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Estate Planning & Probate Section

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Estate Planning & Probate Section Upcoming Breakfast Dates

- Wednesday, December 13th
- Wednesday, January 10th
- Wednesday, February 14th

- Wednesday, March 14th
- Wednesday, April 11th
- Wednesday, May 9th

[More information on these dates to come.](#)

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The August 2017 Atlanta Bar Estate Planning & Probate Section Breakfast Featuring Richard M. Morgan on the Uniform Power of Attorney Act in Georgia

By Clayton Skinner, *Vantage Point South - The Skinner Law Firm, LLC*

The August 2017 meeting of the Atlanta Bar's Estate Planning and Probate Section provided an

informative update on the recently enacted Uniform Power of Attorney Act (the “UPOAA”) in Georgia. The speaker, Richard M. Morgan of Morgan & DiSalvo, P.C., and his law partner, Loraine M. DiSalvo, have published several newsletters in recent months diving into the new statute. Mr. Morgan is also one of two attorneys appointed to the Georgia Bar Fiduciary Law Section’s legislative subcommittee responsible for drafting a proposed UPOAA Technical Corrections Bill. The Morgan & DiSalvo newsletters address different aspects of the UPOAA, including details about the impact of these changes and how they affect the powers given to an agent. A review of these newsletters is highly recommended for an in-depth analysis of the new statute (they can found at www.morgandisalvo.com, under News & Articles). The breakfast meeting presentation was primarily focused on the new statutory form, which is included as part of the new Chapter 6B to Title 10 of the Official Code of Georgia Annotated (“O.C.G.A.”), and on practitioners’ questions about the new form and the new statutes. This new Chapter begins at O.C.G.A. Section 10-6B-1.

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Judiciary Preference for Probate Petitions and other Probate Matters - A Panel Discussion

By Jordan Alford, *Alford & Burkhart, LLC*

On October 11, 2017, our Section breakfast featured a panel comprised of a trio of current probate court judges from around the Atlanta metropolitan area. Namely, we were lucky enough to welcome the Honorable Clarence Cuthbert, Jr. of Rockdale County, the Honorable Christopher Ballar of Gwinnett County, and the Honorable Bedelia Hargrove of DeKalb County. All three of these jurists are relatively new probate court judges, with Judge Ballar having the longest tenure, having been elected in 2012. The discussion between the membership and our guest panelists focused on the preferences that the panelists have with regard to the preparation of a number of the most commonly filed Georgia Probate Court Standard Forms and how they prefer attorneys to work with the courts in general. Remember, however, that the preferences expressed here are specific to these judges and their courts, and that practitioners should always confirm preferences directly with a specific probate court when getting ready to file documents with that court.

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Professor Sam Donaldson Provides our Section With a Federal Tax Update

By Sarah E. Siedentopf, *The Law Offices of Sarah Siedentopf, LLC*

On October 19, 2017, the Estate Planning and Probate section of the Atlanta Bar held a

luncheon at the Capital City Club, at which Professor Samuel A. Donaldson of Georgia State University provided the Section with an update on Federal Tax law. The event was well attended and Professor Donaldson was very entertaining in his forecast of future tax events.

On the day that Professor Donaldson spoke to the section, the U.S. Congress was trying to pass a budget extension. Professor Donaldson suggested that, if indeed that happened, it would allow a 10 year tax reform plan. The Trump Administration has been touting tax reform as a high priority and has released the Unified Framework for Fixing Our Broken Tax Code (“Unified Framework”) as its outline of the plan. Professor Donaldson spent much of his time talking about key provisions of the plan, although he noted that none of the things in the Unified Framework were currently in any bills.

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The Case for Going to Court: How Declaratory Judgment Actions Can Help Fiduciaries (And Beneficiaries)

By Everett Lee Morris IV, *Morris Legal and Tax LLC*

The Estate Planning and Probate Section of the Atlanta Bar Association was pleased to host Wade H. Watson III and Laura Kennedy Bonander of Watson Bonander LLC as the featured speakers at the September 13, 2017 Section breakfast. Mr. Watson has nearly 35 years of experience in trial and appellate law focusing on the complex world of trusts and estates. A past president of the Atlanta Bar Association, he has authored numerous articles on fiduciary law and litigation, and frequently speaks at professional seminars on these subject. Ms. Bonander has more than 20 years of legal experience. After working as a law clerk and practicing business litigation, she then focused her practice on complex and challenging trust and estate litigation.

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