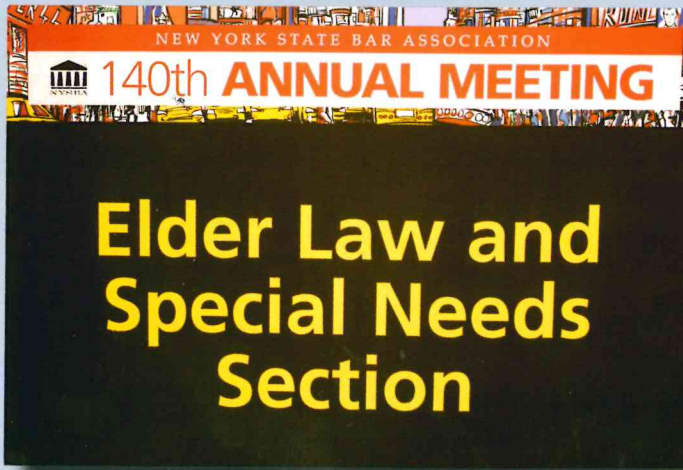


# NYSBA 2017 Annual Meeting Elder Law and Special Needs Section Meeting



Fern J. Finkel, Esq.  
Finkel & Fernandez LLP



Richard A. Marchese, Esq.  
Woods Oviatt Gilman LLP



Fern J. Finkel, Esq., Finkel & Fernandez LLP and David  
R. Okrent, Esq., The Law Offices of David R. Okrent



# 2017 Elder Law and Special Needs Section Annual Meeting Recap

By James R. Barnes and Salvatore M. Di Costanzo

On Tuesday, January 24, 2017, members of the Elder Law and Special Needs Section gathered in New York City for the New York State Bar Association's 2017 Annual Meeting. A standing-room only crowd packed the New York Hilton Midtown for the Section's annual business meeting, awards presentation, and MCLE program. Section Chair, **David Goldfarb**, Esq., presided over the meeting.

The first order of business was a presentation by the Nominating Committee for the 2017-2018 slate of officers, including:

- Chair: **Marty Hersh**, Esq.
- Chair-Elect: **Judith Grimaldi**, Esq.
- Vice Chair: **Tara A. Pleat**, Esq.
- Secretary: **Matthew J. Nolfo**, Esq.
- Treasurer: **Deepanker Mukerji**, Esq.

The entire slate was unanimously elected by the members in attendance. After the election, the agenda turned to the presentation of Section awards. This year's recipient of the Section's most prestigious award was **Jeffrey A. Asher**, Esq., of the Law Offices of Jeffrey A. Asher, PLLC. The Section recognized him for his actions in furtherance of the rights of the elderly and persons with disabilities. Jeff led two major initiatives in the past year on behalf of the Section, namely the work group focused on the reformation of the Power of Attorney and serving as liaison to the Trusts and Estates Law Section as it presses for the adoption of the Uniform Trust Code. The next presentation was the Honorable Joel K. Asarch Elder Law and Special Needs Section Scholarship, which is awarded through The New York Bar Foundation. This scholarship is awarded annually to a law student who demonstrates an interest in the legal rights of the elderly or those with disabilities. The 2017 recipient was **Jessica Klersy**, a third year law student at Touro Law Center.

Last October, the Section lost one of its cherished members with the passing of **Sharon Kovacs Gruer**, Esq. A moving memorial celebrating the life and many accomplishments of Sharon was given by **Beth Abrahams**, Esq., and **Ellen Makofsky**, Esq. Sharon was a past Chair of the Section, a tireless advocate of the elderly and disabled, and a dear friend to so many members of the Section. She will be truly missed.

The MCLE program, offering attendees 4.0 CLE credits, was co-chaired by **Salvatore M. Di Costanzo**, Esq., and **James R. Barnes**, Esq. The program commenced with a three-part "Update" including, a Medicaid Update by **Richard A. Marchese**, Esq., a Guardianship Update by **Fern J. Finkel**, Esq., and a Tax Update by **David R. Okrent**, Esq. The Annual Meeting Update is typically one of the most anticipated parts of the program, as attendees are looking for guidance in the form of recent case law, new regulations, legislative updates, and the anticipated climate for the new year. After a brief break, the late afternoon program sought to focus on many of the details and nuances inherent in investments, especially relative to planning and Medicaid eligibility. The meeting continued with a panel presentation entitled "Annuities: Medicaid Treatment, Tax Considerations, and Appropriateness as an Investment." This panel was moderated by **Richard A. Weinblatt**, Esq., and included **Bruce L. Birnbaum**, JD, LL.M., CLTC, and **David J. DePinto**, Esq. The final speaker of the day was **Amy J. Guss**, Esq., and her topic was "IRAs, Beneficiary Designations, Medicaid Planning Considerations with Focus on SNTs."

The program concluded a little before 6 p.m., and many of the attendees walked across the street from the Hilton to a cocktail reception at the Warwick New York Hotel. This reception was generously sponsored by CaringKind and RDM Financial Group. Attendees were able to relax and enjoy conversation in a warm setting with colleagues following a full day of Section meetings, activities, and educational programs. As the 2017 Annual Meeting concluded, members returned home with a renewed energy for the Section's work ahead this calendar year.



James R. Barnes and Salvatore M. Di Costanzo