

ESTATES AND PROBATE SECTION
SUZANNE BROWN WALSH, CHAIR

PURPOSE

The mission of the Estates and Probate Section is to concern itself with all issues affecting estates, trusts, guardianships, conservatorships, powers of attorney, living wills and healthcare documents, and probate litigation as well as gift, inheritance, estate, and income taxes. The section promotes sound public policy and best professional practices.

ANNUAL REPORT

The section remains active in its legislative efforts to improve Connecticut Trust and estates laws. We devote significant section funds and our members, led by vice chair Peter Mott, spend many hours reviewing, drafting, and monitoring legislative proposals. During the current legislative session, John Ivimey has worked tirelessly to support legislation making the application of the probate fee schedules fair to non-residents, and to correct inequities in the Connecticut Estate Tax as it applies to qualified terminal interest trusts and prior gifts. Deborah J. Tedford and Molly Ackerly continue to work towards the adoption of the Uniform Trust Code and Alfred R. Casella and Peter Mott have worked towards the adoption of legislation that would provide a mechanism for physically disabled individuals to sign and execute Wills, similar to legislation that has been enacted in most other states. We were again authorized to retain outside lobbyist Robert F. Shea in 2008 to assist with our ambitious legislative agenda. We are grateful to Bill Chapman at the CBA for his assistance and support, both to Bob Shea and to those who have worked with both of them.

Our continuing Legal Education (CLE) sub-committee co-chairs Judy Keppelman, Dave Hermenze and Carolyn DeVore have worked tirelessly to organize the educational programs for all of our meetings this year. These outstanding programs will culminate with a repeat of a wildly successful program from the Fall 2007 ACTEC regional meeting designed to educate Connecticut practitioners with Florida clients regarding the pitfalls and intricacies inherent in Florida law. We are sincerely grateful to this committee and have all benefited from the quality of these programs.

Jim Funnell and Carolyn Gould will soon be done making all past issues of the section newsletter electronically accessible, and will produce a new issue in the Fall of 2008.

Michael Schenker has participated in the work of a conservatorship work group that has been meeting monthly to address revisions to last years sweeping conservatorship reform legislation. He anticipates their work will be completed by the next legislative session and we are grateful for his efforts.

The subcommittee on Integrity of the Practice, Professionalism, and Pro Bono Services, co-chaired by Greta Solomon and Tony Ludovico, has been extremely busy this year. Their main focus has been the development of recommendations to address the continuing problem of defalcations by attorneys who serve as fiduciaries. They have also sought ways to improve participation of estates and probate section members in CBA activities and to continue the effort to augment pro bono services to or through the probate courts, particularly in conservatorship matters.