**ORANGE BOOK FORMS COMMITTEE MEETING**

**MEETING MINUTES**

**April 3. 2024**

To: Trust and Estate Section — Orange Book Forms Committee

From: Marianne Luu-Chen; Molly E. Clarke; Lisa Travis Fischer

The next meeting of the Orange Book Forms Committee of the Trust and Estate Section will be on May 1, 2024, from 12:00 – 1:30 p.m.(in-person and Zoom hybrid).

1. **Welcome and Call to Order.** Marianne Luu-Chen began the meeting at 12:05 p.m.
2. **Attendance and Introductions.** Marianne began general introductions. The following members were present for the meeting:

Marianne Luu-Chen

Molly Clarke

Lisa Travis Fischer

Chris Brock

Bette Heller

Lori Kalata

Frank Hill

Carolyn Wiley

Emily Bowman

Randy Robida

Michelle Mieras

Corina Gerety

Jessie Rember

Geoffrey Carpenter

Nadia Sullivan

Sal Quintana

Rikke Liska

Dan McKenzie

Susan Fox

Jennifer Landry

Gordon Williams

Stan Kent

Joel Hassell

Anne Campbell

Tony Vaida

Margarit Parker

1. **Reminders.** 
   1. To receive complimentary supplements, Committee members must attend 5 entire meetings in a season and participate in 1 subcommittee. To receive a discount on the supplements, members must attend 5 entire meetings.
2. **Announcements.**
   1. The OBF Agenda includes a link to a spreadsheet where attendees should enter their name and email address. This is important for attendance purposes and to ensure we have an accurate list of active Committee members for Committee correspondence.
   2. Please contact Marianne, Molly, or Lisa if interested in serving as Vice Chair of OBF for the 2024-2025 term.
   3. The Trust & Estates Section’s Day of Service (“Rest in Heavenly Peace”) will be held April 20, 2024 at 10:00am. Participation is anticipated to be capped at 20 participants. More information will be provided at the April meeting.
3. **Review and Approval of Previous Minutes.** Marianne introduced the Minutes from the March 2024 meeting. Suzanne moved to approve the Minutes. Motion seconded. Motion passed.
4. **Chairperson’s Reports.** None.
5. **Legislative Liaison Report.** Monitoring of the Uniform Guardianship, Conservatorship and Other Protective Arrangement Act (“UGCOPAA”), the Uniform Health-Care Decisions Act (“UHCDA”), and the Uniform Non-Testamentary Electronic Estate Planning Documents Act (“UNTEEPDA”) continues. At this time, it is not anticipated that UGCOPAA nor UNTEEPDA will require review of current OBF forms. The UHCDA will likely require, at minimum, a close review of current OBF medical power of attorney forms to determine if update(s) are necessary.
6. **Subcommittee Reports: Active Matters.**
   1. **In- Progress.**
      * 1. **Engagement Letter.** Dan reports that drafting continues on the joint engagement letter. The Subcommittee anticipates presenting its updated draft at the May meeting.
        2. **Impact of 2011 Federal Tax Legislation/Marital Formula Issues/Clayton Election/Family By-Pass Trust.** Frank reports that the Subcommittee continues its work. No other updates are provided at this time.
        3. **CUTC Revisions.** Frank reports that the Subcommittee is finalizing its work with the SNT Subcommittee. The Subcommittee continues its work on trustee exoneration, trustee duty to inquire, and limitations on interested trustees, and plans to bring “plain English” revisions to boiler plate provisions for review at the May meeting. Anyone interested in joining this Subcommittee is welcome to attend; meetings are held on the second Wednesday of every month at 1:00pm, via Zoom.
        4. **Medical Durable Power of Attorney.** Suzanne reports the Subcommittee continues its drafting and has recently grown in size. Anyone interested in joining the Subcommittee – which meets on the third Thursday of each month from 10:00am-12:00pm in a hybrid format – should contact Lisa.
   2. **Active Consideration.**
      * 1. **Supplemental Needs Trust.** The Committee reviewed Form 531, revised by the Subcommittee to include drop-in SNT provisions. Special attention was paid to removal and replacement of trustees, termination of trust, and contingent disposition provisions. Gordon will revise paragraph 7.6 (Replacement of Trustee) for review at the May meeting. The Subcommittee will perform a global update to change “section” to “paragraph” for review at the May meeting.
7. **Other.** None.

Meeting adjourned at 1:30 pm.

*Respectfully submitted by Molly E. Clarke*