

# Trusts and Estates Law Section Newsletter

A publication of the Trusts and Estates Law Section  
of the New York State Bar Association

## A Message from the Chair

By the time you read this article, summer will have long passed, but hopefully, the memories of our Spring program will continue to linger. From May 3-May 6, 2012, 300 attorneys, sponsors and their guests gathered in Washington, D.C., where they were educated and entertained in five-star venues.

The site of the Spring Meeting was the historic and very opulent Willard Intercontinental Hotel, located in the heart of Washington, D.C., one block from the White House. On May 3, our attendees were greeted by a welcome basket in their rooms, and received, upon registration, a tote bag and an umbrella.

Thursday evening's opening reception took place in the magnificent crystal room of the hotel where guests enjoyed cocktails, hors d'oeuvres, and conver-



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sation with colleagues. Most assuredly, however, the highlight of the reception was our honored guest, United States Supreme Court Justice Antonin Scalia, who mingled and kindly agreed to take photos with those in attendance, and then joined our program speakers for dinner at The Oval Room. Justice Scalia was truly gracious and generous to our Section with his time and participation in the evening.

For those who registered early, Friday morning offered a White House tour. Met by security at several checkpoints, our group of approximately 125 had the benefit of a self-directed viewing of various dining and meeting rooms in the White House. Information about each room, which was earmarked by its color and splendid décor, was provided by Secret Service personnel, who were well-educated about its historic significance. The visit was, indeed, memorable, and for some, even more so, thanks to a special viewing of the presidential pooch "Bo," who was observed trotting down the stairs and out the doors for his morning walk.

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Friday afternoon began the first of our two-part CLE program on "The Anatomy of a Settlement: Considerations, Negotiations, Implications," chaired by John R. Morken, Esq. and Joseph T. La Ferlita, Esq. Thank you John and Joe for orchestrating a terrific program—educational, thought-provoking and engaging. And, my deep gratitude goes, as well, to the program's wonderful panelists and creative consultant, Hon. John M. Czygier, Gary B. Freidman, Mitchell M. Gans, Esq., Ann B. Lesk, Esq., Jerome L. Levine, Esq., Stephen F. Melore, Esq., Donald Novick, Esq., Marian C. Rice, Esq., and Mitchell J. Cooper, Esq., each of whom spent countless hours preparing for an outstanding two days of CLE.

Friday evening's cocktail reception and dinner took place at the spectacular Smithsonian Institution National Museum of Natural History. Three hundred were in attendance to enjoy the magic of the museum at night—empty of crowds, softly lit, with light music in the background. The Ocean Room and the Rotunda provided the perfect setting for sumptuous food and top-notch entertainment by The Capitol Steps. And, of course, many thanks to the Museum for donating a special viewing of the Hope Diamond and the gallery of gems and minerals to our Section.

On Saturday, early risers enjoyed our panel of Surrogates, Hon. Stephen W. Cass, Hon. Robert J. Gigante, Hon. Lee L. Holzman, and Hon. Anthony A. Scarpino, Jr., who provided their experience and expertise on "Ethical Dilemmas in Estate Practice." My sincere gratitude to Colleen Carew, Esq. for coordinating this program, together with Nancy Burner, Esq. and Michael P. Ryan, Esq. Following Saturday morning's CLE, our attendees had free time to explore Washington, D.C. Saturday evening marked the conclusion of the program on the Roof Top Terrace of The Hay Adams Hotel. With breathtaking views of the city, and most especially the White House, our guests were treated to the sounds of light jazz as they dined and enjoyed each other's company under the night's Super Moon. But for those on the terrace that evening, possibly the most exciting memory was watching Marine 1 land on the back

lawn of the White House, while a decoy flew by. Wow! I could not have planned that if I tried!

Again, thank you all—the chairs, the panelists, the sponsors, the exhibitors, and, of course, Kathy Heider. The Spring Meeting would not have been possible without you!

As to other Section news, the Sixth Report has been completed and will be submitted to the Legislature shortly. In the interim, Professor Ira Bloom and his New York Uniform Trust Code Committee have begun their process of review and comment. The OCA Committee is currently working on technical amendments to the decanting statute, as well as the issue of commissions on charitable trusts, and our liaisons to the City Bar have informed us that it is also examining the Uniform Trust Code.

Kudos to our Section and, most especially, the chairs of our Diversity Committee for placing second in the Diversity Challenge spearheaded by Vincent Doyle, then-President of the New York State Bar Association, and a round of applause to our lobbyists, Ron Kennedy, Kevin Kerwin, our Legislation and Governmental Relations Committee, and our committee members, Ian MacLean, Natalia Murphy, Robert Harper and Joseph T. La Ferlita, for their significant efforts in proffering our legislation regarding interest on legacies on Lobby Day, and reporting on behalf of the Section with respect to various OCA bills presently being considered by the Legislature. Thank you, as well, to Lawrence Keiser, Natalia Murphy, and their respective committees for their tremendous efforts, with the Tax Section, in preparing a very comprehensive report on trust decanting, in response to a request for comments by the Treasury and I.R.S.

Finally, stay tuned for my next article for a recap our Diversity Committee's September mixer, the New York City cocktail reception hosted by our Law Students and New Members Committee, and our Fall Meeting in Saratoga.

**Ilene Sherwyn Cooper**