

# EXECUTIVE COMMITTEE MEETING MINUTES

## May 9, 2018

Attendees: Judges Wright, Mahon, Magistrali, Purnell, Darby, Randich, Berkenstock, Keeney, Truppa, Becker, DeGennaro, Brandt, Schad, Probate Court Administrator Knierim and Attorney Tom Gaffey.

1. **Call to Order:**

The meeting was called to order at 9:46 a.m.

2. **Approval of the Minutes:**

Minutes from the April 11, 2018 meeting approved.

3. **Correspondence:**

A thank you note was received from the recipient of the Glenn E. Knierim Pro Bono Award.

4. **Treasurer's Report:**

Judge Magistrali presented the current report. The report reflects the costs of the annual meeting; the Assembly is well under budget for the fiscal year. Report approved.

5. **Committee Reports:**

Continuing Education – Judge Becker

The next continuing education presentation is scheduled for June 14 and will cover conservatorship issues.

Ethics – Judge Magistrali

No report.

Legislative – Judge Fox and Judge Rowe

Judge Knierim reported that today is the last day of the legislative session. The Probate Court Operations bill has been passed. All current drafts of the budget include a suspension of the probate fund sweep.

The DDS bill concerning reporting requirements to the Probate Courts when a determination of no intellectual disability is made was passed. In matters where DDS has previously found an individual does not have intellectual disability, in lieu of giving an assessment they can simply provide the original determination letter to the court.

The bill permitting voluntary guardianships for unmarried individual ages 18-21 has passed the Senate.

The pay equity bill is likely to pass. This bill prohibits prospective employers from asking job applicants about their salary history.

Bills that will likely not pass include the bill to obtain Medicaid reimbursement for conservator compensation and the bill concerning adoption of the Uniform Trust Code.

Nominating – Judge Marino

Motion to appoint Judge Jalowiec to fill the remainder of Judge Darby's term on the Executive Committee. Motion passed.

Judge Magistrali inquired about reviewing committee memberships. Judge Wright will be sending out an email on the subject.

Planning – Judge Brandt

No report.

Procedures Review – Judge Berkenstock

The committee continues to review and amend forms, including redrafting the forms for commitments.

Public Information – Judge Purnell

The committee will be shifting focus to public education.

**6. Comments of the Probate Court Administrator** – Judge Knierim

Judge Knierim requested feedback on the Symposium of Unsupervised Probate and possible next steps. Judge Magistrali suggested that time be dedicated at an upcoming probate meeting to discuss the matter. Judge Darby offered that some of the procedures discussed could be beneficial.

Discussion over the impact of unsupervised visitation on the funding of the probate system. It was suggested that a different term be used, perhaps “informal probate” to give greater legitimacy to the process. Most present agreed that our current system seems to closely resemble some of the practices discussed at the Symposium. Judge Knierim suggested putting the topic of unsupervised probate on the agenda for the October Judges Institute.

Discussion over issues with small estates and banks complying with court decrees.

**7. Comments of the President-Judge**

No comments.

**8. Other Business to come before the Executive Committee**

Judge Purnell is the co-chair of the upcoming NCPJ Fall Conference to be held November 14-17 at Hilton Head, SC, he encourages all to attend.

**9. Adjournment:**

A motion to adjourn was made.

Meeting adjourned at 10:28 a.m.

Respectfully submitted,

Hon. Leah Schad  
Recording Secretary