

Minutes

Web and Audio Conference of the Executive Committee Uniform Law Commission

September 3, 2019
Chicago, IL

Daniel Robbins, Chair of the Executive Committee, called the meeting to order on September 3, 2019, at 2:04 Chicago Time.

The following members of the Committee were present: Carl H. Lisman, President; William Breetz, Vice President; Timothy Berg, Committee on Scope and Program Chair; Steve Wilborn, Legislative Committee Chair; Martha Starkey, Secretary; Tom Buiteweg, Treasurer; Jamie Pedersen; Paula Tackett; and Ryan Leonard. Anita Ramasastry, Immediate Past President, was not available to attend the meeting.

Also present: Tim Schnabel, Executive Director; Elizabeth Cotton-Murphy, Chief Administrative Officer; Katie Robinson, Legislative Program Director; Ben Orzeske, Chief Counsel; and Greg Young, Director of Information Technology.

1. Request for life membership

A motion was made and approved nominating James A. Wynn Jr. (NC) for election to life member of the Conference.

2. Request for correction of typo in the Uniform Parentage Act (2017)

Chair Robbins reported on the request to make corrections to the Uniform Parentage Act (2017) to correct a typographical error. After discussion, a motion was made and approved under Section 4.3 of the ULC Constitution authorizing the proposed technical amendment to the Uniform Parentage Act (2017).

3. Request for approval of gender neutralizing technical amendments to the Uniform Probate Code

Chair Robbins summarized the written request received from the Joint Editorial Board for Uniform Trust and Estate Acts that the Executive Committee adopt the set of technical amendments to the Uniform Probate Code, using the procedure permitted by Section 4.3(b)(3) of the ULC Constitution. The purpose of the amendment is to incorporate gender-neutral language into the UPC sections that have not been revised since its original approval in 1969.

After discussion, action was deferred. Ben Orzeske will contact Commissioner English and revised amendments may be submitted for consideration and approval at the October 1, 2019, Executive Committee meeting.

4. Consideration of Policy Draft of ULC Committee on Liaison with the American Bar Association

Chair Robbins reported on a proposed conflicts of interest policy for ABA advisors, drafted by Commissioner Tom Bolt, Chair of the Committee on Liaison with the American Bar Association, using the existing ULC policy as a template. Commissioner Bolt has proposed to recommend that the Board of Governors of the American Bar Association approve the policy.

The President will appoint a working group among members of the Executive Committee to consider the proposed policy. Chief Counsel, Ben Orzeske, was asked to notify Commissioner Bolt that a working group would be appointed.

5. Committee Page Revisions

Chair Robbins summarized the changes made to the draft committee page revision submitted for the Committee's consideration. No action was taken at this meeting and this item will be included on the October Executive Committee agenda.

6. Copyright Issues

Chair Robbins reported on steps that are being taken to secure appropriate copyright protections of ULC acts.

7. Faithful Electors

President Lisman reported on a Tenth Circuit case regarding a state's ability to replace "faithless" presidential electors. The case may go to the Supreme Court and the decision could impact the constitutionality of the Uniform Faithful Presidential Electors Act.

President Lisman will survey the members of the Standby Committee on Uniform Faithful Presidential Electors Act as to whether they would have an interest in drafting a brief in support of the granting of certiorari and, if so, what such a brief would argue. The Executive Committee will consider the issue again in October.

8. Website Review

No action was taken at this meeting and this item will be considered at a future meeting of the Executive Committee.

The meeting was adjourned at 3:03 p.m. central time.