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## President's Message

The 2016 ACTEC Annual Meeting in Las Vegas, Nevada, offers a dynamic locale for a number of ACTEC Foundation events.

By the time of publication, TEAM ACTEC will have completed a 383 mile bike ride from Phoenix to Las Vegas. Led by Robert E. (Bob) Temmerman, Jr., a group of dedicated ACTEC Fellows accepted the challenge to commit their time, energy, and resources to pedal in support of all Foundation activities, including the student writing competition, the biennial academic symposium, the Wills, Trusts, and Estates Law eJournal and the recently launched ACTEC Young Leaders program. And it's not too late to show your support. Simply log into the ACTEC Foundation website (<https://www.actecfoundation.org/Donation/DonationForm.asp>) and make a contribution. One billable hour equivalent is all that we ask (more, of course, is welcome). Please congratulate our riders and wish them a speedy recovery.

For those who wish to support the Foundation in true Vegas style, a Texas Hold 'em Poker Tournament – open to novices and experts alike - will be held on Wednesday, March 16, from 12:00 p.m. – 3:00 p.m. Those new to the game or simply in need of a refresher tutorial can join a poker lesson led by Bellagio staff on Wednesday at 11:30a.m. before the tournament. We are requesting that lesson participants make a tax-deductible contribution of \$25 to the Foundation, and all tournament participants contribute \$100. The tournament promises to be a highlight of your week, while at the same time helping with the Foundation's fundraising goals.

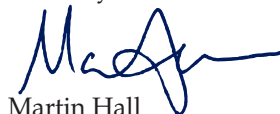
For the latest news from the Foundation, please read on through the remainder of this newsletter. Highlights include:

- ACTEC Young Leaders Program – first appointments have been made.
- ACTEC Commentaries – the 5th edition is set to go to print.
- National Judicial College grant – the “Probate Matters” project is approaching a successful conclusion.
- Fund raising results - the 2015-16 annual campaign is making steady progress.
- A Thank You to Board members - please join me in thanking the 2015-2016 ACTEC Foundation Board of Directors for their contributions to another successful year and in welcoming new board members for 2016-2017.

If you are in Las Vegas, please stop by the Foundation booth located near the ACTEC Registration Desk. Foundation directors will be on hand to share insights on Foundation activities during the coffee breaks on Thursday, Friday and Saturday mornings.

Thank you again for your support.

Sincerely,



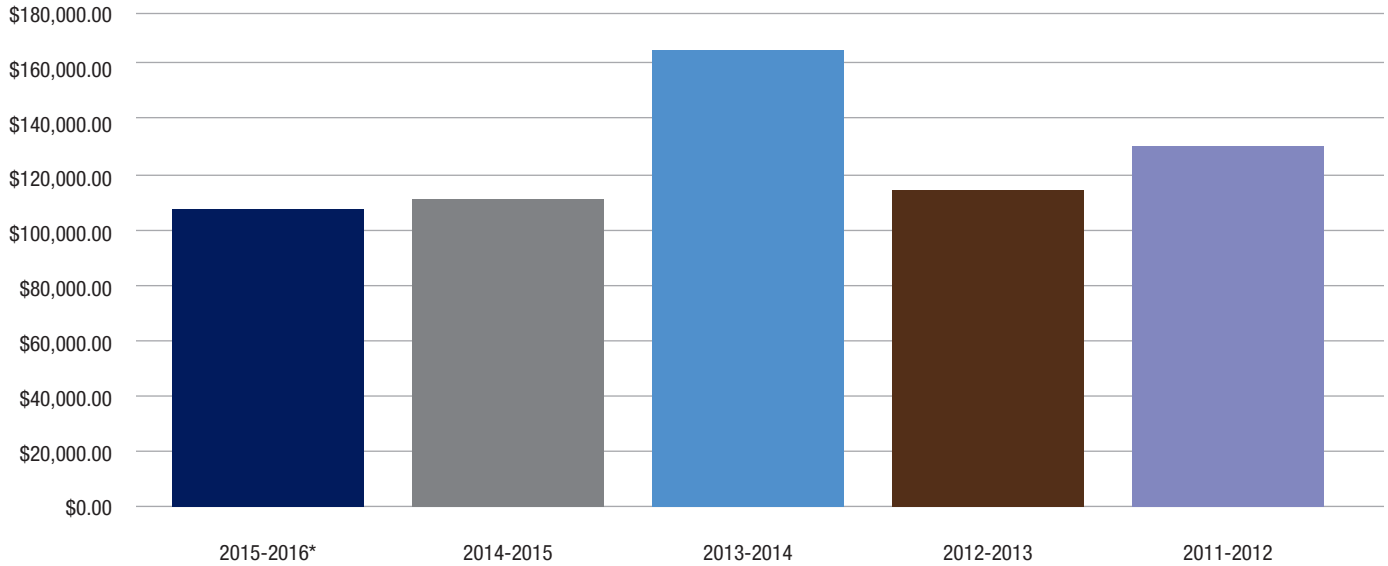
Martin Hall  
President, ACTEC Foundation



# Foundation Financials

The ACTEC Foundation is pleased to share the results of this year’s All College Campaign. Resources for Fellows and programs and services that support legal students and the underserved would not be possible without the generous support of our repeat donors, the College’s leadership and first-time contributors. Please contact any Foundation Director to learn how you can help.

## Foundation Contributions: 5-Year History \*through January 31, 2016



## 2016 -2017 ACTEC FOUNDATION OFFICERS AND DIRECTORS

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Subject to approval at the Annual Business Meeting on Thursday, March 17, 2016, at Bellagio, Las Vegas, Nevada.

## Probate Matters – Update on NJC project

The ACTEC Foundation has been proud to support “Probate Matters: Education for Judicial Officers”, a project developed by The National Judicial College (NJC) to create and present educational programming for judicial officers who handle probate matters.

In 2014, a group of probate adjudicators and trust and estate attorneys met in Reno, Nevada, to explore issues relevant to judges who hear probate matters. A report was generated that identified and prioritized content for the development of a series of web-based educational modules. The four areas of interest, (1) The Decedents Estate, (2) Trust Administration, (3) Guardianships and Conservationships, and (4) Fiduciaries and Accountings, have been addressed with interactive videos and internet learning tools.

The project includes a professional certificate in probate competency, awarded by the NJC. To qualify, an adjudicator is required to complete the following tasks within a three-year period:

- Take all four of the online self-study modules and receive a passing grade (70% or better) on the final exam within the module program;
- Review the NJC recorded webcast – Elder Issues: What Judges Need to Know;

- Complete the four-day NJC course – Best Practices in Handling Cases with Self Represented Litigants
- Attend two conferences of the National College of Probate Judges; and
- Attend two or more probate-related CLE programs in the judge’s home state or teach two or more hours at any probate-related CLE program.



Increasing awareness of the project kicked off this year with the launch of the self-study online course and promotions on the NJC website:

(<http://us8.campaign.archive2.com/?u=bb221b99309bf3379838ff092&id=b7f4ad2703>), <http://www.judges.org/courses/online-learning/web-self-study/#probate>

On Thursday, March 17, Brenda Uekert with the National Center for State Courts will present a webcast entitled “Elders and Capacity: What Judges Need to Know”, which will feature the Probate Matters modules. ■

## ACTEC COMMENTARIES - NEW EDITION

The 5th Edition of the ACTEC Commentaries on the Model Rules of Professional Conduct (MRPC) will be published shortly. The commentaries cover six additional Model Rules in areas such as advertising, delegation of work to non-lawyers, multistate practices, and imputation of conflicts of interest. Existing Commentaries have been expanded to address recent developments, including FATF and elder abuse statutes. At the 2016 Annual Meeting, ACTEC Fellows Karen E. Boxx (WA), Christopher H. Gadsden (PA), Peter T. Mott (CT), and John T. Rogers, Jr. (CA) will present a Seminar – “The Best is Yet To Come” – outlining the features of the 5th Edition, in addition to discussing recurring ethical issues, such as representation of multiple generations within the same family, the challenges posed by clients with diminishing capacity, concurrent representation of fiduciary and beneficiary, and the attorney acting as fiduciary.

The ACTEC Foundation has been proud to support and sustain the editorial development and publication of the Commentaries in full.

## *Commentaries* ON THE MODEL RULES OF PROFESSIONAL CONDUCT

ACTEC has developed the Commentaries on selected Model Rules to provide specialized guidance to ACTEC Fellows and others regarding their professional responsibilities. The Commentaries also assist courts, ethics committees and others concerned with issues regarding the professional responsibility of trusts and estates lawyers. Although the Commentaries refer specifically to the MRPC, their content is generally applicable to the Code of Professional Responsibility, which remains in effect in some states and, like the MRPC, does not provide adequate guidance to trusts and estates lawyers. The Commentaries generally seek to identify various ways in which common problems can be addressed, without expressly mandating or prohibiting particular conduct by trusts and estates lawyers. While the Commentaries are intended to provide general guidance, ACTEC recognizes and respects the wide variation in rules, decisions, and ethics opinions adopted by different jurisdictions with respect to many of these subjects.

## ACTEC Young Leaders Program

During the 2015 Summer meeting in Quebec, the ACTEC Foundation approved a grant to fund a new initiative to develop leadership skill-building in promising trust and estate attorneys. The ACTEC Young Leaders Program was developed to foster scholarship and education in trust and estate, promote diversity and inclusivity, and encourage the development of potential ACTEC Fellows.

Judith W. McCue, Chair of the Diversity and Inclusivity Committee, and program liaison, Terrence M. (Terry) Franklin, have spearheaded this effort for ACTEC.

Developed in collaboration with the American Bar Association Real Property Trust and Estate Section ("RPTE") Fellows Program, graduates of the two-year RPTE program are afforded the opportunity to extend their participation in leadership activities of RPTE for two additional years through the support of the ACTEC Foundation.

The ACTEC Young Leaders Program provides young practitioners with an in-depth introduction to ACTEC and its role in the trust and estate community as well as encouraging active engagement in the roles and

responsibilities that will support future eligibility for ACTEC membership. ACTEC Fellows Terry Franklin (CA), T. Randolph (Randy) Harris (NY), and Cynthia Lamar-Hart (AL) have volunteered to serve as mentors in their respective locales to Young Leaders. Among their various responsibilities, mentors have been asked to keep Young Leaders informed about upcoming regional ACTEC meetings, CLE and other relevant activities, and to introduce Young Leaders to the ACTEC Fellows in their community.



Young Leaders have also been offered tuition-free attendance at the ACTEC-ALI/CLE webinars, materials from ACTEC national, state and regional meetings, invitations to attend state and local ACTEC events in their regions.

ACTEC Foundation provided support for four Young Leaders whose RPTE Fellow terms ended in 2015, and will support five more when their RPTE terms end in the fall of 2016. ■

## How to Contribute

The ACTEC Foundation is committed to promoting scholarship and education in trust, estate, and tax law. The ACTEC Foundation funds trust and estate programs and activities that serve those who are at risk and underserved. Your contribution is tax-deductible.

Please join your colleagues in supporting The ACTEC Foundation through one or more of the following methods:

**Annual Membership Dues**—When remitting dues, consider adding an annual contribution to The ACTEC Foundation.

**Securities Donations**—The ACTEC Foundation can accept your gift of securities. Contact Membership and Foundation Management Director, Amy Michaud, at Amy.Michaud@actec.org.

**In Memoriam Tribute**—Honor a colleague, friend, or loved one with a memorial gift to The ACTEC Foundation.

**Matching Gifts**—Your firm or company may "match" your donation to The ACTEC Foundation. Please check your firm's benefits administrator for more information.

**Online**—Making an online donation is simple, secure, and cost-efficient. Visit <https://www.actecfoundation.org/Donation/DonationForm.asp>.

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