

NOTICE OF MEETING
ORANGE BOOK FORMS COMMITTEE

TO: Trust and Estate Section — Orange Book Forms Committee
FROM: Rikke Liska; Marianne Luu-Chen; Kate Noble

The Next Meeting will be March 1, 2023 - 12:00 – 1:30 p.m.
Via Zoom with Hybrid Option in West Conference Room

AGENDA

I. Welcome & Call to Order

A. *Attendance & Introductions*

1. Attendance Sheet – ensure name appears as it should appear in OB Forms Book (if applicable) and update contact information as necessary.
2. Introductions – in-person and those attending by phone.

B. *Reminders*

1. In the virtual meeting format please remember that it is especially important for committee members to talk one at a time so other members can hear and our co-chair can take accurate notes for the minutes.
2. To receive complimentary OB Forms 2023 supplement, committee members must attend 5 entire meetings in a season and participate on at least one subcommittee; and to receive a discount on the OB Forms 2023 supplement, must attend 5 entire meetings.

C. *Approval of Minutes: February 1, 2023 Meeting*

II. Chairperson's Report

- A. Legislative Liaison position report – Gordon Williams.
- B. Other matters.

III. Announcements

IV. Committee Reports

A. *IN PROGRESS*

1. Retirement Assets – No presentation date yet
 - a. Chair(s): Tim Bounds - Bounds@EvansCase.com
 - b. Committee members: Bette Heller, Bill Carew, Michelle Mieras, Ryan Scott, Frank Hill, Lisa Willcox, Pete Bullard, David Kirch, Emily Bowman, Griffin Bridgers, Lisa Hardin, Chris Brock
 - c. Suggested 2017

2. Impact of 2011 Federal Tax Legislation/Marital Formula Issues/Clayton Election/Family By-Pass Trust – No presentation date yet
 - a. Chair(s): Dan Rich - nalahcir@gmail.com
 - b. Committee members: Jim Buchanan, Jim Ingraham, Jonathan Haskell, Jeff Kadavy, Skip Reynolds, Sonny Wiegand, David Taunton, David Brantz, Kristin Dittus, Jennifer Breazeal, Donnia Howell, Rick Mishkin, Bette Heller, Frank Hill
 - c. Suggested 01/11
 - d. A subcommittee will be needed to review the book regarding federal tax legislation/marital formula issues/Clayton clause and review to take advantage of tax changes
 - e. 08/20/15 - stated will present a memo regarding concept, not a form
 - f. 05/17/18 – 6 of 8 forms complete and are close to final presentation. Committee is also drafting a new Caveat and introductions to Chapters 3 and 4 and reviewing formula clauses in Appendix A.
3. Orange Book Forms CUTC Revisions Subcommittee – No presentation date yet
 - a. Chair(s): Frank Hill – fhill.com@outlook.com
 - b. Committee members: Frank Hill, Stan Kent, Julie McVey, Tony Vaida, Lori Kalata, Kim Raemdonck, Corina Gerety, Alison Leary, Georgine Kryda, Melissa Anderson, Carolyn Wiley, Lisa Hardin, Gene Zuspan, Marianne Luu-Chen
 - c. Suggested April 2019
 - d. The purpose of the committee is to review the trust forms to ensure that they are consistent with the new Uniform Trust Code.
4. Supplemental Needs Trust Subcommittee – No presentation date yet
 - a. Chair: Chris Brock - cbrock@ccdconline.org
 - b. Committee members: Bill Carew, Paul Hart, Bette Heller, Heidi Gassman, Corina D. Gerety, Alison Leary, Rikke Liska, Kimberly Raemdonck, Amy E. Symons, Tony Vaida, Kirsten Waldrip
5. Medical Durable Power of Attorney Subcommittee – No presentation date yet
 - a. Chair: Susan Fox - sfb823@gmail.com
 - b. Committee members: John Valentine, Paul Hart, Julie Rosen, Lori Kalata, Tony Vaida, Michael Kirtland, Amy Symons, Caryn McGraw, Sharon Weikel, Anne Zogg
 - c. Suggested September 2021

6. Engagement Letters Subcommittee – No presentation date yet
 - a. Chair: Dan McKenzie - dan@themckenziefirm.com
 - b. Committee Members: Marianne Luu-Chen and Molly Clarke
 - c. Suggested October 2022
7. Disposition of Last Remains Subcommittee – No presentation date yet
 - a. Chair: Michelle Mieras – michellemieras1@gmail.com
 - b. Committee Members: Lori Kalata, Susan Fox, Marianne Luu-Chen, Geoffrey Carpenter, Mark Masters, Nadia Sullivan

B. *ACTIVE CONSIDERATION*

1. Beneficiary Deed to Trust – To present February 2023
 - a. Chair(s): Peggy Gardner - pgardner@peggygardnerlaw.com and Joyce Sanchez - jkssanchez@aol.com
 - b. Committee members: Peggy Gardner, Tom Pohl, Joyce Sanchez, Elizabeth Meck
 - c. Suggested 2017
 - d. During Form Review in 2016-2017, it was noticed that there is no beneficiary deed in the Deeds to Trust section. The committee started with the Carpenter real estate form to create the Beneficiary Deed to Trust and presented to the Committee in 2017.

V. **New Matters**

A. **Medicaid Powers in a Financial Power of Attorney**

Applying for Public Benefits: Executing any and all documents, including, but not limited to, applications, care agreements, trust agreements, that may be necessary in order to obtain public benefits for my care, should I qualify for such benefits, and to allow any member of my family who chooses to care for me, to receive payment from me for such services, even if such family member is also my Attorney-in-Fact;

VI. **Other**