

MINUTES
DSBA ESTATES AND TRUSTS SECTION
May 3, 2022

In accordance with notice duly given, a meeting of the Estates and Trusts Section of the Delaware State Bar Association was held on May 3, 2022, at 3:30 p.m. by Zoom conference.

In attendance were: Matthew P. D’Emilio, Michael S. Neri, Joseph Bosik, John Legare Williams, Gina Schonberg, Danielle R. DiTomasso, J. Zachary Haupt, Samantha Letang, Valerie M. Carr, Jeffrey C. Wolken, Jocelyn Margolin Borowsky, Jeremy J. Riley, Robert A. Glen, Harold W. T. Purnell, II, Caitlin E. McAndrews, Alex Mili and Trisha W. Hall.

Chair Matthew P. D’Emilio called the meeting to order at 3:31 p.m.

1. Quorum. Quorum was met by the number of members of the Section participating by Zoom videoconference.
2. Minutes. Upon motion duly made and seconded, the April 5, 2022 meeting minutes were unanimously approved.
3. Committee Reports and Activity.
 - A. Trust Act Committee – Ms. Borowsky reported that the Trust Act 2022 is moving along. Mr. D’Emilio reported that the bill will be heard on the May 10 or May 17 and he does not anticipate any problems. Ms. Borowsky asked the Section to send her suggestions for consideration in the Trust Act 2023.
 - B. Estate Administration Committee – No report.
 - C. Electronic Wills and Trusts Committee – No report
 - D. Uniform Parentage Act Committee – Ms. Borowsky reported that she has been in communication with Mr. Lyden-Horn who has started work on the matter. Ms. Hall reported that the “Issue” Definition Committee can be collapsed into the Uniform Parentage Act Committee. She also reported that she sent the “Issue” Definition Committee draft bill and other committee information to Mr. Lyden-Horn. Mr. D’Emilio asked Section members to reach out to Mr. Lyden-Horn if interested in joining the Committee.
 - E. Inactive Committees with no reports:
 - Access to Digital Assets Committee – Trisha W. Hall, Chair
 - CLE Committee – Scott E. Swenson, Chair
 - Limited Guardianship Committee – Donald Sparks, Chair
 - Revocation Upon Divorce Committee – Denise D. Nordheimer, Chair
 - Notice Committee – Vincent C. Thomas, Chair

- Publications Committee - Daniel F. Hayward, Chair
- Power of Attorney/Health Care Directive Committee – P. Kristen Bennett, Chair
- Trust Accountings Committee – William H. Lunger, Chair
- Guardianship Committee – Harold W.T. Purnell, Chair
- Trust Litigation Committee – William M. Kelleher, Chair.

4. Old Business.

- A. Mr. D’Emilio reported that there are two nominations for Section Secretary. He asked the Section to email him nominations for next year’s Section Secretary at mdemilio@mdsulaw.com.

5. New Business.

- A. Mr. D’Emilio reported that he conveyed to the Elder Law Section that this Section recommended that a member of the Estates and Trusts Section be added to the Guardianship Commission. The Elder Law Section agreed but stated that it was too late in the process for this year. However, section 3391 could be modified again next year to include a member from the Estates and Trusts Section. This Section will need to follow up with the Elder Law Section next year.
- B. Mr. D’Emilio asked Section members if they wished to meet in person for lunch or by Zoom conference. Preference was to meet in person. Details are to be determined.
- C. Mr. D’Emilio reported that \$2,300 available in the Section budget. There will be a vote at the next meeting on where to donate the balance. Options discussed included the CCJ. Mr. Purnell suggested Law School Wills Program and/or to spread it around to estates and trusts oriented organizations. Mr. D’Emilio asked Section members to bring their ideas to the next meeting.

6. Next Meeting. The next Section meeting will be held on June 7, 2022, time and location TBD.

There being no further business to come before the Section, the meeting was adjourned at 3:42 p.m.

Respectfully submitted,

Michael Neri