

MINUTES
DSBA ESTATES AND TRUSTS SECTION
December 7, 2021

In accordance with notice duly given, a meeting of the Estates and Trusts Section of the Delaware State Bar Association was held on December 7, 2021, at 3:30 p.m. by Zoom conference.

In attendance were: Matthew P. D’Emilio, J. Zachary Haupt, Jeffrey C. Wolken, Jeremy J. Riley, John L. Williams, Kerry M. Porter, Alex Mili, Harold W. T. Purnell, II, Lizzie Vannote, Robert A. Glen, Michael Neri, Trisha W. Hall, Caitlin E. McAndrews, James Gallagher, Tara Hersh, David A. Diamond, Alex Lyden-Horn and Valerie M. Carr.

Chair Matthew P. D’Emilio called the meeting to order at 3:32 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 minutes of the meeting of November 2, 2021 were unanimously approved.
3. Committee Reports and Activity.
 - A. Trust Act Committee – Ms. Borowsky provided a written report to Mr. D’Emilio that Trust Act 2022 is being written and encouraged Section members to contact Ms. Borowsky or Mr. Weinig with suggestions. Mr. D’Emilio reported that the Executive Committee approved the resolution to fix the 2021 Trust Act and that it is being submitted to the General Assembly.
 - B. Estate Administration Committee – No report.
 - C. Electronic Wills and Trusts Committee – Mr. Haupt reported that the committee will be meeting to review draft legislation prepared by Ms. McCloskey.
 - D. Inactive Committees with no reports:
 - Access to Digital Assets Committee – Trisha W. Hall, Chair
 - “Issue” Definition Committee – Trish Hall
 - Limited Guardianship Committee – Donald Sparks, Chair
 - Revocation Upon Divorce Committee – Denise D. Nordheimer, Chair
 - Notice Committee – Vincent C. Thomas, Chair
 - CLE Committee – Scott E. Swenson, 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. None

5. New Business.

- A. Mr. Mili advised the committee that the Real Property Section drafted a proposed amendment to 12 Del §1905 removing the requirement of a joint property affidavit to remove a deceased joint title holder from the title to real property. There were some general comments from Section members and it was agreed to keep this matter on the agenda for the next meeting. Further comments should be directed to Mr. D’Emilio or to Brian Funk of the Real Property Section.
- B. Mr. Mili advised the committee that the New Castle County Register of Wills Inventory Form is being revised and asked the Section to review the draft provided with the meeting agenda. There were no comments and it was agreed that this matter would be kept on the agenda for the next meeting.

6. Next Meeting. The next Section meeting will be held by Zoom conference on January 4 2022 at 3:30.

There being no further business to come before the Section, the meeting was adjourned at 3:48p.m.

Respectfully submitted,

Michael Neri