

Minutes of Elder Law Section
July 28, 2006

The remnants of the board of directors of the Elder Law Section of the New Mexico State Bar met in a quiet discrete place above the main floor in the Masthead command center to discuss Elder matters and to contentedly sip bottled water, eschewing the caffeinated pleasure swirling in the depths of the icy punch bowl. Apparently dedicated members of the bar prefer water and clear heads before tackling weighty matters requiring alert minds.

Present at the meeting were Mary H. Smith, M. Dwight Hurst, Brian E. Jennings, Joyce Anderson (appearing telephonically), Patricia Stelzner, Chris Morganti and finally Mary Ann Green. Despite this august gathering of many of the Elder Law dignitaries, the periodic reminders and the long ago scheduling of the meeting, no quorum of directors was to be found. Nevertheless the group plowed forward into uncharted legal fields and tested the waters of new activities and matters relating to the Section.

Though not present, the matter of Amanda Harriett Hartmann being the Chairperson Elect for the Elder Law board was mentioned as the next to try on the very large (figuratively speaking) shoes of Mary Smith.

Mary Ann Green did finally come to the meeting speaking caustically about the traffic, echoing Hurst's earlier carping about the road construction and drivers with minimal intelligence.

Patricia Stelzner was present as the Elder Law web liaison.

Chairperson Mary H. Smith doggedly pressed ahead with the agenda, even though lacking a quorum.

E-blasts are being sent out to Section members on a fairly regular basis.

Because there was no quorum present the minutes from previous meetings were not approved although they were reviewed with great interest.

The budget was next discussed. Only \$447.82 has been spent so far this year leaving the impressive sum of \$1,878.65 to expend for Section purposes. The niggardly manner in which the fisc has been dissipated can be traced to the very fiscally conservative Brian E. Jennings who only spent \$100 after the last meeting and CLE event for refreshments. A discussion followed about whether the event was cheap or merely less expensive.

Not on topic but interesting nonetheless, Mary Ann Green's daughter is getting married and Mary Ann is heavily involved in that event.

A discussion ensued as to whether the Section should spend some of its reserves to secure a prominent presence at the Bench and Bar event from November 2nd through the 4th in Roswell. This is a reception for lawyers and judges to prove that each of them put on their pants or pant suits each morning one leg at a time and that they are down deep just regular people.

Scholarships were next briefly discussed. We have allocated \$810 for scholarships this fiscal year.

It was pointed out that if we have unused funds we will be permitted to carry these forward, potentially allowing us to amass a small fortune for Section activities.

Some upcoming Elder Law events were discussed:

1. An ALI ABA Elder Law event will be held in Boston September 28-29.
2. Mackinac Island will host an Elder Law event on September 12-13.
3. A 2006 Canadian Elder Law event in Vancouver will occur on October 13-15.
4. There is also an upcoming NAELA conference in Salt Lake City which may be of interest.

A possible joint event with the Bankruptcy section was suggested for next year to try to attempt get a grip on the provisions of the new Bankruptcy Code as it relates to Elder Debt and the beckoning maw of Chapter 7.

Joyce Anderson suggested Heather Wilson as a speaker. However it was pointed out that Heather is rather political at this point and generally keeps to the slow lane (right hand lane) of the road in her driving and politics. "Not that there is anything wrong with that", thought Hurst to himself.

The Chairperson mentioned that Kevin D. Hammar, past Chairperson, has been working toward having an on-line Section discussion group. Kevin may try that this year to see if any interest is generated.

The April 7th, 2006 CLE event which was presented by the Elder Law Section was positive in its evaluation and Mr. Jennings was lauded for his good work in helping bring this about.

Another CLE trial balloon was floated that if money is left toward the end of the year that we might further consider a lunch time CLE at the Bench and Bar or another location offering credit for attendance. Some present were less than excited about spending Elder Law money if there was not a direct benefit to the Elder Law section members.

Patricia Stelzner reports that all telephone numbers on the lawyer resource links are working. Some sites, however, have been changed and the new information will be given to Veronica Cordova for updating. There are no new internet links of interest for the group. A law student by the name Raymond, who apparently everybody loves, has spent about four hours working on updating our resource directory. He will be paid \$20 per hour for a total of \$80 leaving us another \$20 for this purpose if Raymond is called upon to fine tune his work.

Mr. Jennings, not to be content with 2006 events, kept projecting himself and the group into 2007 and beyond for potential events in which the Section might become involved. Jennings is truly an Elder Law visionary.

Chris Morganti will post the minutes of the Elder Law meetings on the Section website.

Regarding Medicaid and income diversion trusts, Mary Ann Green indicated that the rules will be posted, but not forms, given the flux of the law in this area and Green's general queasiness about posting authoritative forms.

The potential on-line newsletter was discussed. Mr. Jennings offered that an on-line newsletter was not an easy thing to do. It was suggested that the newsletter be posted but not more than twice a year and which will be available to other Sections as well as the Elder Law Section.

The matter of amending the bylaws of the Section to allow non-attorneys, such as social workers, was discussed as well as what these individuals would be charged for membership dues. Although Mr. Jennings wanted to extend a sweetheart deal to non-attorneys, most of the group felt that they should pay full freight if they are going to be treated as equals.

The fledgling Elder Law lending library was commenced with the Chairperson handing some materials to Chris Morganti who will take that task upon her.

It was pointed out that the BIFOCAL publication is now free and that in the April issue Michael Parks received the 2006 Aging and the Law Award.

A lunchtime meeting to learn about Medicare Part B was next discussed. Potential heartburn is the downside of such a meeting and such a topic.

Harking back to scholarships, the Chairperson and Amanda Hartmann will constitute the scholarship review committee and will press ahead with recommendation for prospective scholarships.

There are now 102 members in the Section surpassing Ms. Smith's goal of at least 100 members.

The Chairperson needs five members to help on the nominating committee for next year which has a deadline of August 31 to submit its slate of directors. Richard Stoops, Joyce Anderson and three additional names to be chosen by the Chairperson will serve with the Chairperson as the committee.

The next meeting of the board will be held October 27, 2006 at 3:00 PM at the Masthead Mansion.

M. Dwight Hurst