

## INSIDE

- 2 Foundation Fundamentals
- 3 Scholarship for Fellows  
Legal Education for Students
- 4 ACTEC Foundation Support

## ACTEC FOUNDATION BOARD

### President

Cynda C. Ottaway

### Vice President

Turney P. Berry

### Treasurer

Kathleen R. Sherby

### Secretary

Bruce Stone

### Assistant Secretary

Steve A. Brand

### Directors

Edward J. Beckwith

C. Fred Daniels

William Finestone

Terence M. Franklin

L. Henry Gissel, Jr.

Martin Hall

Carol A. Harrington

Susan T. House

Michel G. Kaplan

Laird A. Lile

Carlyn S. McCaffrey

Howard M. McCue III

Louis A. Mezzullo

Karen M. Moore

Duncan E. Osborne

Mary F. Radford

Frank P. Reiche

Anne-Marie Rhodes

Susan K. Smith

Kurt A. Sommer

Sara R. Stadler

Robert D. Taisey

Jeffrey C. Thede

Robert A. Wells

Glen Yale

## President's Message

I am honored to assume the role as President of our Foundation, and I promise to do my best to continue the mission carried out under the leadership and guidance of President Ed Beckwith. The ACTEC Foundation promotes: (a) scholarship and education in trust, estate, tax and related areas of the law by supporting scholarship to improve the law and by encouraging teaching, careers and life-long learning in the area; and (b) civic engagement of individual Fellows of The American College of Trust and Estate Counsel through programs and activities which serve the general community, including those who are at risk and underserved.



Many members of our Board of Directors continue their terms, and we welcome the new Directors to the Foundation Board. Our new Vice President, Turney Berry, will be in charge of the Marketing and Communications Committee. Our other Committee Chairs are: Michel G. Kaplan—Audit, Kathleen R. Sherby—Financial Management, L. Henry Gissel, Jr.—Fundraising, Howard M. McCue III—Grants and Frank P. Reiche—Long Range Planning. Our new officers, in addition to Turney Berry, include Kathleen R. Sherby as Treasurer and Bruce Stone as Secretary. Steve A. Brand continues in his role as Assistant Secretary.

The Foundation Board is carrying out its commitment to develop projects that are of value to our Fellows and our profession. The articles in this newsletter will provide you with information regarding important updates on support for the ACTEC Foundation and some of the projects which your contributions have helped to launch.

We are fortunate to have excellent support from the staff in Washington, D.C. In particular, I want to thank Amy Michaud and Leah Weatherspoon, as well as Deborah McKinnon. They are instrumental in the successes that we are seeing at our Foundation.

We want to engage all Fellows in the good works of the Foundation. On behalf of all of the Directors of the Foundation, I solicit your comments and suggestions. We will work hard to make you proud of us and to enhance the reputation of ACTEC and its Foundation.

Many thanks.

Sincerely,

Cynda C. Ottaway

## Mil Hatcher, ACTEC Fellow and Foundation Friend

The ACTEC Foundation was saddened by the sudden loss of ACTEC Fellow and Foundation friend, Mil Hatcher.

Mil held a number of positions with ACTEC, most recently serving as a member-at-large of the Executive Committee of the Board of Regents and Committee Chair of the Joint Task Force to Consider Governing Law, where he offered invaluable work on the details of moving the College and the Foundation to Washington, D.C. and the legal merger of the California entities into new Delaware entities. He recently completed a three-year term as chair of the Estate and Gift Tax Committee and was Past State Chair for Georgia. At his death, Mil was a member and EC Liaison for the Transfer Tax Committee, EC Liaison for the Circular 23 Task Force and Fiduciary Income Tax Committee and he served on the FATF Task Force. Mil acted as ACTEC's lead counsel in regard to amicus briefs filed in two of the most high-profile family limited partnership cases, Kimbell and Strangi, both decided by the Fifth Circuit Court of Appeals.

During the summer meeting in Atlanta, the College will gather to remember Mil and celebrate his many contributions to ACTEC by sharing stories of his professional and personal accomplishments.

Mil and his widow Aileen Hatcher have been friends of the ACTEC Foundation for many years. For those who wish to contribute to Mil's legacy, Aileen has generously suggested that memorials be made to the ACTEC Foundation.

The Board of Directors of the Foundation will meet during the summer meeting and will discuss an appropriate tribute to Mil. If you would like to contribute, please mail a check to: ACTEC Foundation, McPherson Building, 901 15th Street, N.W., Suite 525, Washington, DC 20005. Donations also may be made online at [www.actecfoundation.org](http://www.actecfoundation.org). Please note that the contribution is a memorial for Mil Hatcher. ■

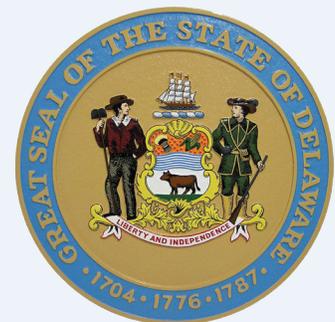


1948 – 2011

## ACTEC FOUNDATION INCORPORATION

The American College of Trust and Estate Counsel (ACTEC) Foundation, Inc., will be officially incorporated as a Delaware organization as of July 1, 2011.

Special thanks to the Joint Task Force to Consider Governing Law (CGL) including Chair, the late Mil Hatcher, Glen Yale and Randy Harris for their work on the documents to effect the merger with support from committee members Ted Atlas, Ed Beckwith, Monica Dell'Osso, Peter Gordon, and Michelle McKinnon.



## UPC Code Symposium

The Uniform Probate Code (UPC), a comprehensive statute that unifies, clarifies, and modernizes the laws governing the affairs of decedents and their estates, was approved by the National Conference of Commissioners on Uniform State Laws and the House of Delegates of the American Bar Association in 1969. It has been adopted by sixteen states, whereas thirty-four states have adopted it in parts.

On Friday, October 21, 2011, ACTEC will host “The Uniform Probate Code: Remaking of American Succession Law” at the University of Michigan Law School in Ann Arbor, Michigan. The symposium will examine the UPC’s successes and shortcomings, and analyze topics that should constitute an agenda for continued modification to succession law and estate settlement. Final papers will be published in a special edition of the *University of Michigan Journal of Law Reform*.

Supported by the ACTEC Foundation and the memorial fund for the late Bjarne Johnson, former ACTEC Regent and President, this is the fourth in a series of academic symposia focusing on trust and estates topics. ■

## National Probate Court Standards

Twenty years ago the ACTEC Foundation provided a generous grant to the National College of Probate Judges (NCPJ) to support the development of the National Probate Court Standards. The “Standards” have served as a benchmark for probate courts and those interested in improving the quality, effectiveness and efficiency of those courts throughout the country.

Early this year a proposal was submitted to update and revise the Standards by expanding them, where appropriate, by the inclusion of examples of promising practices being employed by probate courts around the country, securing their adoption by key stakeholders and disseminating them with the goal to improve the operation and service of Probate Courts. The Foundation has approved a grant to support the updated and revised National Probate Court Standards thereby encouraging all states to improve their guardianship and conservatorship laws and practices as a more appropriate alternative to proposed federal guardianship legislation. ■

## LEGAL EDUCATION FOR STUDENTS

### Homer A. Jones, Jr. ACTEC Wills Clinic

In 2010 the ACTEC Foundation awarded a grant to the University of Tennessee College of Law (UTCL) to launch its first wills clinic, providing students with clinical training in the preparation of basic estate planning documents for clients who are at risk and underserved. As part of the Foundation’s grant to establish the wills clinic, UTCL agreed to raise \$100,000 a year in 2010 and 2011 in order to be eligible to receive additional matching funds toward a permanent endowment for the wills clinic.

With enthusiastic support from the school and a generous gift from Fellow Homer A Jones, Jr., the ACTEC Wills Clinic met the first \$25,000 challenge grant required by the Foundation. UTCL recently announced that they have met the second \$25,000 grant challenge and the endowment will ensure the wills clinic will continue to serve the Knoxville community and further the education of future trust and estate practitioners.

### Mary Moers Wenig Student Writing Competition

Submissions were recently closed for the 2011 Mary Moers Wenig Student Writing Competition and a winner will be announced during the ACTEC 2011 Fall Meeting in Coronado (San Diego), California. Over forty students participated in this year’s contest.

The competition is open to any law student who is currently enrolled as a J.D. or LL.M. candidate in an ABA-accredited law school within the United States or its possessions. Original, unpublished papers may examine a broad range of topics in the trust and estates and related taxation areas. Papers must be 20–30 double-spaced pages and may be written by one student or coauthored. Prizes include first, second and third place cash awards and publication in the *ACTEC Law Journal*.

ACTEC’s Legal Education Committee created the competition, which honors the late Mary Moers Wenig, a member of the LegEd Committee, who was a law school professor for over 30 years. Funding is provided by the ACTEC Foundation, a 501(c)(3) public charity that supports educational projects relating to trust and estate law.

## Support ACTEC Foundation

The ACTEC Foundation needs your continued generous support to best serve its mission to promote scholarship and education in trust, estate and tax law.

Fellows can make contributions by:

- **Committee Reimbursement Form**—Committee members who attend the Summer or Fall National Meetings may submit a request to be reimbursed for travel expenses (ref: policy update 09/10 for exclusions). The reimbursement form permits a Fellow to donate a portion or all of the reimbursement directly to the Foundation.
- **Annual Membership Dues**—Fellows may add a contribution to the Foundation when remitting annual dues either by check or online.
- **Online Gift Form**—A gift can be made online at your convenience; visit [www.actecfoundation.org/donation](http://www.actecfoundation.org/donation)
- **Stock Donations**—Contact Amy Michaud at (202) 584-8453 for details.

The ACTEC Foundation is a registered 501(c)(3) charitable organization and contributions are tax deductible. On confirmation of a donation, a printed receipt will be mailed within two weeks.

## FOUNDATION STAFF

### President

Cynda C. Ottaway

### Executive Director

Deborah O. McKinnon

### Membership and Foundation Management Director

Amy Michaud

[amy.michaud@actec.org](mailto:amy.michaud@actec.org)

(202) 584-8453

### Communications Director

Leah Weatherspoon

[l.weatherspoon@actec.org](mailto:l.weatherspoon@actec.org)

(202) 688-0271

### ACTEC Foundation – National Office

901 15th Street NW, Suite 525

Washington, D.C. 20005

To learn more visit:

[www.actecfoundation.org](http://www.actecfoundation.org)



901 15th Street, NW, Suite 525  
Washington, DC 20005

FOUNDATION  
**ACTEC**