



## ELDER LAW SECTION E-NEWSLETTER

July 1, 2024

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Communications Committee Chair: Lucas Spaeth

Editor in Chief: Margaret (Maggie) Cook

Web Coordinator: Lucas Spaeth

Contributors: Laura Orr; Genieve Gaboriault

### **ELDER LAW NEWS AND HIGHLIGHTS**

[Estate & Elder Law Services \(EELS\)](#), a program of Volunteers of America Minnesota and Wisconsin, has made the difficult decision to sell or close its doors effective August 30, 2024.

VOA-EELS has shared the following:

Despite our best efforts, ongoing financial and operational challenges have made it impossible to continue operating our nonprofit legal firm in a sustainable manner.

Throughout our four decades of service to the community, EELS has remained committed to providing high-quality legal assistance to our clients. Our primary concern during this transition period is to ensure that clients continue to receive the support and services they need.

EELS is actively working on a comprehensive transition plan that prioritizes our clients' needs. This includes collaborating with trusted local organizations to facilitate the seamless transfer of services and ensure that all ongoing legal matters are handled with the utmost care and professionalism. We will be communicating directly with clients to provide them with detailed information and support during this transition.

We extend our deepest gratitude to our partners and referral networks. Your unwavering support and collaboration have been invaluable to our mission. Without your partnership, EELS would not have been able to serve the community so effectively over the years.

The MSBA Elder Law Section recognizes VOA-EELS as a longstanding and valued provider of affordable legal services in elder law. Members of the elder law community are saddened by this news and are grateful to past and present VOA-EELS attorneys for their service.

*Submitted by Laura Orr*

## **Updating the Olmstead Plan - Survey**

In May 2023, the Olmstead Subcabinet decided it was time for a more comprehensive update of [Minnesota's Olmstead Plan](#). Since then, the Subcabinet, Leadership Forum, and Olmstead Implementation Office (OIO) have been determining the best process for creating the next phase of the Olmstead Plan. The process will focus on co-creating the Plan with the disability community. There will be a variety of opportunities for members of the public to provide input and be involved at every stage of the Plan update.

The Subcabinet wants to learn from you how Minnesotans with disabilities can live the life they want. We want to learn from Minnesotans of all ages and all disabilities, such as people with mental illness, addiction, physical or developmental disabilities. How can more people with disabilities live, work, and learn in community, with non-disabled people? What supports are needed to create more choices? How can the state support community inclusion?

The link to the survey is: <http://cvent.me/xBgdEg>

*Submitted by Genevieve Gaboriault*

## **Annual Meeting and Election Results**

The following council members were elected to serve on the Section's Governing Council from 7/1/2023 to 6/30/2025:

### **Section Officers**

Chair: Genevieve Gaboriault

Vice Chair: Brenna Galvin

Secretary: Bobbi Hermanson-Albers

Treasurer: Bridget-Michaele Reischl

### **Members starting a new term 2024-2026:**

- 1) Taylor Burdick
- 2) Margaret Cook
- 3) Rachael Funk
- 4) Kate Graham
- 5) Rachell Henning
- 6) Bobbi Hermanson-Albers
- 7) Amber Hildebrandt
- 8) Megan Kelly
- 9) Laura Orr
- 10) Kristin Parendo
- 11) Marit Peterson
- 12) Cathryn Reher
- 13) Bridget-Michaele Reischl
- 14) Suzanne Scheller
- 15) Traci Sherman
- 16) Mary Frances Price (One-year term ending in 2025)

## **Members in existing terms 2023-2025:**

- 1) Callyn Bedker
- 2) Joshua Damberg
- 3) Genevieve Gaboriault
- 4) Brenna Galvin
- 5) Lauren Fink
- 6) Sara Green
- 7) Benjamin Kaufman
- 8) JoyAnna Mickels
- 9) Kirsten Olson
- 10) Gordon Solo
- 11) Lucas Spaeth
- 12) Riley Sullivan
- 13) Julian Zweber

## **UPCOMING CLE AND EVENTS**

### **Understanding the Basics of Estate Planning for Native Elders**

Thursday, July 18, 2024, 12:00 PM to 1:00 PM

This presentation will focus on working with Native American elders, both enrolled and non-enrolled tribal members, including identifying cultural considerations, family dynamics, estate planning considerations (Individual Indian Money accounts, trust land issues), medical assistance exceptions, and working within tribal court. If time, additional topics to be discussed will include guardianships and grandparents raising grandchildren.

#### **Presenters:**

Valerie Field is Litigation Director at ALS. She grew up in northern Minnesota. She received her bachelor's degree from Bemidji State University and her law degree from the University of Cincinnati School of Law in 2003. Valerie became a licensed attorney in 2004. She has worked with legal services organizations for over 15 years, as both an employee and former board member. Prior to attending law school, Valerie helped survivors of domestic violence as an advocate and Program Director. In addition to maintain her state licensing, Valerie is currently licensed to practice law in the tribal courts of the Red Lake, Leech Lake, and White Earth Nations. She has offered trainings and information to providers across the state of Minnesota in hopes of educating others about Tribally specific issues.

Joni Tapio is a paralegal/legal advocate and licensed to practice as a lay advocate in the Leech Lake Tribal Court. She is a graduate of Leech Lake Tribal College, with her AAS in Business Management as well as her AA in Liberal Education. Joni is an enrolled member of Leech Lake Band of Ojibwe. She brings many years of experience in customer service and administrative roles. Joni has been providing direct services to clients, primarily elders, by assisting individuals with specific cases and offering information through presentations or outreach.

Register at [www.mnbar.org/cle-events/tri-bar-event?EventID=6626](http://www.mnbar.org/cle-events/tri-bar-event?EventID=6626)

This CLE is free to section members.

Approved for 1.0 CLE credit.

Please submit upcoming CLEs to [mcook@vgllaw.com](mailto:mcook@vgllaw.com).

## **ELDER LAW SECTION ACTIVITIES**

### **ADVOCACY SUPPORT COMMITTEE:**

The Advocacy Support Committee is currently recruiting members. Interested individuals can email Martha Amdahl at [marthaa@northwoodlawgroup.com](mailto:marthaa@northwoodlawgroup.com) or call her at (952) 259-9647.

The Advocacy Support Committee meets remotely at the call of the chair.

Upcoming meeting dates to be announced.

### **AWARDS COMMITTEE:**

The Awards Committee Chair is appointed by the incoming Council Chair after the Council Chair takes office each year. The current Committee Chair is Julian J. Zweber. Members of the Committee are appointed each year by the Council Chair on recommendation by the Committee Chair as approved or modified by the Council Chair. The Committee usually meets from July to October of each year, at the call of the Committee Chair. For more information, please contact Julian J. Zweber at 651-646-4354 or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

### **COMMUNICATIONS COMMITTEE:**

The Communications Committee oversees the monthly Elder Law E-Newsletter and the Elder Law Section website. The committee is composed of the e-newsletter editor, web editor, associate editors, contributors, and any other interested section members. Meetings will be held remotely every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey.

The meeting will be arranged by video chat on Zoom or Microsoft Teams. The meeting link will be emailed to all committee members. Anyone interested in joining the meeting should email Lucas Spaeth at [lucasbspaeth@gmail.com](mailto:lucasbspaeth@gmail.com) for a link to the meeting.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Lucas Spaeth at [lucasbspaeth@gmail.com](mailto:lucasbspaeth@gmail.com) or (612) 676-6302.

### **DIVERSITY COMMITTEE:**

Are you interested in advancing equity in elder law practice? Please contact the current chair, Laura Orr ([laura.orr@elderjusticemn.org](mailto:laura.orr@elderjusticemn.org)), with any questions.

## EDUCATION COMMITTEE:

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets via Zoom on the second Thursday of each month from 9:00 A.M. to 10:00 A.M. Subcommittees of the Education Committee include New Lawyers and Law Students.

The Education Committee will meet next on **July 11, 2024, at 9:00 A.M.**

If you would like to participate, please contact the committee chair, Lauren Fink at [lfink@maserlaw.com](mailto:lfink@maserlaw.com). Anyone is welcome to join the committee or simply attend a meeting.

## GOVERNING COUNCIL:

The Elder Law Section Governing Council is chaired by Genevieve Gaboriault.

The next meeting is on **Thursday, August 15, 2024, at 3:30 P.M.**

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to receive Zoom instructions to join the meeting.

## LAW STUDENT COMMITTEE:

The Law Student Committee helps attract students to become the next generation of elder law attorneys. The committee meets as needed during the school year. Our goal for this bar year is to host a panel event at each local law school where students can ask questions about the practice of elder law. We are always looking for other ways to engage students, so please feel free to attend meetings and make suggestions.

## LEGISLATIVE COMMITTEE

The Elder Law Section's Legislative Committee monitors proposed legislation at the state and federal level affecting the Section's membership; reviews legislative proposals put forward by other Sections and Committees of the MSBA; reviews proposals from other groups, agencies and individuals; keeps Section membership informed of proposed legislation; provides comment and other responses to legislative proposals; makes recommendations concerning support of, or opposition to, legislative proposals; develops relationships with other organizations affected by legislation of interest to the Section; acts as a coordinator for the Section's legislative activities; develops legislative proposals for inclusion in the MSBA legislative agenda; provides witnesses and testimony in support of, or opposition to, legislative proposals; and in general supports the MSBA and the Section's legislative agendas. Members interested in joining the committee or learning more about the legislative issues being reviewed by the committee may contact the Legislative Committee Chair, Suzy Scheller, at (7630 647-0042) or [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com); or Vice-Chair, Julian J. Zweber, at (651-646-4354) or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

Several Elder Law Section only proposals are in effect for the current legislative session. The Elder Law Section is currently supporting proposals to pass new legislation regarding medical assistance treatment of life estates and irrevocable trusts as well as opposing proposed language related to resident trusts. Please contact Suzy Scheller at [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com) with questions or requests for further information.

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the Elder Law Section Community Forum.

#### MEDICAL ASSISTANCE COMMITTEE:

The Medical Assistance Committee is a study group to analyze the members' questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. To attend, please contact Callyn Bedker at 507-587-8766 or at [Callyn@bedkerlaw.com](mailto:Callyn@bedkerlaw.com). Questions and issues you wish to discuss at the meeting can be submitted prior or asked during the meeting.

A link to the meetings video conference will be posted to the Medical Assistance Community page prior to our meeting. **Meetings are held on the third Tuesday of every other month at 3:30 P.M. The specific dates are:**

**August 20**  
**October 15**  
**December 17**

**Please note, all meetings will be held remotely by telephone at this time.**

To attend by telephone, call 1-888-354-0094 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

MA Committee members are invited to join the Medical Assistance Community forum at [my.mnbar.org](http://my.mnbar.org). Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the community.

#### MEDICAL ASSISTANCE STUDY GROUP

The Medical Assistance Study Group will meet under the auspices of the New Lawyer Committee over zoom on the first Wednesday of each month. Please contact either Gregory Singleton ([gregory@signaturelawpllc.com](mailto:gregory@signaturelawpllc.com)) or Thomas Gratz ([thomas.gratz@gratzlegal.com](mailto:thomas.gratz@gratzlegal.com)).

#### PRO BONO COMMITTEE:

Please contact Emily Weichsel at 612-596-9243 or [emilyweichsel@gmail.com](mailto:emilyweichsel@gmail.com) if you are interested in participating in this committee.

STRATEGIC PLANNING COMMITTEE:

The Strategic Planning Committee meets at the call of the Section Chair. Questions can be directed to Lauren Fink at 651-952-4147 or [LFink@maserlaw.com](mailto:LFink@maserlaw.com).

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The Elder Law Section's Website contains information about section committees and leadership. It also contains useful practice resources.

You may email Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) to suggest changes to website content.

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Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Maggie Cook at [mcook@vgllaw.com](mailto:mcook@vgllaw.com). The E-Newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the E-Newsletter will be distributed on the following Monday.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org).

Current and prior E-Newsletters are posted on the website for the Elder Law Section and are available [HERE](#).