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MESSAGE FROM THE SECTION CHAIR

PHILIP HACKNEY,
UNIVERSITY OF PITTSBURGH SCHOOL OF
LAW

This section is dedicated to thinking about the role of trusts and estates in our society. You can see that in the articles of many members of our section have been engaged in over the past number of years. Quite an impressive bit of work has happened in the past number of years in this important area of the law.

In January 2023, our Section engaged in a great conversation in San Diego on pedagogy in Trusts and Estates in Society. Professors Karen Sneddon, Carla

Spivack, Allison Anna Tait, Deborah S. Gordon, and Ana Cristina Gómez Pérez addressed pedagogical practices, classroom dynamics, and technological strategies to help students better learn how to approach questions of inequality regarding the transfer of wealth, the mechanisms that are used, and the benefits that accrue. The professors on the panel also provided a number of strategies to teach about wealth transfer and how to incorporate issues of race, gender, and class into the Wills and Trusts classroom. This was a great interactive panel where members of the audience participated in suggesting their own novel means for teaching these concepts. And our panelist brought prizes! The section in that meeting also hosted a Works in Progress panel featuring developing works by Professors Deborah Gordon, Victoria Haneman, and Christopher J. Ryan. I thank all the participants in making such a great meeting and conversation possible.

We are thrilled to be meeting in Washington D.C. in January 2024 and look forward to seeing you all in person soon. At our 2024 meeting, our panel is devoted to The Strategic Use of Trusts for Wealth Preservation, as Victoria Haneman also discusses in the Message from the Program Chair (next in the newsletter). We have four panelists: Professor Lynne Marie Kohm will be presenting *Building Trust through Trusts to Preserve and Empower Black Wealth*; Thomas P. Gallanis will present *In Defense of “Rogue” States*; Natalie Lynner will discuss her new work *Reexamining Trust Privacy After Death*; and finally Professors Deborah Gordon, Allison Tait, Naomi R. Cahn will discuss *Using Trusts to Shelter Family Wealth*.

We hope that this newsletter enables us to reach out to section members and celebrate their achievements. We have an exceptional community of scholars and teachers in the Trusts and Estates section.

MESSAGE FROM THE PROGRAM CHAIR
VICTORIA HANEMAN,
CREIGHTON UNIVERSITY SCHOOL OF LAW

The AALS Section on Trusts & Estates will hold its program, “*Unlocking the Power of Trusts for Wealth Preservation*,” during the AALS 2024 Annual Meeting in Washington D.C. from January 3 to January 6, 2024. The panel is scheduled for Friday, Jan. 5, from 8-9:40 am. We hope as many of you as possible join us for our discussion of wealth and asset protection as an implicit part of planning for inheritance at death. Our panelists will explore a diversity of issues related to the use of trusts for wealth preservation, including the use of trusts to shelter family wealth or as a tool of antiracism, the way in which “rogue” trust states may be responsive to consumer demands and modern economic reality, and trust privacy after death. Panelists include (as our Section Chair notes): Lynne Marie Kohm (Regent), Thomas P. Gallanis (George Mason), Natalie Lynner (Drake), Deborah Gordon (Drexel), Allison Tait (Richmond), and Naomi R. Cahn (Virginia). Questions should be directed to the Section Chair and panel moderator, Prof. Phil Hackney (phackney@pitt.edu).

LAW FACULTY NEWS

Gerry Beyer (Texas Tech) was recognized as Professor of the Year, Criminal Law Association, Texas Tech University School of Law (2022) and was the Hess Memorial Lecture speaker for the New York City Bar. In addition, he has made approximately 50 presentations to judicial, academic, and professional organizations throughout the United States on a variety of topics including artificial intelligence, electronic wills, digital property, ethics & malpractice, avoiding will contests, and recent developments.

Alexander A. Boni-Saenz (Minnesota) has made a lateral move from Chicago-Kent College of Law to University of Minnesota Law School.

Naomi Cahn (Virginia) is now the Armistead M. Dobie Professor of Law at the University of Virginia School of Law.

Patricia Cain (Santa Clara) received the Lifetime Achievement Award, AALS Section of Taxation.

Bridget Crawford (Elisabeth Haub School of Law at Pace University) was honored by the 2023 graduating class with the Barbara Salken Award for Outstanding Teaching

Thomas P. Gallanis (George Mason) joined the faculty of George Mason University Antonin Scalia Law School as Allison and Dorothy Rouse Chair in Law and Executive Director of the GMU Global Wealth Management Project.

Victoria J. Haneman (Creighton) has been appointed, as of 2023, the *Director, Health Law Program* and the *Associate Dean of Research and Innovation*.

Lynne Marie Kohm (Regent) is honored to be a part of the AALS Section on Trusts & Estates 2024 panel on the Strategic Use of Trusts for Wealth Preservation where we will present "The Strategic Use of Trusts to Dismantle Racism: Building Trust through Trusts to Preserve and Empower Black Wealth."

Nina Kohn (Syracuse) is spending the fall as a visiting professor at Cornell Law School.

Sheldon Bernard Lyke (Loyola – Chicago) made a lateral move from the University of Baltimore School of Law to Loyola University Chicago School of Law and also reformatted the sleek new look for the ALPS website (Association for Law, Property, and Society)

Natalie Lynner (Drake) was honored to give the keynote address at the Digital Asset Revolution International Conference: Digital Assets and Death at Vilnius University Law School in Vilnius, Lithuania October 2023.

Nancy A. McLaughlin (Utah) presented on the Restatement of the Law of Nonprofit Charitable Organizations (Am. Law Inst. 2021), for which she served as Associate Reporter, at a Harvard Law School Library Book Tax in March 2023

CJ Ryan (University of Louisville (Brandeis)) will be moving to the Indiana University Maurer School of Law as a Professor of Law in January 2024.

Robert H. Sitkoff (Harvard) has been elected to the NAEPC Estate Planning Hall of Fame, to be inducted in Fall 2024.

Fredrick Vars (University of Alabama) capped off his project to reform the slayer rule with analysis of Taylor Swift lyrics on the evidence law podcast, *Excited Utterance* (link [here](#)).

Reid Weisbord (Rutgers) was appointed Visiting Professor of Law at Columbia Law School -- Fall 2023 and promoted to Distinguished Professor of Law at Rutgers Law School -- July 1, 2023.

LAW FACULTY SCHOLARSHIP

Gerry Beyer (Texas Tech) authored the following:

- TEACHING MATERIALS ON ESTATE PLANNING (5th ed. 2023) (West Academic)
- WILLS, TRUSTS, AND ESTATES: EXAMPLES & EXPLANATIONS (8th ed. 2022) (Aspen Publishing)
- TEXAS ESTATE PLANNING STATUTES WITH COMMENTARY (2023-2025 ed.) (AuthorHouse)
- TEXAS LAW OF WILLS — VOLUMES 9 & 10 OF TEXAS PRACTICE SERIES (4th ed. 2022-2023 ed.) (Thomson Reuters)
- IRREVOCABLE TRUSTS (4th ed. 2022-2023) (co-authored with James M. Kosakow) (Thomson Reuters)
- *Wills & Trusts*, 8 SMU ANN. TEX. SURV. 381 (2022)

Alexander A. Boni-Saenz (Minnesota) has authored *The Age of Racism*, 100 WASH. U.L. REV. 1583 (2023).

Naomi Cahn (Virginia) authored the following:

- *Reflections on Singlehood*, 72 WASH. U. J. L. & POL'Y 27(2023)
- *Supporting Families in a Post-Dobbs World: Politics and the Winner-Take-All Economy* (with June Carbone), 101 N. CAR. L. REV. 1549 (2023)
- *The Political Language of Parental Rights: Abortion, Gender-Affirming Care, and Critical Race Theory*, 53 SETON HALL L. REV 1443 (2023)
- *Who keeps the engagement ring after a breakup? 2 law professors explain why you might want a prenup for your diamond* (with Julia D. Mahoney), THE CONVERSATION (March 23, 2023).
- *The Restatements of Trust – Revisited*, in THE ALI AT 100: ESSAYS ON ITS CENTENNIAL (Oxford University Press, 2023) (with Deborah Gordon and Allison Anna Tait)

Patricia Cain (Santa Clara) authored the following:

- Chapter 19: *Taxation, The Litigator, the Judge, the Justice* in THE JURISPRUDENTIAL LEGACY OF JUSTICE RUTH BADER GINSBURG, edited by Ryan Vacca and Ann Bartow (NUU Press 2023)(with Jean C. Love).
- *Marvin Claims at Death*, 49 ACTEC L.J. 13 (2023)

Bridget Crawford (Elisabeth Haub School of Law at Pace University) authored the following:

- Joseph M. Dodge, Wendy C. Gerzog, Bridget J. Crawford, Jennifer Bird-Pollan & Victoria J. Haneman, *FEDERAL TAXES ON GRATUITOUS TRANSFERS: LAW AND PLANNING* (2d ed. 2023)
- Bridget J. Crawford, Tina Cockburn, Kelly Purser, Ho Fai Chan, Stephen Whyte & Uwe Dulleck, *How Gender and Other Identity Factors Influence Attitudes Toward Will Making: Lessons from Australia*, 49 ACTEC L.J. (forthcoming 2023)
- Bridget J. Crawford & W. Edward Afield, *Yesterday's Protestor May Be Tomorrow's Saint: Reimagining the Tax System Through the Work of Dorothy Day*, 76 TAX L. REV. 217 (2023)
- Tina Cockburn, Kelly Purser, Ho Fai Chan, Bridget J. Crawford, Stephen Whyte & Uwe Dulleck, *A Behavioral Economics Analysis of Will-Making Preferences in Australia: When to Begin and Who Should Have Input?*, 32 MINN. J. INT'L L. 1 (2023)
- Bridget J. Crawford, *Pink Tax and Other Tropes*, 34 YALE J.L. & FEMINISM 88 (2023)
- Bridget J. Crawford, Jonathan G. Blattmachr & Victoria J. Haneman, *Gift Tax Consequences of Luxury Hospitality: An Introduction*, 179 TAX NOTES 1157 (2023)

Robert T. Danforth (Washington and Lee) authored the following:

- ESTATE AND GIFT TAXATION (Carolina Academic Press, 4th ed. 2024) (co-authored with Brant J. Hellwig);
- UNDERSTANDING ESTATE AND GIFT TAXATION (Carolina Academic Press, 3rd ed. forthcoming 2024) (co-authored with Brant J. Hellwig);
- FEDERAL INCOME TAXATION OF ESTATES AND TRUSTS (Thomson Reuters June 2023 ed.) (co-authored with Norman H. Lane and Howard M. Zaritsky)

Tabrez Y. Ebrahim (Lewis & Clark) has authored the following:

- *3D Printing: Technology, Intellectual Property Law, & Business Models*, in THE CAMBRIDGE HANDBOOK OF EMERGING ISSUES OF COMMERCIAL LAW AND TECHNOLOGY (Stacy-Ann Elvy and Nancy Kim, eds. Cambridge University Press, 2023)
- *Islamic Intellectual Property*, SETON HALL L. REV. (forthcoming 2024)
- *Corpus Linguistics at the Patent Office*, BYU L. REV. (forthcoming 2024) (symposium);
- *Data in Business & Society*, LEWIS & CLARK L. REV. (forthcoming 2024) (symposium).

Thomas P. Gallanis (George Mason) authored the following:

- FAMILY PROPERTY LAW: CASES AND MATERIALS ON WILLS, TRUSTS, AND ESTATES (9th ed., forthcoming spring 2024, in ample time for fall 2024 courses)

- *Asian Wealth in the United States: Some Legal Answers and Policy Questions*, in Man Yip, Hang-Wu Tang, and Richard Nolan eds., TRUSTS AND PRIVATE WEALTH MANAGEMENT: DEVELOPMENTS AND DIRECTIONS (2023).
- *Trusts and the Choice of Law: What Role for the Settlor's Choice and the Place of Administration?*, 97 TUL. L. REV. 805 (2023).

Victoria J. Haneman (Creighton) authored the following:

- FEDERAL TAXES ON GRATUITOUS TRANSFERS: LAW AND PLANNING, 2d ed. (Aspen 2023) (with Joseph M. Dodge, Wendy C. Gerzog, Bridget J. Crawford & Jennifer Bird-Pollan)
- PLANNING FOR LARGE ESTATES (Matthew Bender Elite Prod. forthcoming 2023 Update)
- QUESTIONS & ANSWERS: WILLS, TRUSTS, AND ESTATES, 4th ed. (Carolina Academic Press 2023) (with Thomas M. Featherston)
- *529 Plans and School Choice*, __ PITT. TAX REV. __ (forthcoming 2023)
- *The Abandonment of International College Athletes by NIL Policy*, __ N.C. L. REV. __ (forthcoming 2023) (with David P. Weber)

David Horton (UC Davis) authored the following:

- *Probate Standing*, 122 MICH. L. REV. __ (forthcoming 2024)
- *Forced Robot Arbitration*, 109 CORNELL L. REV. ____ (forthcoming 2024)
- *The New Undue Influence*, 2023 UTAH L. REV. ____ (forthcoming 2023) (with Reid Kress Weisbord)

Diane Kemker (Southern University, visiting professor) authored the following:

- *Almost Citing Slavery: Townshend v. Townshend in Wills & Trusts Casebooks*, 84 UNIVERSITY OF PITT. ONLINE EDITION (2023)
- *Three Steps to Stop Citing Slavery*, 71 J. LEGAL EDUC. 348 (2022) (“insane delusion” doctrine)

Nina Kohn (Syracuse) authored the following

- *Humane and Resilient Long-Term Care: A Post-COVID Vision*, COVID-19 AND THE LAW: DISRUPTION, IMPACT, AND LEGACY (I. Glenn Cohen et al., eds). Cambridge University Press (2023).
- Nina A. Kohn & Casey Smith, *Defending Voting Rights in Long-Term Care Institutions*, 103 B.U.L. REV. 1025 (2023).
- Nina A. Kohn & David A. English, *Protective Orders & Limited Guardianships: Legal Tools for Sidelining Plenary Guardianship*, 72 SYR. L. REV. 225 (symposium issue, 2022)

Natalie Lynner (Drake) authored the following: *Death in a Pandemic: Funeral Practices and Industry Disruption*, 70 UCLA L. Rev. 1322 (2023)

Genevieve Mann (Gonzaga) authored *It's Not OK, Boomer: Preventing Financial Power-of-Attorney Abuse of Elders*, 82 MD. L. REV. 181 (2023)

Nancy A. McLaughlin (Utah) authored *Laws Governing Restrictions on Charitable Gifts: The Consequences of Codification*, 70 UCLA L. REV. DISC. 2 (2023)

CJ Ryan (University of Louisville (Brandeis)) authored the following:

- *Confusing Cy Près*, 58 GA. L. REV. ____ (forthcoming 2023);
- *An Historical and Empirical Examination of the Cy-Près Doctrine*, 48 ACTEC L.J. 289-360 (2023).

Robert H. Sitkoff (Harvard) authored the following:

- *The Twenty-First Century Revolution in Conflict of Trust Laws*, 79 TULANE L. REV. 1013 (2023) (with Robert Niles-Weed)
- *When a Statute Comes with a User's Manual: Reconciling Textualism and Uniform Acts*, 71 EMORY L.J. 1073 (2022) (with Gregory Elinson)

Allison Anna Tait (Richmond) authored several book chapters and articles, including:

- *Family Property over Time*, in FAMILY PROPERTY AND THE LAW (Elgar Research Handbook, forthcoming 2023)
- *Defining Family Trees and Building Family Fortunes: A Look into Dispossession and Enrichment Through Inheritance Laws*, in INHERITANCE MATTERS: INTERDISCIPLINARY PERSPECTIVES ON LAW (Hart Bloomsbury Press, 2023)
- *The Restatements of Trust – Revisited*, in THE ALI AT 100: ESSAYS ON ITS CENTENNIAL (Oxford University Press, 2023) (with Naomi Cahn and Deborah Gordon)
- *The Haunting of Wealth Transfer Law*, 48 ACTEC L. J. (forthcoming, Fall 2023)
- *Tax-Free and the Offshore Imaginary*, 20 PITT. TAX REV. 313 (2023)

Angela M. Vallario (Baltimore) authored the following:

- THE FUNDAMENTALS OF ESTATE PLANNING (MARYLAND), Carolina Academic Press (Third Edition (2023)).
- *Don't Let Death Be Your Deadline: Get a Will Before It's Too Late: Expand Holographic Wills Law to Incentivize Will-Making*, 30 ELDER L. J. 349 (2023).

Fredrick Vars (University of Alabama) authored the following:

- *The Slayer Rule: An Empirical Examination*, 48 ACTEC L.J. (2023)
- *Murder and Money: The Dark Side of Taylor Swift*, 72 Duke L.J. Online 146 (2023)
- *Opinion: Murder on the High Seas: CT's Slayer Rule on Trial*, Conn. Post (June 18, 2022)

Reid Kress Weisbord (Rutgers) authored the following:

- Reid K. Weisbord, David Horton, & Stephen K. Urice: WILLS, TRUSTS, AND ESTATES - THE ESSENTIALS, 3rd Edition (Aspen Casebook Series, forthcoming 2024)
- *Heirs Property: An Examination of Probate Costs and the Costs of Postmortem Probate Inaction*, 49 ACTEC L. J. __ (forthcoming 2024)
- *The New Undue Influence*, 2023 UTAH L. REV. ____ (forthcoming 2023) (with David Horton)
- *Trust Law's Public Policy Doctrine: Major Policy Fault Lines, Aggressive Home Rule Legislation, and Implications for Conflicts Reform*, 97 TUL. L. REV. 1147 (2023)
- *Trust Alteration and the Dead Hand Paradox*, 48 ACTEC L.J. 147 (2023) (with Jeffrey Pennell)
- *A New Framework for Condominium Structural Safety Reforms*, __ U.C. IRVINE L. REV. (forthcoming 2024) (with Stewart Sterk)
- *Inheritance Law for Centenarians*, JOTWELL (July 20, 2023) (reviewing Naomi Cahn, Clare Huntington, & Elizabeth Scott, *Family Law for the One-Hundred-Year Life*, 132 YALE L.J. 1691 (2023))

CONFERENCES

Biennial Critical Trusts & Estates Conference

The fifth biennial meeting of the Critical Trusts & Estates Conference (formerly Wills, Trusts and Estates Meets Gender, Race and Class) will be in Philadelphia, Pennsylvania at the Drexel University Thomas R. Kline School of Law. It will take place on **September 27, 2024**.

As the date draws closer, we will announce the keynote and issue a call for presentations.

Please reach out to either Carla Spivack or Deborah Gordon with any questions.

Coerced Debt, Identity Theft, and Financial Exploitation

The Rutgers Center for Gender Justice, the Rutgers Center for Corporate Law and Governance, and the Societal Security and Digital Identities Project* based at the University of Oslo invite you to join a working conference focused on coerced debt, identity theft, and financial exploitation.

This conference will bring together 20-30 academics, clinicians, lawyers, cryptologists, and advocates working to address the financial exploitation of vulnerable groups, with a focus on exploitation and injustice around gender, age, ethnicity, and disability. This conference will enable participants to advance this work by learning about strategies from other programs, countries, and disciplines. All participants will share research, empirical work, or client experiences, and we will strategize and problem-solve. Presentations will be followed by group discussion and break-out sessions.

The conference is free of charge and will take place at Rutgers Law School in Newark, New Jersey from June 11-June 12, 2024. (Meals will be provided during the conference, but additional meals, lodging, and transportation are not included.) If you are interested in attending, please contact Habibah Johnson at cgjl@law.rutgers.edu with your name, institutional affiliation, and your research or practice area of focus as relates to the conference by Jan 31, 2024. You do not need to submit a paper to attend, but please describe the research or practice experience you wish to share at the conference.

T&E Section Officers:

Section Chair: Philip T. Hackney, University of Pittsburgh School of Law

Chair Elect / Program Chair: Victoria J. Haneman, Creighton University School of Law

Treasurer: Reid Kress Weisbord, Rutgers Law School

Secretary: Naomi Cahn, University of Virginia School of Law

Executive Committee:

Eric C. Chaffee, University of Toledo College of Law

Michael J. Higdon, University of Tennessee College of Law

Natalie M. Lynner, Drake University Law School

Nancy A. McLaughlin, University of Utah, S. J. Quinney College of Law

Allison Tait, The University of Richmond School of Law

Danaya C. Wright, University of Florida Fredric G. Levin College of Law

Notes from the Secretary

- 1. At the annual meeting, we will be holding elections for next year's officers. Please let us know if you are interested in becoming Secretary or joining the Executive Committee. Self-nominations are WELCOME. Please send nominations to Philip, Victoria, Reid, or Naomi.**
- 2. All news and publication announcements are self-reported following email solicitations to the section during the fall of 2023. We apologize for any errors or omissions. Thanks to everyone for your contributions!**

Please Contact Us

Section of Trusts & Estates

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