J. McClory
Neal Nusholtz
Michael L. Rutkowski
Rebecca A. Schnelz, (Liaison to Solutions on Self-help Task Force)
Melinda V. Sheets
James B. Steward
Ellen Sugrue Hyman
Nancy H. Welber
Melisa M. W. Mysliwiec

State Bar and Section Journals Committee
Mission: To oversee the publication of the Section’s Journal and periodic theme issues of the State Bar Journal that are dedicated to probate, estate planning, and trust administration

Richard C. Mills, Chair
Nancy L. Little, Managing Editor
Melisa M. W. Mysliwiec, Assoc. Editor

Probate Institute
Mission: To consult with ICLE in the planning and execution of the Annual Probate and Estate Planning Institute

James B. Steward
Electronic Communications Committee
Mission: To oversee all forms of electronic communication with and among members of the Section, including communication via the Section’s website, the Section listserv, and the ICLE Online Community site, to identify emerging technological trends of importance to the Section and its members, and to recommend to the council best practices to take advantage of technology in carrying out the section’s and Council’s mission and work

William J. Ard, Chair
Stephen J. Dunn
Phillip E. Harter
Nancy L. Little
Amy N. Morrissy
Jeanne Murphy (Liaison to ICLE)
Neal Nusholtz
Michael L. Rutkowski
Serene K. Zeni

Ethics Committee
Mission: To consider and recommend to the Council action with respect to the Michigan Rules of Professional Conduct and their interpretation, application, and amendment

David P. Lucas, Chair
William J. Ard
J. David Kerr
Robert M. Taylor

Unauthorized Practice of Law and Multidisciplinary Practice Committee
Mission: To help identify the unauthorized practices of law, to report such practices to the appropriate authorities and to educate the public regarding the inherent problems relying on non-lawyers

Patricia M. Ouellette, Chair
William J. Ard
J. David Kerr
Robert M. Taylor
Amy Rombyer Tripp

Court Rules, Procedures and Forms Committee
Mission: To consider and recommend to the Council action with respect to the Michigan Court Rules and published court forms, and the interpretation, use, and amendment of them

Michele C. Marquardt, Chair (Liaison to SCAO for Estates & Trusts Workgroup)
James F. (“JV”) Anderton
Constance L. Brigman (Liaison to SCAO for Guardianship, Conservatorship, and Protective Proceedings Workgroup)
Rhonda M. Clark-Kreuer
Phillip E. Harter
Shaheen I. Imami
Hon. Michael L. Jaconette
Hon. David M. Murkowski
Rebecca A. Schnelz (Liaison to SCAO for Mental Health/Commitment Workgroup)
David L. Skidmore
**Updating Michigan Law Committee**  
*Mission: To review, revise, communicate and recommend Michigan’s trusts and estates law with the goal of achieving and maintaining leadership in promulgating probate laws in changing times*  
Geoffrey R. Vernon, Chair  
Robert P. Tiplady, II, Vice Chair  
Susan M. Allan  
Howard H. Collens  
Mark K. Harder  
Shaheen I. Imami  
Henry P. Lee  
Marguerite Munson Lentz  
Michael G. Lichterman  
Christine M. Savage  
James P. Spica

**Artificial Reproductive Technology Ad Hoc Committee**  
*Mission: To review the 2008 Uniform Probate Code Amendments for possible incorporation into EPIC with emphasis on protecting the rights of children conceived through assisted reproduction*  
Nancy H. Welber, Chair  
Christopher A. Ballard  
Keven DuComb  
Robert M. O’Reilly  
Lawrence W. Waggoner

**Insurance Ad Hoc Committee**  
*Mission: To recommend new legislation related to insurability and the administration of irrevocable life insurance trusts*  
Geoffrey R. Vernon, Chair  
Stephen L. Elkins  
Mark K. Harder  
James P. Spica  
Joseph D. Weiler, Jr.

**Real Estate Committee**  
*Mission: To recommend new legislation related to real estate matters of interest and concern to the Section and its members*  
George F. Bearup, Chair  
Jeffrey S. Ammon  
William J. Ard  
Stephen J. Dunn  
David S. Fry  
Mark E. Kellogg  
J. David Kerr  
Michael G. Lichterman  
David P. Lucas  
Katie Lynwood  
Douglas A. Mielock  
Melissa M. W. Mysliwiec  
James T. Ramer  
James B. Steward

**Membership Committee**  
*Mission: To strengthen relations with Section members, encourage new membership, and promote awareness of and participation in Section activities*  
Raj A. Malviya, Chair  
Christopher J. Caldwell  
Nicholas R. Dekker  
Daniel A. Kosmowski  
Katie Lynwood  
Julie A. Paquette  
Nicholas A. Reister  
Marlaine C. Teahan  
Joseph J. Viviano

**Transfer Tax Committee**  
*Mission: To monitor developments concerning Federal and State transfer taxes and to recommend appropriate actions by the Section in response to developments or needs*  
Lorraine F. New, Chair  
Marguerite Munson Lentz  
Geoffrey R. Vernon  
Nancy H. Welber
Guardianship, Conservatorship, and End of Life Committee
Mission: To monitor the need for and make recommendations with respect to statutory and court rule changes in Michigan related to the areas of legally incapacitated individuals, guardianships, and conservatorships
Rhonda M. Clark-Kreuer, Chair
Katie Lynwood, Vice Chair
William J. Ard
Michael W. Bartnik
Raymond A. Harris
Phillip E. Harter
Michael J. McClory
Richard C. Mills
Kurt A. Olson
James B. Steward

Specialization and Certification Ad Hoc Committee
Mission: To make recommendations to the Section with respect to the creation and implementation of a program that recognizes specialization and certification of specialization in the fields of probate, estate planning, and trust administration
James B. Steward, Chair
William J. Ard
Wendy Parr Holtvluwer
Patricia M. Ouellette
Sharri L. Rolland Phillips
Daniel D. Simjanovski
Richard J. Siriani
Serene K. Zeni

Charitable and Exempt Organization Committee
Mission: To educate the Section about charitable giving and exempt organizations and to make recommendations to the Section concerning Federal and State legislative developments and initiatives in the fields of charitable giving and exempt organizations
Lorraine F. New, Chair
Christopher A. Ballard
Michael W. Bartnik
William R. Bloomfield
Robin D. Ferriby
Richard C. Mills

Fiduciary Exception to Attorney Client Privilege Ad Hoc Committee
Mission: To review the statutes, case law, and court rules of Michigan and other jurisdictions concerning the scope of the Attorney Client Privilege for communications between trustees and their counsel and if necessary or appropriate, to recommend changes to Michigan law in this area
George F. Bearup, Chair
Kalman G. Goren
Shaheen I. Imami
David G. Kovac
Michael J. McClory
David L. Skidmore
Serene K. Zeni

Alternative Dispute Resolution Section Liaison
vacant
Probate & Estate Planning Section Committees 2014-2015

**Business Law Section Liaison**
*Mission: The liaison to the Business Law Section of the State Bar of Michigan is responsible for developing and maintaining bilateral communication between the Section and the Business Law Section on matters of mutual interest and concern*

John R. Dresser

**Law Schools Liaison**
*Mission: The Law Schools Liaison is responsible for developing and maintaining bilateral communication between the Section and the law schools located in the State of Michigan in matters of mutual interest and concern*

William J. Ard

**Elder Law and Disability Rights Section Liaison**
*Mission: The liaison to the Elder Law and Disability Rights Section of the State Bar of Michigan is responsible for developing and maintaining bilateral communication between the Section and the Elder Law Section on matters of mutual interest and concern*

Amy Rombyer Tripp

**Michigan Bankers Association Liaison**
*Mission: The liaison to the Michigan Bankers Association is responsible for developing and maintaining bilateral communication between the Section and the Michigan Bankers Association in matters of mutual interest and concern*

Susan M. Allan

**Family Law Section Liaison**
*Mission: The liaison to the Family Law Section of the State Bar of Michigan is responsible for developing and maintaining bilateral communication between the Section and the Family law Section on matters of mutual interest and concern*

Patricia M. Ouellette

**Probate Judges Association Liaisons**
*Mission: The liaisons to the MPJA are responsible for developing and maintaining bilateral communication between the Section and the MPJA on matters of mutual interest and concern*

Hon. David M. Murkowski
Hon. Michael L. Jaconette

**ICLE Liaison**
*Mission: The liaison to ICLE is responsible for developing and maintaining bilateral communication between the Section and the Institute for Continuing Legal Education*

Jeanne Murphy

**Probate Registers Liaison**
*Mission: The liaison to the Michigan Probate and Juvenile Registers Association is responsible for developing and maintaining bilateral communication between the Section and the Probate and Juvenile Registers Association on matters of mutual interest and concern*

Rebecca A. Schnelz
SCAO Liaisons
Mission: The liaisons to SCAO are responsible for developing and maintaining communications between the Section and SCAO on matters of mutual interest and concern

Constance L. Brigman
Michele C. Marquardt
Rebecca A. Schnelz

Solutions on Self-help Task Force Liaison
Mission: The liaison to the Solutions on Self-help (SOS) Task force is responsible for maintaining bilateral communications between the Section and the Task Force

Rebecca A. Schnelz

State Bar Liaison
Mission: The liaison to the State Bar is responsible for maintaining bilateral communication between the Section and the larger State Bar of Michigan, including the Board of Commissioners and staff of the State Bar

Richard J. Siriani

Taxation Section Liaison
Mission: The liaison to the Taxation Section of the State Bar of Michigan is responsible for developing and maintaining bilateral communication between the Section and the Taxation Section on matters of mutual interest and concern

George W. Gregory