



*H. Mafin*

*"I'm afraid I must concur with Dr. Hamilton and Dr. Movin.  
The cause of death was taxes."*

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**AGENDA FOR TEXCOM MEETING  
TRUST AND ESTATES SECTION, STATE BAR OF CALIFORNIA  
SATURDAY, JANUARY 16, 2010, 9:30 A.M. to 3:30 P.M.  
LAX MARRIOT HOTEL**

**I. WELCOME, REPORTS OF CHAIR AND SECTION ADMINISTRATOR  
(30 minutes)**

- |    |   |            |
|----|---|------------|
| A. | Welcome   | HORTON     |
| B. | Approval of Minutes of the November 14, 2009, Meeting | HORTON     |
| C. | Report of the Chair                                   | HORTON     |
|    | 1. Retreat planning: draft legislation                |            |
| D. | Report of Vice Chair                                  | LODISE     |
| E. | Report of the Section Liaison                         | ORLOFF     |
|    | 1. Expense reimbursement                              |            |
| F. | State of the State Bar - SB 55 (Corbett)              | BERCOVITCH |
| G. | Report from the Council of State Bar Sections         | TONG       |

**COMMITTEE REPORTS**

**II. NOMINATING COMMITTEE** TONG  
(5 minutes)

**III. EDUCATION** SCHENONE  
(30 minutes)

- |    |   |        |
|----|---|--------|
| A. | Webinar programs                          | GERSON |
| B. | January 22-24 - SEI Program, Long Beach   |        |
| C. | Sophisticated Tax Issues - April 16, 2010 |        |

**D. International Law Program - June 11, 2010**

**E. State Bar Annual Meeting Programs**

**KOHLMANN**

**E. E-News**

**LAMPING**

**G. Your Legal Rights**

**SCHROFF**

**IV. ETHICS**

**JAECH**

**(3 minutes)**

**A. Proposed Rule of Prof. Conduct 1.14**

**B. Proposed Rule of Prof. Conduct 1.6**

**C. Proposed Rule of Prof. Conduct 6.4**

**D. Proposed Rule of Prof. Conduct 3.7**

**V. JOINT ETHICS-INCAP COMMITTEE**

**JAECH AND COREY**

**(2 minutes)**

**A. Proposed B&P ' 6068.5**

**VI. INCAPACITY**

**COREY**

**(20 minutes)**

**A. Conservatorship: Disposition of Remains**

**LEE**

**B. Using Trust Funds to Pay Conservators Fees Without a Court**

**LODISE**

**C. ABA Guardianship Act**

**STERN**

**D. Proposed Rule of Court 7.703**

**STERN**

**E. Comments on Judicial Council Proposal LEG09-03**

**LODISE**

**F. Legislative Watch List:**

- |     |   |          |
|-----|---|----------|
| 1.  | AB 276 (Hayashi) - Professional Fiduciaries                         | MATULICH |
| 2.  | AB 416 (Block) - Developmental Services:<br>Consumer Abuse Registry | LODISE   |
| 3.  | AB 768 (Torres) - Elder Abuse                                       | COREY    |
| 4.  | AB 989 (Block) - Senior Insurance                                   | LODISE   |
| 5.  | SB 92 (Aanestad) - Health Care Reform                               | LODISE   |
| 6.  | SB 344 (Stickland) - Crimes against Elders<br>And Dependent Adults  | COREY    |
| 7.  | SB 660 (Wolk) - Reverse Mortgages                                   | BURNS    |
| 8.  | SB 661 (Wolk) - Admission Agreements                                | COREY    |
| 9.  | ABX4 6 (Evans) - Medi-Cal   |          |
| 10. | AB 1383 (Jones) - Medi-Cal  |          |
| 11. | AB 188 (Jones) - Medi-Cal   |          |
| 12. | SB 771 (Alquist) - Medi-Cal   |          |
| 13. | SB 732 (Alquist) - Medi-Cal   |          |

**VII. TRUST AND ESTATE ADMINISTRATION**  
(60 minutes)

**CRICKARD**

- |    |  |          |
|----|--|----------|
| A. | Directed Trusts                                | HAYES    |
| B. | Section 16350 Hasso v. Hasso project           | SCHENONE |
| C. | Conforming Prob. & Calif. Ltd. Partnership Law | SCHENONE |
| D. | Updating Intestacy Laws                        | BURNS    |

- E. **CLRC Referral on Sales at Auction** **RICHARDS**
- F. **Statutory Confirmation of Fiduciary Authority re Non-Probate Assets** **LAMPING**
- G. **Legislative Watch List**
  - 1. **AB 355 (Ammiano) Sister State Personal Representative** **SCHENONE/CRICKARD**
  - 2. **SB 276 (Harman) Nonprobate Transfers, Com. Prop** **SCHENONE**
  - 3. **SB 202 (Harman) Duty to Report, Trustee Notification** **HAND**
  - 4. **AB 229 (Calderon) Principal and Income; Marital Deduction** **LERA**

**VIII. LITIGATION** **BAER/ SALLUS**  
(20 minutes)

- A. **Probate Code 1000, 1022**
- B. **Evidentiary hearings for probate proceedings** **BAER**
- C. **Probate Code section 15804 (Virtual Representation)** **BAER**
- D. **Uniformity of Probate Trial Rules** **SALLUS**
- E. **Clean up no contest clause re probable cause issues**
- F. **Pretrial Practice Project**
- G. **New Cases of Interest** **ZABRONSKY**

**IX. MEMBERSHIP AND MARKETING** **SCHROFF**  
(2 minutes)

**X. EDUCATING SENIORS** **LEE**  
(5 minutes)

- A. **Speaker Training for 2010: San Francisco and Los Angeles**

- B. Website
- C. Permission to Use Materials at Presentations
- D. Texcom Funding for 2010

**XI. INCOME, PROPERTY, AND TRANSFER TAX** **HAYES**  
 (5 minutes)

**A. Legislative Watch List**

- 1. AB 103 (De Leon) - Property Taxes in Ownership Exclusion **PHARIES**
- 2. AB 321 (Niello) - Property Tax Base Year Transfers **PHARIES**
- 3. SB 274 (Dutton) - Property Tax Base Year Transfers **PHARIES**
- 4. SCA 11 (Dutton) - Property Tax Base Year Transfers **PHARIES**
- 5. AB 230 (Calderon) - Property Tax, Trusts
- 6. AB 1546 (Calderon) - Income, Corp. Tax

**XII. NCCUSL** **HOWARD**  
 (1 minute)

**XIII. ESTATE PLANNING** **ITO**  
 (40 minutes)

- A. Repeal of Rule Against Perpetuities **HAYES**
- B. Estate of Powell **RICHARDS**
- C. Legislative Watch List
  - 1. AB 724 (Devore) - Revocable TOD deeds **ITO**

**XIV. CLRC** **BAER**  
 (15 minutes)

**A. Legislative Watch List**

1. **SB 105 (Harman) - Donative Transfers**

**HORTON**

**XV. LEGISLATION**  
**(10 minutes)**

**COREY/EHRMAN**

**A. Legislative Proposals**

1. **Appointment of counsel for proposed conservatee**  
**(Prob. C. 1470) (T&E - 2010-06)**
2. **Revision of statutory will form**  
**(Prob. C. 6240) (T&E - 2010-07)**
3. **Collection of small estates**  
**(Prob. C. 13050, 13100, 13101, 13151, 13152, 13154,**  
**13200, 13600, 13601, 13602) (T&E - 2010-8)**
4. **Statutory form power of attorney**  
**(Prob. C. 4260, 4264, 4401) (T&E - 2010-9)**
5. **Hearing procedures**  
**(Prob. C. 1000, 1022) (T&E 2010-10)**

**XVI. CONFERENCE OF DELEGATES**  
**(5 minutes)**

**SALLUS**

**XVII. QUARTERLY**  
**(2 minutes)**

**HAYES/ZABRONSKY**

- A. Summer Issue**
- B. Fall issue deadlines**
- C. Winter issue deadlines**
- D. Spring issue deadlines**

**XVIII. NEW BUSINESS**

- A. Federal Estate Tax Suspension**
- B. Trustee removal**
- C. Kwok case**

**EHRMAN**

**HARTOG**

**COREY**

**UPCOMING ATTRACTIONS**

- A. Nominating Committee - March 5 Sacramento**
- B. Texcom Meeting - March 6 Sacramento Meeting  
(Law Offices of Downey Brand)**
- C. Long Range Planning Retreat - April 23 - 25  
(Oakland Claremont Resort)**