

# **WealthCounsel Member Forum Support program**

WealthCounsel actively encourages members to create and participate in effective membership forums. In order to encourage and facilitate collaboration among our members, and to provide guidance and predictability to the collaborative process, WealthCounsel is excited to announce the Member Forum Support Program, designed to help members organize and work collaboratively to each other's advantage. We sincerely hope that all members will take advantage of this member benefit.

## **1.01 The State/Regional Forum Concept**

A state or regional forum is a group typically comprised of WealthCounsel members and non-members who get together regularly to discuss issues that are relevant to the practice of estate planning in their area and which are often unique to their jurisdiction. State/regional forums are sometimes involved in their state legislative process, and often meet to apprise the forum participants of important changes in the law that affect their practices.

## **1.02 About the WealthCounsel Member Forum Support Program**

The purpose of the WealthCounsel Member Forum Support program is to create a sustainable, manageable, and mutually-satisfying system for WC members to organize and perpetuate state/regional forums, and when desired, to customize WealthDocs based on jurisdiction-specific preferences.

To help state/regional forums build momentum, WealthCounsel will provide one-time financial and programming assistance to new and existing state/regional forums. Qualification for the WealthCounsel financial and programming assistance is conditioned on the state/regional forum satisfying all of the requirements of the Member Forum Support program.

### **(a) Financial Assistance**

WealthCounsel will provide \$1,000 for each state or regional forum (up to one state forum per state<sup>1</sup>). Each forum's leaders are responsible for submitting expense receipts to WC for reimbursement.<sup>2</sup> Forums may use the financial assistance to build momentum toward projects defined by the forums' member-appointed leadership, to organize and conduct forum meetings, fund educational offerings for the forum, or for other related expenses associated with conducting the business of the state/regional forum.

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<sup>1</sup> WealthCounsel may choose to support up to two forums in California, Florida, and Texas due to the higher concentration of WealthCounsel members in these states and due to the geographic size of these states.

<sup>2</sup> Forum leaders must submit a pre-approved, itemized reimbursable list to WealthCounsel.

## **(b) Programming Assistance**

WealthCounsel employed Lew Dymond, of Dymond Consulting, Inc., to provide up to 30 hours of programming time to facilitate additional programming of state/regional-specified changes to WealthCounsel's HotDocs-based software programs.<sup>3</sup> Dymond Consulting, Inc. will bill the state/regional forums directly, at \$150/hour, for all programming time that exceeds the initial 30 hours.

Forums are encouraged to take advantage of specialized programming assistance to guide jurisdictional practice preference changes to WealthDocs for WealthCounsel members. Practice preference items, such as ancillary documents not specifically set forth in state statutes, "preferred" language that members believe represent better practices in their jurisdiction, alternative assembly choices, etc. will qualify for WealthCounsel's Member Forum Support program. (Of course, WealthCounsel will continue to program state *statutorily-required* provisions as a feature of membership.)

### **1.03 Requirements for participation in the Member Forum Support program**

To qualify for participation in the support program, a state/regional forum must be comprised of 10 WealthCounsel members or 20% of the members within that state or region, whichever is greater. The number of members in a state or region will be determined by the number of members who are licensed in the state or region as identified on WealthCounsel's online member directory.<sup>4</sup>

WealthCounsel encourages state/regional forums to be open to WealthCounsel members and nonmembers alike. To qualify for participation in WealthCounsel's Member Forum Support program, the forum must be comprised of a majority of WealthCounsel members.

At each forum's initial meeting the participants must identify one or more leaders who will be responsible for conducting all future meetings, establishing meeting agendas, and coordinating with WealthCounsel's staff to receive the benefit of the Member Forum Support program assistance. To qualify for participation in the Member Forum Support program, all forum activities must be available to all WealthCounsel members.

Any state/regional forum activity, including software programming, which are paid at least in part by the WealthCounsel Member Forum Support program will be made available to all WealthCounsel members.

### **1.04 WealthCounsel's Role in Facilitating Forum Activities**

In addition to the financial and programming assistance described above, at the request of the forum-appointed leadership, WealthCounsel will:

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<sup>3</sup> Scheduling services with Dymond Consulting, Inc. occurs on a "first come, first served" basis.

<sup>4</sup> The reason for establishing a minimum requirement for forum participation is to help ensure that a representative group is assembled to define "best practices" in any given jurisdiction.

Provide a list of WealthCounsel members in the state/regional-defined area to help the forum's leadership contact prospective participants;

Schedule permitting, send a representative from WealthCounsel (either a staff member or a WealthCounsel principal) to participate in or present at one of each forum's meetings each calendar year;

Maintain an online calendar of events for forums, highlighting the forums' meetings and other events with information provided by each forum's leadership;

Maintain an online resource for forum participants to share documents, course agendas, and other computer files through WealthCounsel's member website;

Establish state/regional forum Listservs to facilitate communication among the forum members and other attorneys in their area;

Beginning in 2009, host periodic regional summits/conferences for forum members and leaders to gather and discuss each forum's activities, projects, challenges, etc. WealthCounsel's education department will also provide legal education at these meetings; and

Provide a forum resource manual designed to assist members with setting up meetings, establishing agendas, marketing forum events, applying for CLE credit, collecting and depositing dues and participation fees, and coordinating with WealthCounsel for reimbursement.

When a new member joins WealthCounsel, WealthCounsel will inform the new member of the state/regional forum in their area, and will provide the forum leader's contact information.

### **1.05 Getting started with the Member Forum Support program**

Each state/regional forum will appoint one or more leaders to manage the forum's organization and operations. The forum's leadership will schedule all forum meetings and be responsible for all organizational matters, including contracting with meeting space providers, preparing handout materials, managing forum funds, etc.

The forum's leadership will provide WealthCounsel with a list of the forum participants and a brief description of the forum's planned activities for the calendar year.

WealthCounsel will add all scheduled state/regional forum meetings to the WealthCounsel forum calendar, and will upload meeting agendas and meeting handouts and presentation materials as requested by the forum's leadership.

The forum's leadership will contact WealthCounsel and indicate that the forum intends to participate in the Support Program, and will identify a representative from the forum to submit claims against the Member Forum's Support program financial assistance account. All claims must be pre-approved by WealthCounsel.

## **1.06 A few words about software modifications**

To the extent a forum seeks to modify WealthCounsel's HotDocs-based software programs, the forum's leadership will first determine The litmus test to affect a modification to WealthDocs programming is to first determine if the proposed change must be made in order for the document to be *legally valid* in the jurisdiction, or if the proposed modification is a jurisdiction's agreed upon *practice preference*. Forum programming assistance funds will not be used to program any documents or other content that may compete with WealthCounsel, the Advisors Forum, or ElderCounsel.

### **(a) Jurisdictional requirements**

If a proposed change is required to ensure that WealthDocs is legally valid in a given jurisdiction, we request that the submitting member or forum present WealthCounsel's Director of Technology with details of the suggested language (which may be a WealthCounsel document edited to comply with the specific legal requirement), together with a copy of the statutory authority that dictates the change. WealthCounsel will then program necessary changes to the WealthDocs document template and will schedule the changes for release in a software update.

To expedite our efforts, we request that jurisdictional requirement requests be accompanied by adequate documentation from the forum to enable WealthCounsel's staff to annotate the software and explain the changes made to the software programs.

### **(b) Jurisdictional practice preferences**

Jurisdictional *practice preferences* will be addressed independently between the forum's leadership and Lew Dymond. If a state/regional forum decides to take advantage of the programming assistance offered through the Member Forum Support program, the forum will work with Lew Dymond to modify WealthCounsel's software products.

The state/regional forum will appoint a document committee of three members with one of those members as spokesperson. WealthCounsel will cover the cost for an initial planning meeting with Lew. After that meeting, Lew will provide the forum's document committee an estimate of the cost to complete the desired programming. If the forum decides to proceed with programming through Dymond Consulting, Inc., WealthCounsel will pay for up to 30 hours of Lew Dymond's programming time.

The forum is responsible for all programming time beyond the initial 30 hours provided by the Member Forum Support program, as well as any out-of-pocket costs for Lew Dymond's travel.

When Dymond Consulting, Inc. releases the forum's revised software module to the forum, WealthCounsel will also upload an executable installation file to WealthCounsel's website. That executable installation file will be made available to all members for use as a feature of membership.