

Minutes

Web and Audio Conference of the Executive Committee Uniform Law Commission

March 30, 2020
Chicago, IL

Daniel Robbins, Chair of the Executive Committee, called the meeting to order on March 30, 2020, at 12:04 p.m. Chicago Time.

The following members of the Committee were present: Carl H. Lisman, President; Timothy Berg, Committee on Scope and Program Chair; Bill Breetz, Vice President; Steve Wilborn, Legislative Committee Chair; Tom Buiteweg, Treasurer; Martha Starkey, Secretary; Anita Ramasastry, Immediate Past President; Paula Tackett; Ryan Leonard; and Jamie Pedersen.

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

1. Minutes

A motion was made and approved accepting the minutes of the Midyear Executive Committee Meeting held January 18, 2020.

2. Life Membership

A motion was made and approved nominating Karen R. Washington (TX) for election to life member of the Conference contingent upon attending the 2020 annual meeting in Madison, Wisconsin.

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

3. Request for Uniform Designation, Easement Relocation

A motion was made and approved designating the Easement Relocation Act a Uniform Act.

4. Corrections to gender-neutral amendments to Uniform Probate Code

Chair Robbins reported that in October the Executive Committee approved technical amendments to the Uniform Probate Code aimed at introducing gender-neutral language. However, it was discovered that work on those amendments was based on a version of the UPC that did not consider some technical amendments approved by the Executive Committee in 2017. It appears that in section 3-101A the Committee has approved two sets of inconsistent edits to the pre-2017 language. The differences are minor but should be resolved.

After discussion a motion was made and approved adopting the corrected set of technical amendments to the Uniform Probate Code, using the procedure permitted by Section 4.3(b)(3) of the ULC Constitution.

5. Human resources manual change

Tim Schnabel, Executive Director, summarized proposed changes to the Personnel Policy Manual to comport with a new law in force in Illinois under which employers can be held responsible for employee harassment in the workplace by non-employees. A motion was made and approved authorizing the change to the current policy manual.

6. Possible Cancellation of the July 2020 Annual Meeting

President Lisman reported on tracking meeting cancellations resulting from the global pandemic. The annual meeting is scheduled for the second week in July. A recent industry poll found that most July meetings and conventions have not yet been cancelled or postponed. The Committee discussed a range of alternatives, including proceeding with the annual meeting in July (including by using Zoom to facilitate remote participation), cancelling the annual meeting, holding an abbreviated annual meeting this fall, or holding an annual meeting using remote participation.

Elizabeth Cotton-Murphy, Chief Administrative Officer, reported on potential liabilities and upcoming cancellation deadlines regarding contracts currently in place for the annual meeting. Ben Orzeske, Chief Counsel, reported on the extent to which force majeure clauses might enable the ULC to avoid financial penalties.

The Committee agreed to delay a final decision for several weeks and will monitor how the situation develops. In meantime, ULC will take immediate steps to mitigate losses and will defer any deposit payments until a final cancellation decision is made.

The meeting was adjourned at 12:37 p.m. Central Time.