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PASTERNAK & FIDIS REPORTER

Death and Divorce: A Lethal Legal Combination

By: Anne W. Coventry and Morriah H. Horani

Death and divorce—both events are extremely difficult and stressful in and of themselves. However, when death and divorce happen at roughly the same time, the consequences can be unexpected and may seem wildly unfair. Separation and divorce can have a significant impact on estate planning issues, which require diligent attention when marital issues arise. Otherwise, the death-and-divorce cocktail may shake out in a very unintended way.

Prior to Divorce

When a couple begins to live separate and apart (which may include a separation under the same roof), without obtaining a limited divorce or legal separation order and without signing a separation agreement, the fact of the estrangement alone generally has no legal effect on the inheritance rights or fiduciary authority of a surviving spouse. In other words, if a spouse dies during an estrangement, the survivor with rare exception has the same rights he or she would have had in an intact marriage.

A marital estrangement does not revoke the appointment of an agent under an advance health care directive; a spouse appointed as health care agent (notwithstanding the estrangement) retains the right to make medical decisions if the other spouse becomes incapacitated—including a pull-the-plug decision. An estrangement also does not revoke any powers a spouse may hold under a general power of attorney, a document that is typically written to grant one spouse broad authority to manage all aspects of the other's finances, including the power to sell property, close accounts, change investments, withdraw funds, sign checks, and take a variety of other actions.

An estrangement does not revoke a beneficiary designation or a will. An estranged spouse retains the right to benefit from a life insurance policy or a retirement account, if he or she is the designated beneficiary, and to receive

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Pasternak & Fidis is delighted to announce that three associate attorneys will become partners in the firm in January 2015. Congratulations to Estate Planning and Administration Group attorneys **Stephanie Perry** and **Alex Tanouye** and Divorce and Family Law Group attorney **Morriah Horani**. Managing Partner **Nancy Fax** said, "We couldn't be more pleased to welcome these hard-working attorneys into the leadership of the firm. Their energy and vision will make a vital contribution to maintaining our standard of excellence in legal services."

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The New Maryland Trust Act

by: Anne W. Coventry

The new Maryland Trust Act takes effect January 1, 2015 and will apply to all Maryland trusts, including those created prior to its effective date. For the most part, the Act provides default rules that can be overridden by the express terms of a trust, but some rules are mandatory. The following is brief summary of the highlights of the new Act:

Duty to Inform & Report. Within 60 days of accepting trusteeship (after January 1, 2015), a trustee must notify all qualified beneficiaries of the trustee's acceptance of the trust and of the trustee's name, address and telephone number. When a new irrevocable trust is created (or a formerly revocable trust becomes irrevocable) on or after January 1, 2015, the trustee must notify all qualified beneficiaries within 90 days, informing them of the trust's existence, the identity of its settlor, each beneficiary's right to request a copy of the trust document, and the right to request regular reports from the trustee. A trustee is also required to respond promptly to a qualified beneficiary's request for information related to the trust's administration (including a copy of the trust), unless the request is unreasonable under the circumstances. Many of the notice requirements are mandatory rules under the Act, meaning that the settlor cannot waive them by providing contrary instructions in the trust's terms. It is not possible to have a truly "quiet" trust in Maryland under the Act (i.e., a trust that its beneficiaries do not know exists).

The term "qualified beneficiary" means someone (i) who is a permissible distributee of trust income or principal or (ii) who would become a permissible distributee if the interests of all current permissible distributees terminated or if the trust itself terminated.

Virtual Representation. With respect to issues affecting a trust, the Act allows some people ("representatives") to stand in for others and make decisions that are binding on them, such as providing consent to a proposed action of the trustee. For example, a court-appointed guardian may represent the ward, a parent may represent a minor child, and a person who holds certain powers of appointment over trust assets may represent remainder beneficiaries. The court may also appoint a representative in appropriate situations where the Act has not provided for a representative (such as to represent generations of unborn beneficiaries of a "dynasty" trust).

Modification and Termination of Trusts. If the trustee and all beneficiaries consent, a court may modify or terminate an irrevocable (non-charitable) trust unless the court determines that it would interfere with a material purpose of the trust. However, the Act does not permit the trustee and beneficiaries to modify or terminate such a trust on their own, via a non-judicial settlement agreement; the court must be involved (unless the trust's terms say otherwise). The court can also reform or modify a trust to carry out the settlor's intentions or achieve the settlor's tax objectives and can combine or divide trusts.

A trustee may decide to terminate a small trust (under $100,000) without a court order, after providing notice to the qualified beneficiaries (who then have an opportunity to object).

Creditor Protection. The Act codifies (and fills in some gaps in) existing Maryland law protecting certain trusts from the claims of a beneficiary's creditors.

Revocable Trusts. The Act permits an agent acting under a power of attorney to exercise the principal's retained power to revoke or amend his or her revocable trust, but only if both the trust and the power of attorney include an express authorization.

If a trust is silent as to whether or not the trust is revocable, the Act provides that the trust is revocable. This is a change to pre-Act Maryland law (under which such a trust would be deemed irrevocable) and it affects only trusts created on or after the Act's effective date of January 1, 2015.

Trustee's Standard of Duty. A trustee must act "reasonably under the circumstances" and in accordance with the terms and purposes

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Congratulations to partners **Nancy Fax** and **Anne Coventry** who were both listed in *Washingtonian* magazine's list of Top Money Advisors. Nancy and Anne were named among a very select group of the area's most highly regarded estate planning attorneys.

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New Partner Profiles

ALEX TANOUYE

Alex Tanouye grew up in Potomac and attended Georgetown Preparatory School. He has played the guitar since the 6th grade and as a child he wanted to be a musician. He also wrestled in high school. Thinking of a career as a blues and jazz musician, Alex applied to Loyola in New Orleans. But because he was a self-taught ear player, he could not read music and knew nothing about music theory. After deciding to apply to Loyola he spent the summer memorizing the pieces that he would need to play for his audition. Though he got a scholarship on the basis of his audition, when he got to school he was found out and put in a remedial theory class. It soon became apparent that the school's orientation was to music education rather than performance. He realized it was not the right place for him and left after a year.

After leaving Loyola, Alex enlisted in the Army Reserves, spent five months in basic training and came home to restart college at University of Maryland. At Maryland he majored in International Relations with an emphasis on Japan and East Asia. Applying to law school was not a difficult decision. For most of his life his parents had said he should become a lawyer, possibly because he liked to argue and negotiate.

Alex ended up as an estates and trusts lawyer by a process of dumb luck. A friend worked for an investment advisor who worked with Virginia McArthur, a D.C. trusts and estates lawyer. His friend connected him with McArthur who happened to need a summer associate. Alex got the job. That turned out to be a very good fit. He liked the tax work and he liked working with individual clients one-on-one. Trusts and estates work is a collaborative process. It requires learning about the client, both professionally and personally. It requires meeting and often getting to know the client's family members. Working with

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MORRIAH HORANI

Morriah Horani is the newest partner in the firm's Divorce and Family Law Group. She joined Pasternak & Fidis in 2007 as an associate after completing a one-year judicial clerkship. Morriah is one of four family lawyers in the firm who are licensed in Maryland, Virginia and the District of Columbia.

Morriah wanted to be a lawyer as far back as she can remember. Because she didn't know any lawyers, in the 6th grade, for Take Your Daughter to Work Day, she went through the yellow pages, cold-called a woman lawyer who had a nice-sounding name and asked if she could come to work with her. The woman was an estates and trusts lawyer and her firm also did some litigation. That introduced Morriah to estates and trusts work as well as the work of trial lawyers. It whetted her appetite for both.

Morriah grew up in Oklahoma, but left to go East to Brown University in Rhode Island. At Brown, Professor Ross Cheit, a lawyer who taught public policy, became a mentor and remains a mentor today. She was his research assistant for four years. "He taught me a lot about critical thinking, digging deeper," and he modeled qualities of hard work, thoughtfulness and dedication. "He had a huge impact on my life."

Despite her longtime interest in becoming a lawyer, Morriah also considered medical school. In undergraduate school she took physiology, genetics, general and organic chemistry, epidemiology, pharmacology, nutrition and biology. She retains her interest in science and sometimes stays up late reading science publications such as *Discovery, Science News*, and *Scientific American*. At Brown, she was in the writing fellows program where she learned about writing styles, theories of writing, and how to write in a compelling way. Some of the best advice Morriah got about law school and the decisions she had to make about where to go after graduation came from Profession Cheit. He always said "Don't go to law school unless you really want to be a lawyer." He also recommended that she go to law school somewhere that she might want to live after graduation.

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STEPHANIE PERRY

Stephanie Perry was born in Jacksonville, Florida, although, because her father was in the military, during her childhood, the family lived in several places, including Germany. At the end of 6th grade she wanted to go with her friends to the local public middle school, but her mom insisted she go to a new public magnet school for students preparing for college. She stayed through high school graduation, surrounded by students who thought it was cool to be smart, and where she thrived.

At Florida State University she majored in Political Science and English. She loved creative writing and for awhile thought she wanted to become a poet. Eventually, she realized she wasn't talented enough for writing and fell back on a lifelong interest in becoming a lawyer. Though there were no lawyers in her family, and she didn't know a single lawyer, she had always been drawn to law. She applied to both Florida State and Emory University and got into both. Florida State was very inexpensive, and she would have to take out loans to go to Emory, but she wanted the best, so she took the loans and went to Emory. That choice had a decisive impact on her professional career.

In her second year at Emory, Stephanie took an introductory course in trusts and estates. At that point she had never heard of estate planning and did not know what it was. The course was taught by Jeffrey Pennell, a dynamic professor who made her fall in love with the subject and who became a friend and her most important mentor. He has had a hand in every job she has gotten since law school.

Professor Pennell introduced Stephanie to a newly elected probate court judge, Judge Pinkie Toomer, an African-American woman who became another mentor. Stephanie became her summer law clerk after her second year, and stayed on through her third year. In her third year she took additional courses on trusts and estates from Professor Pennell.

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property left to him or her under a will. An estranged spouse may also serve as personal representative under the other's will and as trustee of a trust, if appointed as such in the document. Estrangement does not, by itself, revoke these fiduciary appointments.

In every state but Georgia, a surviving spouse has inheritance rights (often called the "elective share") and cannot be completely disinherited, even if the couple is estranged and even if the deceased spouse left a will purporting to disinherit the survivor. State laws vary as to the amount of the spouse's elective share, but, typically, it is one-third to one-half of the decedent's total estate. Taking his or her elective share (in lieu of any inheritance provided to him or her under the deceased spouse's will) may also mean that the surviving spouse takes assets in a different way than what the will provides. For example, where the will directs that assets pass into a trust for the benefit of the surviving spouse, state law may allow the surviving spouse to renounce the will and instead take his or her elective share outright and free of trust.

Simply revoking a will does not disinherit a spouse during an estrangement. If a spouse dies without a will (i.e., intestate), the surviving spouse has inheritance rights that differ from state to state, but that generally entitle him or her to somewhere between one-third and 100% of the deceased spouse's probate estate. This intestate share is often larger than what the surviving spouse would get by electing against a will that purported to disinherit him or her. A surviving spouse also has a priority right to serve as personal representative of the deceased spouse's estate. Revoking a will upon estrangement may also cause other problems, such as causing a child to inherit assets outright and free of trust when he or she is too young (i.e., by disrupting an existing estate plan that includes provisions for a trust).

It is the rare separated spouse who would actually want his or her soon-to-be-ex to have pull-the-plug authority, nearly unfettered power to interfere with his or her financial affairs, the right to serve as personal representative or trustee, and the right to inherit all or a significant portion of his or her estate. In our experience, separated spouses are not often on quite such friendly terms with one another. There are measures that a person can take during the separation period, but prior to the divorce, which may help address these concerns.

Beneficiary Designations: Certain beneficiary designations may be changed (e.g., to remove the spouse as beneficiary and replace him or her with one's children, other family members, *alma mater,* etc.) without a divorce decree or the signed consent of the spouse. Examples of these include:

- private and group life insurance beneficiary designations;
- pay-on-death (POD) and transfer-on-death (TOD) designations of non-retirement financial institution accounts (checking, savings, CDs, mutual funds, and brokerage accounts);
- individual retirement account (IRA) beneficiary designations; and
- some non-qualified retirement plans.

However, certain retirement and pension plans, such as the Thrift Savings Plans (TSP), federal pensions (FERS and CSRS), and plans subject to ERISA (e.g., a 401(k)) do not permit a participant to change the beneficiary from his or her spouse prior to divorce (unless the spouse signs a written consent). Without a court order, generally these designations cannot be altered until a final judgment of absolute divorce.

Last Will and Testament: A will can be changed at any time, without a divorce decree or the signed consent of the spouse, to ensure that an estranged spouse (i) gets no more than the elective share and (ii) will not have decision-making authority with regard to any aspect of the estate's administration. It is usually prudent to update one's estate plan again after the signing of a separation agreement and to obtain releases to change beneficiary designations simultaneously with the signing.

Powers of Attorney and Health Care Directives: An individual can change his or her power of attorney and health care directive at any time, without a divorce decree or the signed consent of the spouse. There is no requirement to name the spouse to serve as agent under these documents. A party estranged from his or her spouse should execute a new health care directive (revoking any earlier directive) and give someone else the authority to make medical decisions; without a directive, hospitals will typically take instructions from the spouse—even an estranged spouse. A person can revoke his or her power of attorney at any time (whether or not a new person is appointed as attorney-in-fact).

After the Divorce

A marriage officially and permanently ends when a court enters a judgment of absolute divorce. An absolute divorce differs from a limited divorce (Maryland), legal separation (D.C.) or divorce from bed and board (Virginia). Only an absolute divorce permits the former spouses to remarry and terminates all rights to the estate of the other spouse (absent agreement otherwise). Disposition of the parties' assets will be resolved either by a court or by agreement of the parties. If the parties have agreed to waive rights to each other's assets (in whole or in part), some follow-up work may be required to effectuate these waivers. For example, in order effectively to change the designated beneficiary of a retirement plan governed by ERISA, a participant must file a new beneficiary designation with his or her employer, even though his or her spouse waived the right to be designated beneficiary under the marital settlement agreement. An ERISA-plan administrator must follow the instructions on the participant's beneficiary designation even if a separation agreement provides for a waiver of rights. This means the personal representative of the decedent's estate may have to sue the former spouse to get that spouse to return the retirement benefits to the estate, which can be a very costly and lengthy process without a guaranteed result.

Unlike an estrangement, a divorce does have a legal impact on the parties' estate plans. In many states (like Virginia and Maryland), divorce revokes provisions of a will made for the benefit of the former spouse and revokes provisions conferring powers on the former spouse or nominating the former spouse as a fiduciary. In D.C., a divorce and final property settlement revokes the wills of both spouses—that is, the entire will, not just the provisions benefiting the former spouse—regardless of the testator's

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ALEX TANOUYE

wealthy families made Alex realize, to his surprise, that all families deal with the same issues, no matter how much they have. He observes that it's "interesting to see how different people handle the difficulties that life throws at them."

Alex especially likes working with business owners and helping them figure out how to keep their businesses in their families. Dealing with the tax consequences of estate planning is especially interesting. The tax code often feels like a puzzle where the lawyer has to solve a problem with many parameters. That makes the work fun and interesting.

Alex has had important mentors during his career. Virginia McArthur, for whom he worked for a year and a half, gave him a fantastic introduction to trusts and estates. Working with her is what made him realize this was the practice he wanted. In law school he spent a year in the Low Income Taxpayer Clinic. This was his first client experience and his first experience managing a client file. An adjunct professor, Paul Alpuche, who is also a partner at Lerch Early & Brewer in Bethesda, became a mentor. He helped Alex understand the practical aspects of being a lawyer, how to gather information and create and maintain a file.

When a position for an associate lawyer opened at Lerch Early, Alex was offered the job and took it as working in a larger firm would give him exposure to other areas of law. Eric Core, who is Co-Chair of the Trusts and Estate Group, became a mentor. From him, Alex learned to analyze a problem and to pay attention to detail. Core advocated always striving for the highest quality work. He often said, "99 per cent right is 100 per cent wrong."

After five years at Lerch Early, Alex joined Pasternak & Fidis, where Nancy Fax, Marcia Fidis, Al Pasternak and Anne Coventry have all been mentors. "Every partner in this firm feels responsible for developing junior attorneys into self-sufficient and highly skilled practitioners," says Alex, "and this support, coupled with the firm's diverse client base, provides the best possible environment for success."

Alex is deeply involved with A Wider Circle, a nonprofit founded 13 years ago with the ambitious goal of ending poverty. He wanted to get involved in a charitable activity and he especially wanted something that did not involve taxes or law. He finds the group to be focused and the work to be very rewarding. In 2012 he joined the group's board.

As the father of two boys, a five year-old and a five month-old, Alex does not have much time for leisure activities. When he does find the time, he plays the guitar – rockabilly, surf rock, rock and roll, and blues. His wife, Daphne, is a veterinarian. Not surprisingly, the family has two rescued dogs. His favorite book, which he claims to have read at least 12 times, is *Zen and the Art of Motorcycle Maintenance* by Robert Pirsig.

MORRIAH HORANI

At Brown, Morriah got interested in science and health law. University of Maryland School of Law had one of the best health law programs in the country. In addition, while she was working on a book on children and the law with Professor Cheit, she had to drive from Rhode Island to Annapolis to get a document. Maryland seemed like a nice place. Those two factors helped her choose University of Maryland for law school.

In law school Morriah was an intern with the National Women's Law Center, volunteered with the Women's Law Center of Maryland, and volunteered for Court Appointed Special Advocates of Maryland (CASA). As a CASA volunteer she was assigned two little girls, sisters, who had been placed with foster parents who wanted to adopt them over the mother's objection. Morriah had to interview the children, investigate the facts, work with the attorneys, and make a recommendation to the judge. This was her introduction to family law.

One of Morriah's law school volunteer activities took her to the Circuit Court for Harford County, Maryland. There was a dog in the clerk's office. That gave her a good feeling about Harford County. She applied for a judicial clerkship and got an offer from Judge Marshall, of Harford County. Thinking that what she might really want was a judicial clerkship with a court of appeals, she called her mentor for advice. He urged her to take the job with the trial judge as the trial court is where all the interesting things happen. She took that advice. Trial courts tend to have a large percentage of family law matters. Thus, she had a year of observing family law trials and hearings.

By time Morriah finished her clerkship, she had an interest in three areas of law, health law, trusts and estates, and family law. So, when the opportunity to join Pasternak & Fidis came along, it was something that appealed to one of her interests. In her seven years with the firm, Morriah has become an experienced trial lawyer who can handle a contentious custody case as well as disputes about money and property. Morriah finds family law appealing because "it's a matrix of almost every other area of law – criminal, tax, contract, business, immigration, and real estate." She also likes helping her clients through a difficult time as well as the relationships she makes with clients and even with opposing counsel.

When she is not practicing law, Morriah stays busy with many active pursuits. She is an avid tennis player, is a member of several USTA tennis leagues and competes in regional and national tennis tournaments. She runs in local 5K races and is a member of the Montgomery County Road Runners. She also takes piano lessons and plays competitive Mah Jongg. Once a year she interviews students applying to her alma mater, Brown University.

Morriah and her partner foster dogs for the Lost Dog and Cat Rescue Foundation. So far they have fostered and found homes for 14 dogs. In addition, they share their home with three dogs, two cats, a Flemish Giant Rabbit that weighs 20 pounds, and a Green Cheeked Conure, a small parrot that can say its name and make kissing noises.

When she has time to read she loves Vladimir Nabokov, not so much for his plots, but because his prose is delightful, and John Irving for his eccentric characters.

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The New Maryland Trust Act *—continued page 2*

of the trust and in the interests of the beneficiaries. This is a mandatory rule, so the settlor cannot waive this duty of the trustee by setting forth a different standard in the trust instrument. It is a higher standard than "in good faith," which is the rule that applies in many other jurisdictions (including DC and Virginia).

Stay tuned! The Section Council of the Estates & Trust Law Section of the Maryland State Bar is working on amendments to the Act already. Their short list of priorities: expanding virtual representation (so that it can be more readily used for "dynasty" trusts); allowing trustees and beneficiaries to enter into binding non-judicial settlement agreements (e.g., so that when everyone gets along, a trust can be modified or terminated without a court proceeding); clarifying the statute of limitations for bringing creditors' claims against a revocable trust following the settlor's death.

If you have questions about the Maryland Trust Act or what it means for you, please contact one of the attorneys in our Estate Planning and Administration Group.

Death and Divorce *—continued from page 4*

actual intent. Therefore, a party who divorces in D.C. will need to sign a new will *after* the divorce is final to avoid dying intestate.

State laws governing the revocation-by-divorce of a life insurance beneficiary designation are even less uniform. Parties are well advised to check their beneficiary designations to ensure that they direct those assets in accordance with current wishes.

Providing for a Former Spouse Voluntarily

Anyone is, of course, at liberty to provide for his or her former spouse voluntarily after a divorce. Separation agreements often provide that any will executed after a divorce that benefits a former spouse will be valid, notwithstanding a waiver of rights under the agreement or the extinguishment of those rights by operation of law at divorce.

A settlement agreement may also provide for a spouse to be the beneficiary of a life insurance policy to provide for spousal support or child support after a payor's death.

It is fairly common for parents of minor children, assuming they had a reasonably amicable divorce, to designate the other parent as trustee (or co-trustee) of trusts created for those children under their wills. It is important that the parties execute the documents in the appropriate sequence and with the proper language so that there will be no challenge to the estate plan later.

Conclusion

Death and divorce may be unavoidable, but poor planning is avoidable. Divorced persons and those undertaking separation should take care to ensure that their health care directives, revocable beneficiary designations, and other readily changed designations are updated to reflect their current wishes without delay, in order to alleviate as many of these potential pitfalls as possible, as early in the process as possible. After the divorce, the estate plan should be reviewed again to ensure that it incorporates any obligations of a separation agreement, ties up any loose ends, and safeguards the principal's objectives.

New Partner Profiles *—continued from page 3*

STEPHANIE PERRY

Between the courses and her probate court experience, she got a good grounding in both the planning side and the administration side of trusts and estates practice.

After law school, Stephanie got a job as an associate with a small Atlanta law firm doing estate planning and administration. The clients were generally of modest means with uncomplicated planning issues. Because of her experience in probate court, she did a lot of the firm's estate administration. After a year and a half, she wanted a more sophisticated practice with more challenging work. Professor Pennell pointed her to a position with an Atlanta firm with a good reputation, though the firm was looking for someone with 5 years of experience. He told her to apply anyway and to tell them he sent her. That, and the fact that someone else also recommended her, got her in the door for an interview and the job.

After six years practicing law in Atlanta, Stephanie's husband, who is in law enforcement with the U.S. Forest Service, got an important promotion that required him to move to Washington. Stephanie reached out to Professor Pennell again for help finding a new job. He went over a membership list of the American College of Trusts and Estates Counsel (ACTEC) to identify potential employers, and suggested she send out some resumes and to put his name in the subject line.

Nancy Fax responded immediately and offered to meet with her. They met, though the firm had no position at that time, and Stephanie knew from that first meeting she wanted to work with Nancy. Eventually a position opened. Stephanie joined the firm in December 2010. When she joined P & F, she was in the 6th year of her practice, a point when many associates are looking forward to a partnership. The move meant starting over, developing a new professional network and learning the state laws of Maryland, the District of Columbia and Virginia that relate to estate administration and planning (though federal law governing estate taxes is the same everywhere).

In her time with P & F, Stephanie's practice has evolved so that she now spends about 70 per cent of her time on planning and 30 per cent on administration. She likes that mix. After 10 years in practice, Stephanie feels estates and trusts work is a natural fit for her. She cannot imagine doing anything else. She's in it for life. What makes estates and trust work interesting is the interaction with the clients. "Every single client matter is different." The lawyer plays a role as a family counselor, helping to solve problems in a way that makes things better for the client and his or her family.

When she is not practicing law, Stephanie goes on 25-mile bike rides, works out at a gym, and takes Argentine tango lessons. She is a volunteer with the Arlington County Food Assistance Center and is a sponsor of a child with Backpack Buddies, an in-school program that provides food for children to take home to eat over the weekends. She played the trumpet as a child and, though she doesn't play anymore, she still loves listening to music of all kinds, jazz, rhythm and blues, blues and country. She likes to travel, especially to places with a beach.

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P & F News

The Estate Planning and Administration Group welcomes two new members this fall. In September, **Micah Snitzer** joined the firm as an associate attorney. A graduate of Hofstra University School of Law, he also completed an LL.M in Taxation and a Certificate in Estate Planning from Georgetown University Law Center. Micah received his Bachelor's degree from Colorado College. He is admitted to the bars of New York and Maryland and was in private practice in Baltimore before joining Pasternak & Fidis. "I am delighted to be joining a firm with such a distinguished group of attorneys. Our goal is to offer comprehensive planning for individuals and families that transfers assets in a thoughtful and efficient manner." **Anbar Hassan** also joined the Estate Planning and Administration Group in November as a Probate Paralegal. If her name seems familiar, it is because her new office is just down the hall from her old one. Anbar has been a Paralegal for the Divorce and Family Law Group for the past five years. She is switching gears to have a more flexible schedule now that she and husband Ummar have become parents - baby Yusef was born in the spring.

Divorce and Family Law Group associates **Morriah Horani** and **Mary Katherine Hayburn** were volunteer judges at the Great American Mock Trial Invitational in November at the E. Barrett Prettyman United States Courthouse in Washington, D.C. This is an intercollegiate mock trial competition created to help students develop critical thinking and public speaking skills.

Estate Planning and Administration Group partner **Anne Coventry** has become a member of the Estate Planning Council of Montgomery County (formerly the Estate Planning Council of Suburban Maryland). The estate planning attorneys at Pasternak & Fidis are working to help revitalize this organization of attorneys, financial advisors, accountants and insurance professionals serving clients in Montgomery County. If you are interested in joining the Council, please feel free to contact Anne or **Alex Tanouye** and plan on attending an upcoming meeting.

On November 19, 2014, Divorce and Family Law Group partner **Jan White** spoke to new Virginia lawyers about interest based negotiation as part of the Virginia Bar "Backpack to Briefcase" seminar.

Estate Planning and Administration Group associate **Micah Snitzer** was a speaker in November at IMPACT's Generosity Gala of The Associated: Jewish Community Federation of Baltimore. Micah talked about his role as a Jewish Big Brother.

Business, Real Estate and Litigation Associate **Nathan Brill** was selected to attend the Maryland State Bar Association's 7th Annual Young Leaders Summit that took place on October 23-25 in Solomon's Island, Maryland. The event, which occurred in conjunction with the 55th Annual Conference of Bar Presidents, featured numerous educational and networking opportunities for emerging bar leaders from around the state.

P & F is celebrating a bounty of babies this year. In June, Estate Planning and Administration Group associate Alex Tanouye and wife Daphne were delighted with the arrival of their second son, August, who joins big brother Otis. May saw the birth of Evan Plater, another second son, of our Receptionist Bianca Plater and partner Ryan Davis. He joins big brother Justin. Paralegal Anbar Hassan and Ummar Hassan became proud parents in March of Said Yusef. And in December, we are waiting along with Probate Paralegal Marla Wolff for the birth of Marla's and husband Carlos' second child – a sibling for big brother Joshua. In honor of all these beautiful babies, the employees of Pasternak & Fidis are sponsoring a diaper drive for the DC Diaper Bank which provides diapers and other baby essentials to low-income families in the tri-state region.

Wedding bells have been ringing at P & F! In May, Legal Assistant for the Business, Real Estate and Litigation Group, **Alejandra Diaz** married Luis Alejandro Diaz at a destination wedding in Mexico. Two associate attorneys are planning weddings for next year. **Nathan Brill** of the Business, Real Estate and Litigation Group proposed to Kasie Gorosh and **Micah Snitzer** of the Estate Planning and Administration Group did the same to Rachel Raskob. We are happy to report that both of the ladies said, "Yes."

Divorce and Family Law Group partner **Jan White** was part of a panel in November at a conference of the Maryland Association of CPAs. Jan spoke about how to use the Collaborative Divorce Process as part of financial planning for clients interested in a private, client-centered, cooperative divorce.

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Estate Planning and Administration Group associate **Stephanie Perry** was recently elected to the Steering Committee of the Estates Trusts & Probate Law Section of the D.C. Bar.

The 2014-2015 edition of *Maryland Estate Planning and Probate Laws Annotated* will be released by Westlaw in December. This year's edition marks a change of authorship of the commentary. Managing partner **Nancy Fax** has handed over the reins to Estate Planning and Administration Group partner **Anne Coventry**. Anne is assisted by **Stephanie Perry** who has continued for her second year in producing the annotations and research. This edition includes the new Maryland Trust Act so there will be significant revisions and new material.

Divorce and Family Law Group partner **Linda J. Ravdin** has had a busy speaking schedule this fall. On October 22, 2014, she was a panelist for a webcast sponsored by American Law Institute in Philadelphia, PA, entitled, "Creative Estate Planning Strategies for Using Lifetime QTIPs." Linda contributed the perspective of the family lawyer and the implications for estate planners if the client later divorces. On October 19, 2014, Linda participated in a panel discussion of the draft Uniform Family Law Arbitration Act at the American Bar Association, Family Law Section Fall CLE Conference in Stowe, Vermont, "Lead, Follow or Get Out of the Way: Family Law Arbitration is Coming 'Round the Mountain." On October 21, 2014, she was a faculty member for a webinar sponsored by the American Bar Association, Real Property, Estates and Trust Law Section, "What Estate Planners Need to Know About Premarital Agreements, Divorce and the UPMAA."

Anne Coventry of the Estate Planning and Administration Group recently spoke on the subject of digital assets at two conferences: the Maryland State Bar Association's Advanced Tax Institute; and the American Association of Attorney-Certified Public Accountants. Anne's talking points are condensed in her article in the Spring 2014 *P & F Reporter* "Planning for Digital Assets" available on our website (www.pasternakfidis.com). Given how much of our lives we live online, it's not surprising that this article is one of our most requested. **Linda J. Ravdin**, partner in the Divorce and Family Law Group, also addressed the AAA-CPA conference. Her topic was "Prenuptial Agreements – Representing the Economically Dominant and Weaker Parties."

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