

**MINUTES**  
**DSBA ESTATES AND TRUSTS SECTION**  
**JUNE 6, 2006**

In accordance with notice duly given, a meeting of the Estates and Trusts Section of the Delaware State Bar Association was held at the offices of Morris, Nichols, Arsht & Tunnell, 17<sup>th</sup> Floor, 1201 North Market Street, Wilmington, Delaware, 19801, on Tuesday, June 6, 2006 commencing after lunch, which began at 12:00 p.m.

In attendance were: F. Peter Conaty, Jr., Gregory J. Weinig, Hon. Diane Clarke Streett, Mary B. Hickok, Richard W. Nenno, Miguel D. Pena, G. Michael Richwine (by invitation), Richard J.A. Popper, David J. Garrett, Thomas P. Sweeney, Michael R. Stein, Michael A. Friedberg, Francis Babiarz, William H. Lungert, Kim Gill Hankins, Trisha Hall, Sheriden T. Black, Mary M. Culley, Neal J. Howard, Amy C. Hudson, George B. Jewell, Hon. Richard C. Kiger, Joanna Reiver, John M. Stull, Charles T. Williams, III, and Hunt Worth.

Peter Conaty, Chair, called the meeting to order.

1. Minutes. The minutes of the May 2, 2006 meeting were unanimously approved.
2. Legislation and Rule Committees.
  - a. Uniform Principal and Income Act – Report of Committee. No report.
  - b. Section 529 Plans – Report of Committee. No report.
  - c. Chancery Court Rules 117 and 132 – Report of Committee. No report.
  - d. Delaware Elective Share Statute – Report of Committee. Gregory Weinig summarized proposed legislation distributed with the agenda for this meeting. The proposed legislation will be discussed at the September 2006 meeting.
  - e. Estate Administration Committee – Report of Committee. No report.
  - f. DSBA Technology Committee – Report of Committee. No report.
  - g. By-Laws – Report of Committee. No report.
  - h. Last Remains Statute – Report of Committee. No report.

i. Uniform Disclaimers of Property Interests Act Committee – Report of Committee. Peter Conaty reported that the proposed legislation has been approved by the appropriate subcommittee of the State Senate and is being introduced today in the full Senate.

j. Trust Act 2006 – Report of Committee. Peter Conaty reported that the proposed legislation has been approved by the appropriate subcommittee of the State Senate and is being introduced today in the full Senate.

Richard Nenno reported that an error was made when the bill was put into legislative form, and for that reason suggested that it is good practice for any committee to check the legislative form of the bill against the original draft. Peter Conaty reported that an amendment to the bill has been made to correct the error.

k. Unauthorized Practice of Law – Report of Committee. It was reported that both the Delaware Department of Justice and the Board on Unauthorized Practice of Law are busy.

l. Lapsed Distribution Committee – Report of Committee. Peter Conaty reported that the proposed legislation has been approved by the appropriate subcommittee of the State Senate and is being introduced today in the full Senate.

m. Family Law/Estates and Trusts Joint Committee – Report of Committee. No report.

3. Old Business. None reported.

4. New Business.

a. Recent Developments. None reported.

b. Other New Business.

1. Election of Officers. David Garrett, Chair of the Nominating Committee, presented the proposed slate of officers reported in the agenda for today's meeting: Gregory Weinig (Chair), Anne Stallman (Vice Chair), and Michael Stein (Secretary). Upon motion duly made and seconded, the Section voted upon and unanimously approved the proposed slate of officers.

Mr. Garrett thanked Peter Conaty for his service as an officer for the last three years, and particularly as Chair this past year. The Section gave Mr. Conaty a well-deserved round of applause.

2. ABA Real and Personal Property and Tax Sections. Richard Nenno encouraged participation in the ABA Real and Personal Property and Tax Sections, as he has found it to be a very positive experience.

3. Next Meeting. The Section's next meeting will be held on Tuesday, September 12, 2006 at 3:30 p.m. As with all meetings for the 2006-2007 year, it will be held at the offices of Connolly Bove Lodge & Hutz LLP on the 9<sup>th</sup> Floor of the Nemours Building, 1007 North Orange Street, Wilmington.

There being no further business, the meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Gregory J. Weinig, Vice Chair/Acting Secretary