

**ELDER LAW AND DISABILITY RIGHTS SECTION
COUNCIL MEETING
STATE BAR OF MICHIGAN
DECEMBER 2, 2006
THE MALL MALISOW FIRM, P.C.**

COUNCIL MEMBERS PRESENT: Roxanne Chang*, Priscilla Cheever, Dolores Coulter, Caroline Dellenbusch, Thomas Hartwig*, Konrad Hittner, Arthur Malisow, Sandy Mall (from Hawaii)*, Harley Manila*, John Payne, Don Rosenberg, Paul Sturzel*, Amy Tripp, Brad Vauter

SECTION MEMBERS PRESENT: Josh Ard*, Rosemary Buhl, Patrick Bond, Michele Fuller, Ruth Loprete, Michael Mestelle*, Jim Schuster, Susan Wideman*

ALSO PRESENT: Ellen Hoekstra, Todd Tennis

*Participated Via Conference Call

The meeting was called to order by Chair Elect, Dolores Coulter.

1. Introductions

The members introduced themselves.

2. Approval of Minutes

Motion was made by Tom Hartwig and seconded by John Payne to approve the minutes of the November 4, 2006. Motion carried, minutes were approved.

3. Treasurer's Report

Don Rosenberg reported that it was likely that there was a \$10,000 deficit from the fall Mackinaw conference. The fund balance for the fiscal year ending September 30, 2006 was \$48,873.32

4. Legislative Update

Todd Tennis reported on the election results focusing on the Democrats picking up six seats in the House which was enough to give them control. A separate handout was prepared and distributed which highlighted all freshman legislators. Todd and Ellen continued to encourage Council Members and Section Members to develop relationships with their

legislators. On December 1, 2006 the Governor made statements regarding a pilot program, "Own Your Own Future". This is a program to encourage the purchase of long term care insurance. On December 1, 2006, the Governor commented that she continued to support the adoption of an estate recovery program. During her comments she also referred to transfers of assets. There is some concern about a multiple section bill that could arise during the lame duck session in which deals could be struck regarding estate recovery. Ellen was going to contact the Governor's office to get clarification regarding the Governor's comments on estate recovery. Don Rosenberg reported that there may be a revote on the DRA since the democrats now control both the Senate and the House. Caroline Dellenbusch agreed to contact Joe Sutton and request that he write a letter to the Governor reminding her of the Long Term Care Task Force recommendations with regard to estate recovery. Don Rosenberg commented regarding his conversations with Logan Dreasky. Don reported that there is a rough draft in progress but it would be unlikely for that to be implemented any time during the month of December. Brad Vauter reported that as a result of estate recovery West Virginia now owns more mobile homes per capita than any other state. He will attempt to provide more details.

5. Old Business

A. Fall Conference

No report.

B. Website Committee

No Report.

C. Advanced Directive - License Decal

Don Rosenberg reported that this would be tabled until after the first of the year.

D. Spring 2007 Conference

The conference is tentatively scheduled for March 30, 2007. Location will be at the Inns at St. Johns. Harley indicated that there would be room for up to eight vendors. The cost for a vendor will be \$400.00. Last years vendors included Westlaw, a home care agency and a geriatric care manager.

6. New Business

A. Section Name Change

Sandy Mall reported that the Section name change to Elder Law and Disability Rights Section had been officially approved by the Board of Commissioners.

B. Letter from Judge Witbeck asking for suggestions to approve the Court of Appeals.

This letter was addressed and opened for comments and discussion. There were no comments or discussion.

C. Dolores reported that there was a comment period for the Proposed Amendment of MCR 9.227. The deadline for comments is January 1, 2007. Council had no comment. The Council also had no comments regarding the request from the State Bar Liaison to the National Conference of Commissioners on Uniform State Laws regarding the Guardianship Inter-State Jurisdiction and Enforcement Act which is now in a current drafting stage.

D. Proposal for Lobbying Service

There was discussion of two proposals for lobbying services. Capitol Services and Weiner and Associates both submitted proposals for review. After discussion a motion was made by Don Rosenberg and seconded by John Payne to stay with Capitol Services for lobbying with information only. Motion carried unanimously by a voice vote.

E. Brad Vauter reported that the Council MMAP Coordinator position is currently open.

The next meeting will be January 6, 2007 at Miller, Johnson, Snell, and Cummisky, PLLC, in Grand Rapids. There being no other business the meeting was adjourned at 11:55 a.m.

Minutes Respectfully Submitted by:

Amy R. Tripp
Secretary