



## Section News

# Section Officer and Council Nominations

In accordance with Article 6, Section 1(d), of the Bylaws of the Section, the Nominations Committee presents the following slate for Section officer, delegate, and council member vacancies that will occur at the close of the current Association year. In addition, the Nominations Committee has recommended individuals to be appointed as assistant secretaries to the Real Property and Probate and Trust Divisions and as assistant finance and sponsorship officer.

The Nominations Committee is chaired by David K. Y. Tang of Seattle. Vice-Chair is Dennis I. Belcher of Richmond, Virginia, and members are Timothy E. Powers of Dallas, Alan F. Rothschild Jr. of Columbus, Georgia, and Victoria M. deLisle of New Orleans.

The current Section Chair-Elect, Edward F. Koren, whose Section activities are summarized below, will automatically succeed Philip J. Bagley III as Chair of the Section at the close of the Annual Meeting, scheduled for August 2004 in Atlanta.

The election for officers and council members will be held at the annual Section business meeting on Saturday afternoon, August 7, at the Ritz-Carlton Buckhead.

### Officers

*Chair:* Edward F. Koren

*Chair-Elect:* Kevin L. Shepherd

*Vice-Chair, Real Property Division:*  
Kathleen M. Martin

*Vice-Chair, Probate and Trust Division:*  
Christine L. Albright  
(re-nominated)

*Secretary:* Mark F. Mehlman

*Finance and Corporate Sponsorship*

*Officer:* Steve R. Akers (re-nominated)

*Assistant Finance and Corporate*

*Sponsorship Officer:* Roger D. Winston

*Section Delegate:* Leopold Z. Sher

### Council

*Probate and Trust Division Members:*

Linda B. Hirschson (re-nominated)

Bernard V. Kears

John W. Porter

David J. Dietrich



The Section of Real Property, Probate and Trust Law thanks the following sponsors for their generous support and involvement in the 2004 Spring Symposia.



**Gold Sponsors**  
LandAmerica  
Commercial Services



#### Silver Sponsors

The Private Bank at  
Bank of America  
Bessemer Trust  
Fidelity National  
Financial  
Wilmington Trust

#### Bronze Sponsors

Capital Trust Company  
of Delaware  
Christie's  
Davis Wright Tremaine  
Foster Pepper & Shefelman PLLC  
Holland & Knight LLP  
Perkins Coie LLP  
Preston Gates & Ellis LLP  
Stewart Title Guaranty Company  
Stoel Rives LLP  
Venable LLP



*Real Property Division Members:*  
Elwood F. Cahill Jr.  
Michael D. Goler (re-nominated)  
Andrew F. Palmieri  
Barry B. Nekritz (re-nominated)  
Sidney G. Saltz (re-nominated)

*Assistant Secretary, Probate and Trust Division*  
Barbara A. Sloan

*Assistant Secretary, Real Property Division*  
Robert J. Krapf

## Summary of Section Activities

Edward F. Koren  
Holland & Knight LLP  
Tampa, Florida

Automatic succession to Chair, term ending August 2005. Positions held in Section: Vice-Chair, Marital Deductions, Probate and Trust Division CLE Committees; Member, Vice-Chair, and Chair, Planning, Publications and CLE Committees; Chair, Marital Deductions Committee; Co-Chair, Probate and Trust Division CLE Committee; Member, Marital Deductions Committee; Section Representative, National Conference of Lawyers and Corporate Fiduciaries; Council Member; Section Vice-Chair, Probate and Trust Division; Section Chair-Elect.

Kevin L. Shepherd  
Venable LLP

Baltimore, Maryland

Nominated for Chair-Elect, term ending August 2005. Positions held in Section: Associate Articles Editor, Real Property Articles Editor, and Editor, *Probate & Property Magazine*; Chair, Real Property Division Advisory Board; Chair, Advisory Board; Member and Vice-Chair, Publications, Continuing Legal Education, and Planning Committees; Member, Committee on Committees and Technology Committee; Member, ABA Standing Committee on Publishing Oversight; Council Member;

Section Vice-Chair, Real Property Division.

Christine L. Albright  
Winston & Strawn  
Chicago, Illinois

Nominated for second term as Section Vice-Chair, Probate and Trust Division, term ending August 2005. Positions held in Section: Chair, Estate Planning & Drafting; Marital Deductions Committee; Chair, Tax Legislation and Regulation Committee; Co-Chair, Probate and Trust Division CLE Committee; Member, Section CLE, Publications, Nominations, Diversity, Membership, Digital Signatures/E-Commerce, and Planning Committees; Group Chair and Supervisory Council Member, Group B-Estate Planning for Families and Other Beneficiaries; Section Representative, National Conference of Lawyers and Corporate Fiduciaries; Supervisory

Council Member, Group D-Charitable Planning and Exempt Organizations, Group I-Non-Tax Estate Planning Considerations, and Group E-International and Multistate; Co-Chair, Committee on Committees.

Kathleen M. Martin  
Malkerson Gilliland Martin LLP  
Minneapolis, Minnesota

Nominated for first term as Section Vice-Chair, Real Property Division, term ending August 2005. Positions held in Section: Chair, Condemnation and Solo and Small Firm Practice Committees; Co-Chair, Multijurisdictional Practice Committee; Member, Bylaws and Handbook, Continuing Legal Education, Membership, Planning, Decisions, Condemnation, Group J-Real Estate and Mortgage Investment Committees; Section Liaison, ABA Commission on Women in the Profession, and ABA

## Young Lawyers Network

The Real Property, Probate and Trust Law Section is proud to announce the establishment of the Young Lawyers Network. The YLN is an ad hoc committee, under the auspices of the Membership Committee, designed to promote young lawyer membership and participation in the Section.

The mission of the Young Lawyers Network is designed to encourage young lawyers' active involvement in the Section and to increase young lawyer membership and participation in the social and substantive activities of the Section through programming geared toward young lawyers. The YLN general membership will be open to all members of the Section who have been admitted to practice in their first bar within the past eight years or who are younger than 36.

The YLN launch event is scheduled for Wednesday, May 12, 2004, at 4:00 p.m., during the Section's 2004 Spring Meeting in Seattle and will include a discussion of the "Top 10" practice tips for young lawyers. This event will be a great opportunity for young lawyers to meet the leaders of the YLN, the leaders of the Section, and fellow young lawyers in the Section.

For further information on the 15th Annual RPPT Spring Symposia, please visit [www.abanet.org/rppt/2004](http://www.abanet.org/rppt/2004).

For more information on membership in the YLN and on the YLN orientation at the May meeting in Seattle, please contact the following YLN leadership:

Co-Chairs: Julie Kwon, [kwon@bessemer.com](mailto:kwon@bessemer.com)  
Willie Kightlinger, [wilhelmina.kightlinger@piperrudnick.com](mailto:wilhelmina.kightlinger@piperrudnick.com)  
Co-Vice-Chairs: Kalimah White, [kalimah.white@nationalcity.com](mailto:kalimah.white@nationalcity.com)  
Marcia Facey, [m2f@quarles.com](mailto:m2f@quarles.com)

Solo and Small Firms Committee; Member, ABA Standing Committees on Solo and Small Firm Practitioners and Lawyers Title Guaranty Funds; Council Member; Section Secretary.

Mark F. Mehlman  
Sonnenschein Nath & Rosenthal  
Chicago, Illinois  
Nominated for first term as Section

## 2004 Student Writing Contest

The Jacques T. Schlenger Student Writing Contest is open to all law students currently attending an ABA-accredited law school. The contest is designed to encourage and reward law student writing on real property, probate, and trust law subjects of general and current interest. The contest is named in honor of the late Jacques T. Schlenger, a nationally renowned estate planning lawyer, founder of the Venable Foundation, and a Section member for 45 years. Established in 1981, the Venable Foundation works to promote the health and well-being of the communities where Venable's clients and attorneys work and live. The Venable Foundation supports a wide range of civic, cultural, and charitable endeavors as well as public interest law and legal education.

The first-place winner will receive a cash prize of \$2,000 (together with a one-year free membership in the Section and an expense-paid trip to the Section's Fall Council Meeting in Tampa, Florida, in November 2004), with the second- and third-place winners receiving cash prizes of \$500 and \$250, respectively.

Complete rules as well as an entry form are available online at [www.abanet.org/rppt/writingcontest](http://www.abanet.org/rppt/writingcontest). For more information, please contact the coordinator of the contest, Kevin L. Shepherd, at [klshepherd@venable.com](mailto:klshepherd@venable.com).

**The deadline for submitting papers is June 15, 2004. ■**

Secretary, term ending August 2005. Positions held in Section: Vice-Chair and Chair, Mortgages and Other Debt Financing; Group Chair, G Committees; Group Chair, Group I-Commercial Financing; Member, Nominations, Diversity, Publications, Committees, Planning, and Multijurisdictional Practice Committees; Member, Leadership Development Initiative Task Force; Member, Mortgage Loan Structure and Origination Committee; Member, Non-Traditional Commercial Real Estate Finance Committee; Member, Foreclosure and Related Remedies Committee; Supervisory Council Member, Group G and Group K; Section Representative, National Conference of Lawyers & Certified Public Accountants.

Steve R. Akers  
Bessemer Trust Co. NA  
Dallas, Texas

Nominated for fourth term as Finance and Corporate Sponsorship Officer, term ending August 2005. Positions held in Section: Vice-Chair, Co-Chair, and Chair, Corporate Sponsorship Committee; Co-Chair, Task Force on Chapter 14 Proposed Regulations, Probate and Trust Division CLE Committees; Chair and Vice-Chair, Lifetime Transfers Committee; Member, Membership, Publications, Planning, Continuing Legal Education, Bylaws, and Handbook Committees; Assistant Secretary, Probate and Trust Division Council; Council Member.

Roger D. Winston  
Linowes & Blocher, LLP  
Bethesda, Maryland

Recommended appointee for first term as Assistant Finance and Corporate Sponsorship Officer, term ending August 2005. Positions held in Section: Chair, Common Interest Community Associations and Development and Financing of Condominium Projects Committees; Member, Special Committee on Affordable Housing;

Chair, Managing Editor, and Editor Emeritus, Books and Media Committee; Member, Publications, CLE, Nominations, and Planning Committees; Member, Homeowners, Community, and Common Interest Community Associations Committee; Council Member.

Leopold Z. Sher  
Sher Garner Cahill Richter Klein  
McAlister & Hilbert, L.L.C.  
New Orleans, Louisiana

Nominated for first term as Section Delegate, term ending August 2007. Positions held in Section: Member, Economics, Technology & Practice, Commercial Leasing, Mortgage and Other Debt Financing, and Unique Collateral Committees; Vice-Chair, Title Insurance, Annual Meeting Program, and CLE Committees; Member, Membership, CLE, Publications, Nominations, and Planning Committees; Chair, Real Property Division CLE Committee; Council Member; Supervisory Council Member, Group H-Hotels and Common Interest and Recreational Communities; Member, Homeowners, Community, and Common Interest Community Associations Committee; Co-Chair, Committee on Committees.

### Probate and Trust Division Members

David J. Dietrich  
Dietrich & Cole LLP  
Billings, Montana

Nominated for first term as Council Member, Probate and Trust Division, term ending August 2007. Positions held in Section: Vice-Chair, Chair, and Co-Chair, Estate Planning & Estate Administration for Farmers and Ranchers Committee; Chair, Valuation of Business Property Committee; Assistant Secretary, Probate and Trust Division; Member, Committee on Committees and Membership Committee; Vice-Chair, Probate and Trust Division CLE Committee.



Linda B. Hirschson  
Greenberg Traurig LLP  
New York, New York

Nominated for second term as Council Member, Probate and Trust Division, term ending August 2007. Positions held in Section: Vice-Chair and Member, Post-Mortem Tax Problems Committee; Co-Chair and Chair, Marital Deductions Committee; Member, Publications, Diversity, Technology, and Coordination of Government Submissions Committees; Supervisory Council Member, Group B-Income and Transfer Tax Planning; Member, Section Advisory Board.

Bernard V. Kears  
Bernard V. Kears III PC  
Atlanta, Georgia

Nominated for first term as Council Member, Probate and Trust Division, term ending August 2007. Positions held in Section: Member and Vice-Chair, Plan Terminations, Mergers, Asset Transfers, and Termination Insurance Committee; Member and Chair, Employee Stock Ownership Plans Committee; Group Co-Chair, Group F-Employee Benefit Plans and Other Compensation Arrangements.

John W. Porter  
Baker Botts LLP  
Houston, Texas

Nominated for first term as Council Member, Probate and Trust Division, term ending August 2007. Positions held in Section: Vice-Chair, Study Committee on Law Reform; Co-Chair and Chair, Tax Litigation and Controversy Committee.

Barbara A. Sloan  
McLaughlin & Stern LLP  
New York, New York

Recommended appointee for first term as Assistant Secretary, Probate and Trust Division, term ending August 2005. Positions held in Section: Co-Chair, Committee on Committees; Member, Section Advisory Board.

#### Real Property Division Members

Elwood F. Cahill Jr.  
Sher Garner Cahill Richter Klein  
McAlister & Hilbert, L.L.C.  
New Orleans, Louisiana

Nominated for first term as Council Member, Real Property Division, to serve one year in an unexpired term, ending August 2005. Positions held in Section: Member Leadership Development Initiative; Member, Remedies and Miscellaneous Clauses Committee; Vice-Chair, Surveys Committee; Young Lawyers Division Liaison to Section; Section Liaison to ALL-ABA Committee on Continuing Professional Education, Bridge the Gap Real Estate Training Module; Section Liaison to American Congress on Surveying and Mapping (ACSM); Member and Chair, Membership and Diversity Committees; Member, Real Property Division Advisory Board.

Michael D. Goler  
Goodman Weiss Miller LLP  
Cleveland, Ohio

Nominated for second term as Council Member, Real Property Division, term ending August 2007. Positions held in Section: Chair, Enforcement of Creditors' Rights and Bankruptcy Committee; Vice-Chair and Chair, Economics, Technology & Practice Methods Committee; Member, Mortgage Loan Structure and Origination, Loan Practice and Lender Liability, Collateral for Commercial Real Estate Loans, Foreclosure and Related Remedies, and Technology and Commercial Mortgage Lending Committees; Member, Real Property Division Advisory Board; Member, Technology and CLE Committees; Supervisory Council Member, Group I-Commercial Financing; Section Liaison to Section of Law Practice

## Section Announces Fourth Year of Fellowship Program

The Section's Fellowship program, in its fourth year, represents a commitment by the Section to increase the participation of young lawyers in Section activities. The goal of the program is to give active members of the Young Lawyers Division (YLD) an opportunity to become involved in the substantive work of the Section, to develop future leaders of the Section, and to enhance knowledge about the work of the Section among members of the YLD.

The Fellowship appointment is for two years. Four Fellows will be selected from among the applicants. To be considered for selection, an applicant must have practiced in the probate or real property areas for at least one year and be an active member of the YLD (or an active member who has aged out within the last three years, as calculated by YLD). Two of the four Fellows selected will be minority applicants.

For a full description of roles and responsibilities, please visit [www.abanet.org/rppt/fellows.html](http://www.abanet.org/rppt/fellows.html).

**Applications are due by June 4, 2004.**

Fellows will be notified of their appointments by early July. If you have any questions, please feel free to contact Steven B. Gorin at (314) 552-6151 or [sgorin@thompsoncoburn.com](mailto:sgorin@thompsoncoburn.com). ■

Management; Managing Editor, *E-Dirt* Electronic Newsletter; Member, Real Property Pro Bono Committee.

Andrew F. Palmieri  
Vorys, Sater, Seymour and Pease LLP  
Alexandria, Virginia

Nominated for first term as Council Member, Real Property Division, term ending August 2007. Positions held in Section: Vice-Chair and Co-Chair, Development and Financing of Common Interest Communities Committee; Member, Co-Chair, and Chair, Homeowners, Community and Common Interest Community Associations Committee; Member, Collateral for Commercial Real Estate Loans, Committee on Committees, Membership, and CLE Committees; Vice-Chair and Co-Chair, Real Property Division CLE Committee; Co-Chair, Membership Committee.

Barry B. Nekritz  
Sonnenschein Nath & Rosenthal  
Chicago, Illinois

Nominated for second term as Council Member, Real Property Division, term ending August 2007. Positions held in Section: Vice-Chair, Use Exclusive and Radius Clauses Committee; Chair, Specialized Leases Committee; Member, Co-Chair, and Chair, Retail Leasing Committee; Member, Publications Committee; Section Liaison, Business Law Section Committee on Partnership & Unincorporated Business Organizations; Section Liaison, NCCUSL Drafting Committee on Uniform Limited Partnership Act and Joint Task Force of the Committee on Corporate Laws; Vice-Chair, Limited Liability Entities Committee; Member, Corporate Sponsorship Committee and Section Advisory Board; Supervisory Council Member, Group E-Commercial Real Estate Transactions and Management; Vice-Chair, Minority Outreach Program Committee.

Sidney G. Saltz  
Barnes & Thornburg  
Chicago, Illinois

Nominated for a second full term as Council Member, Real Property Division, term ending August 2007. Positions held in Section: Vice-Chair and Chair, Remedies and Miscellaneous Clauses Committee; Vice-Chair and Co-Chair, Real Property Division CLE Committee; Member, CLE and Digital Signature and E-Commerce Committees; Supervisory Council Member, Group A-Continuing Education and Developments and Group C-Land Use & Environmental.

Robert J. Krapf  
Richards Layton & Finger PA  
Wilmington, Delaware

Recommended appointee for first term as Assistant Secretary, Real Property Division, term ending August 2005. Positions held in Section: Vice-Chair, Co-Chair, and Chair, Land Use Regulation Committee; Member, Condition of the Premises, Real Property Division Publications, Committee on Committees, and CLE Committees; Vice-Chair, Partnerships and Limited Liability Companies, Pension Plan Investments, and Real Property Division CLE Committees. ■

## The ABA Is Moving

Effective May 14, 2004, the ABA's Chicago office will be moving to a new location:

**American Bar Association**  
321 North Clark Street  
Chicago, IL 60610-4714

Phone numbers and e-mail addresses for the Chicago headquarters will not change. The ABA's Washington, D.C., office will not be affected.

For general inquiries, call the ABA Service Center at 800-285-2221 or e-mail [service@abanet.org](mailto:service@abanet.org).

## National Health Care Decisions Week

Did you know about the Section's outstanding project, National Health Care Decisions Week—the largest campaign ever launched with the goal of educating the public about planning for end-of-life health care decisions? Did you know that only a minority of adults make their wishes known about such decisions? We encourage you to volunteer to increase awareness of these matters. This program will provide you with the opportunity to participate in community service and public education that is meaningful and focused.

The Section of Real Property, Probate and Trust Law is the primary sponsor of the public education program, which was initiated in October 2000. Co-sponsors include the American Medical Association, the National Bar Association, and numerous ABA sections. Now in its fourth year, the purpose of this initiative is to raise public awareness of the right to health care self-determination through advance planning.

The program asks bar associations to partner with the medical community to conduct public programs on health care advance directives and organ and tissue donation and to provide pro bono aid in preparation of advance directives and donation declarations.

For more information about National Health Care Decisions Week, October 17-23, 2004, please contact Robin Roy at (312) 988-5670 or at [robinroy@staff.abanet.org](mailto:robinroy@staff.abanet.org). ■