

Message from the Chair

I hope everyone had an enjoyable summer season with ample time for personal R&R as well as fun activities with family and friends.

Just a quick update on where things currently stand with our Section's proposals in the legislature. As previously reported, our proposal to amend EPTL 5-1.1-A(d) (1) was passed in both the Assembly and the Senate. Happily, another of our Section's proposals—a proposed bill to amend EPTL 11-1.7 to prohibit *inter vivos* trustees from having exoneration clauses for failure to exercise reasonable care, similar to the prohibition for testamentary trustees—has now been enacted as well. On June 12, the proposed bill passed the Senate, having previously passed the Assembly in March, and in August it was signed by Governor Cuomo.

The summer months are a relatively “slow news day” as far as most of our Section's activities go, but for our three Trusts and Estates Section Fellows Emma Pletenycky, Justine DeCarlo and Maren Eisenmesser, these past months were hopefully filled with opportunities for learning, enrichment and practical experience



in trusts and estates law. Ms. Pletenycky interned for Surrogate Peter Kelly at the Queens County Surrogate's Court, Ms. DeCarlo interned for Surrogate Stacy Pettit at the Albany County Surrogate's Court, and Ms. Eisenmesser interned for Surrogate Margaret Reilly at the Nassau County Surrogate's Court. A sincere note of thanks is due to these esteemed Surrogates and their staffs for being so welcoming to our Fellows this past summer and we extend a hearty congratulations to our Fellows for a job well done and for such an auspicious start to their careers in trusts and estates law!

The start of fall heralded, of course, our Section's Fall Meeting, traditionally held at a beautiful venue in upstate New York. This year the Fall Meeting was held on October 18-19 at the lovely Sagamore Resort on Lake George. Co-chairs Carl T. Baker Esq., of Fitzgerald Morris Baker Firth, P.C., and Katie Lynagh, of Milbank Tweed Hadley & McCloy, LLP, put together a terrific program for us! They arranged a deep dive into the day-to-day real property issues faced by trusts and estates practitioners, hence the program title “Real Estate for Estate Attorneys: Handling Real Property Transfers in Estate Matters and Recognizing Estate Planning Issues in Real Property Transfers.” Thank you to Carl and Katie and to our expert speakers for a most edifying program.

Natalia Murphy

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