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October 29-30, 2020

VIRTUAL PROGRAM

NOTRE DAME[®]
TAX & ESTATE PLANNING INSTITUTE

100% ONLINE PROGRAM THIS YEAR

Participate in "real-time" wherever you are located

View recordings of sessions at your convenience after the Institute

Program will be modified to fully reflect any legislative developments affecting the estate tax.

INTRODUCTION

Due to the uncertainty as to how COVID-19 will affect travel this fall, this year's Institute will be delivered exclusively online via Zoom on its originally scheduled dates, October 29 and 30, 2020 (with a bonus session the evening of the 28th). This virtual format (including our popular dual-track approach) will allow you to participate online in real time with the speakers, including opportunities for Q&A, and will be structured to qualify for continuing education credit to the extent allowed by the respective accrediting agencies. As an added bonus, we plan to record videos of all the sessions and your registration fee will include online access to these recordings for later viewing at your convenience (enabling you, for example, to view the dual-track sessions that you don't attend "live").

The Institute, as always, offers an impressive panel of speakers who will discuss practical topics relevant to a broad range of clients, even those not exposed to the estate tax. For example, some presentations will apply financial analysis to various scenarios, including extended income tax deferral for inherited retirement assets under the SECURE Act, the impact of various factors and client assumptions on grantor trust income, and the evaluation of life insurance policy illustrations to allow advisors to exercise reasonable care, skill and caution. Income tax topics include evaluations of whether opportunity zone tax benefits justify the financial return on the investment, and near-death planning using partnerships that can increase income tax basis. Charitable topics include using charitable remainder trusts in ways not generally considered, as well as ways to rescue liquidity-challenged CLATs so their estate planning objectives can be maintained.

The Institute also includes several topics that will be particularly important to your clients at the end of this year. Given that there may be significant tax law developments if there is a change in the executive branch after the November election, our speakers will focus on 2020 year-end tax planning clients need to consider, including the possibility that tax increases enacted in 2021 might be retroactive to January 1, 2021 and impact existing estate plans. In addition, with the end of the year approaching, clients will need to address the income tax consequences if their PPP loans are cancelled or paid back. One of the scheduled presenters for this topic is the Small Business Administration attorney who assisted in the PPP guidance and who will be discussing open issues.

We hope that this virtual format will be of benefit to the many hundreds of you who regularly rely on the Institute and will also enable many additional estate planning professionals, who might not otherwise have had the chance to attend the Institute in person, to engage with and benefit from the Institute this year. We look forward to seeing all of you online in October and, we hope, in person in South Bend in 2021.

FACULTY

Thomas Abendroth Schiff Hardin, LLP ~ Chicago, IL	Robert Keebler Keebler & Associates, LLP ~ Green Bay, WI
Herbert Austin Small Business Administration ~ Eules, TX	David Kirk Ernst & Young LLP ~ Washington, DC
Susan Bart Schiff Hardin, LLP ~ Chicago, IL	Stuart Kohn Levenfeld Pearlstein LLC ~ Northbrook, IL
Gerry Beyer Texas Tech University School of Law ~ Lubbock, TX	James Lamm Lathrop GPM LLP ~ Minneapolis, MN
Jeff Chadwick Winstead PC ~ Houston, TX	Susan Lipp Informa Connect ~ New York, NY
Jay Darby Sullivan & Worcester LLP ~ Boston, MA	Michael Mulligan Lewis Rice ~ St. Louis, MO
Chris Denicolo Gassman, Crotty & Denicolo P.A. ~ Clearwater, FL	Richard Nenno Wilmington Trust ~ Wilmington DE
Barry Flagg Veralytic ~ Tampa, FL	Todd Petit Allianz Life Insurance Co. ~ Minneapolis, MN
Adam Garber Levenfeld Pearlstein LLC ~ Chicago, IL	Karin Pranglely Brown Brothers Harriman & Co. ~ Chicago, IL
Alan Gassman Gassman, Crotty & Denicolo, PA ~ Clearwater, FL	Gideon Rothschild Moses & Singer LLP ~ New York, NY
Sandra Glazier Lipson Neilson, PC ~ Bloomfield Hills, MI	Rebecca Ryan City National Bank ~ Chicago, IL
Michael Gordon Gordon, Fournaris & Mammarella, PA ~ Wilmington, DE	Anita Sarafa JP Morgan Private Bank ~ Chicago, IL
John Grzybek Clarity Family Offices, LLC ~ Ada, MI	Martin Shenkman Martin M. Shenkman, P.C ~ Fort Lee, NJ
Louis Harrison Harrison & Held LLP ~ Chicago, IL	Christopher Siegle JP Morgan Private Bank ~ Scottsdale, AZ
David Herzig Ernst & Young LLP ~ Dallas, TX	Stacy Singer Northern Trust ~ Chicago, IL
Paul Hood Paul Hood Services ~ Toledo, OH	Todd Steinberg Loeb & Loeb LLP ~ Washington DC
Kim Kamin Gresham Partners LLC ~ Chicago, IL	Steven Trytten Henderson, Caverly, Pum & Trytten, LLP ~ Pasadena, CA
George Karibjanian Franklin Karibjanian & Law PLLC ~ Boca Raton, FL	Howard Zaritsky ~ Rapidan, VA

FORTY-SIXTH ANNUAL NOTRE DAME[®] TAX & ESTATE INSTITUTE

Wednesday: 2 credit hours
 Thursday: 7 credit hours - 1 hour ethics
 Friday: 8 credit hours - 1 hour ethics
TOTAL PROGRAM: 17 CREDIT HOURS - 2 HOURS ETHICS
 (see details on Continuing Education on back)

WEDNESDAY

OCTOBER 28, 2020

2 credit hours

3:00 - 5:00 pm (120 mins): A Comprehensive Review of the SECURE Act And How To Draft For What Is Still Not Clear
 ~ Chris Denicolo

THURSDAY

OCTOBER 29, 2020

7 credit hours - 1 hour ethics

8:00 - 8:10 am:
 Welcoming Ceremonies
 ~ Jerome M. Hesch

8:10-10:10 am | Session 1 (120 mins):
 Current Developments of Importance to Estate Planners
 ~ Howard Zaritsky

A

choose from the following sessions which are scheduled to run concurrently

B

10:20 - 11:20 am | Session 2A (60 mins):
 To Gift or Not to Gift: Balancing Income and Transfer Tax Benefits for Couples Between \$1.2 Million to \$2.2 Million
 ~ Jeff Chadwick

11:30 am - 12:30 pm | Session 3A* (60 mins):
 Avoiding the Estate Planning "Blue Screen of Death" with Competent and Ethical Practices
 ~ Gerry Beyer

1:30 - 2:30 pm | Session 4A (60 mins):
 Turning Off Grantor Trust Status: Mechanics, Tax Implications, Effect on Entities, Abusive Transactions, and State Law Obstacles
 ~ David Kirk

2:40 - 3:40 pm | Session 5A (60 mins):
 Can You Use Another State's Ante-Mortem Probate to Eliminate Will Contests as the Ultimate Will Contest Prevention Technique?
 ~ Michael Gordon

3:50 - 5:00 pm | Session 6A (70 mins):
 Perspectives on Planning for Personal Property: Collectibles, Philanthropy, Auction Houses, Income Taxes, and the Next Generation
 ~ Susan Lipp (Moderator), Sandra Glazier, Kim Kamin and Martin Shenkman

10:20 - 11:20 am | Session 2B (60 mins):
 State Income Taxation of Completed Gift Trusts: How Will Your State of Residence React to the Assignment of Income?
 ~ Richard Nenko

11:30 am - 12:30 pm | Session 3B* (60 mins):
 Defensive Practices Because Nothing Is Safe: How Practitioners Can Be Safer and Reduce Malpractice Risks
 ~ Sandra Glazier, Howard Zaritsky & Martin Shenkman

1:30 - 2:30 pm | Session 4B (60 mins):
 Estate Planning to Obtain the Best Economic Outcome for Beneficiaries of IRA and Retirement Assets
 ~ Steven Trytten

2:40 - 3:40 pm | Session 5B (60 mins):
 Creative Planning with Charitable Remainder Trusts: You Will Flip When You See This
 ~ Michael Mulligan & John Grzybek

3:50 - 5:00 pm | Session 6B (70 mins):
 Rescue Planning for Existing CLATs and CRTs Where Lower Asset Values Will Deplete Principal, Reducing or Eliminating the Estate Plan Benefits
 ~ Institute Advisory Board

* ethics credits

Does more than one session during a concurrent time period look interesting? No problem! All sessions will be recorded and we plan to make them available at no additional charge for online viewing by attendees after the Institute.

FRIDAY

OCTOBER 30, 2020

8 credit hours - 1 hour ethics

A

choose from the following sessions which are scheduled to run concurrently

B

8:00 - 9:00 am | Session 7A (60 mins):
 CARES Act Loan Forgiveness: Tax Issues and Related Aftermath of COVID-19 if the Loan Is Repaid
 ~ David Herzig, Herbert Austin & Alan Gassman (moderator)

9:10 - 10:10 am | Session 8A (60 mins):
 Mathematically Oriented Planning Techniques and How They Are Quantified to Determine the Technique Best Suited for a Particular Client
 ~ Robert Keebler

10:20 - 11:20 am | Session 9A (60 mins):
 Life Insurance Best Interest Pressures: Evaluation of Factors Advisors Need to Consider
 ~ Rebecca Ryan, Barry Flagg & Todd Steinberg (Moderator)

11:30 am - 12:30 pm | Session 10A (60 mins):
 Life Insurance Policy Illustrations: Understanding What an Illustration Is, What It Is Not and the Probability of Delivering What the Illustration Shows
 ~ Todd Petit & Todd Steinberg (Moderator)

1:30 - 2:30 pm | Session 11A (60 mins):
 Navigating Common Trustee Liability Exposures and Defensive Steps to Take in Advance
 ~ Stacy Singer & Thomas Abendroth

2:35 - 3:35 pm | Session 12A* (60 mins):
 Securing Client Data and Teleworking: Ethical Concerns and Practical Tips
 ~ Karin Prangle & James Lamm

3:40 - 4:40 pm | Session 13A (60 mins):
 Variations On a Theme: The Uniform Trust Code in the Midwest and States Considering Its Adoption
 ~ Susan Bart

4:45 - 5:45 pm | Session 14A (60 mins):
 Basis Planning and Income Tax Deferral While a Client Is Living or for Appreciated Assets Owned by Trusts Not Exposed to Estate Tax
 ~ George Karibjanian

8:00 - 9:00 am | Session 7B (60 mins):
 An Estate Planning Roadmap for 2020 and 2021
 ~ Martin Shenkman

9:10 - 10:10 am | Session 8B (60 mins):
 Foreign v. Domestic: Which Jurisdiction Is Right for Your Client Considering Asset Protection
 ~ Gideon Rothschild

10:20 - 11:20 am | Session 9B (60 mins):
 The Land of Oz: A Hard and Candid Look at Opportunity Zone Tax Incentives: Would You Make The Investment if There Were No Tax Incentives?
 ~ Jay Darby

11:30 am - 12:30 pm | Session 10B (60 mins):
 I Have a Lot of Investment Expenses: What Is and What Is Not Deductible
 ~ Louis Harrison

1:30 - 2:30 pm | Session 11B (60 mins):
 The Income Tax Impact of the New Transfer for Value Regulations: What Is No Longer a Safe Harbor for Transfers of a Life Insurance Policy
 ~ Stuart Kohn & Adam Garber

2:35 - 3:35 pm | Session 12B* (60 mins):
 The Mine Fields of the Lawyer as a Fiduciary: Do You Know How to Navigate Them?
 ~ Paul Hood

3:40 - 4:40 pm | Session 13B (60 mins):
 BDTs and BDOTs: The Basics, Concerns to Evaluate and Best Practices
 ~ Anita Sarafa

4:45 - 5:45 pm | Session 14B (60 mins):
 "Ups And Downs" of Valuations When Using Defined Value and Price Adjustment Clauses for Partial Interest Transfers. How to Stay Out of The IRS' Cross Hair
 ~ Christopher Siegle

* ethics credits

Program is subject to change and will be modified to reflect any legislative developments affecting estate tax.

PROGRAM INFORMATION

The Institute will be held October 29 and 30, 2020. Due to the Covid-19 pandemic, this year's program will be presented exclusively online via Zoom classrooms. This program will use Eastern Time (same as New York City).

REGISTER ONLINE AT:

<http://law.nd.edu/estateplanning>

Continuing Education Certification

For those attendees desiring certification of attendance at the program, the Institute will issue certificates of attendance with respect to the sessions viewed in real-time via Zoom. Attendees may be required to confirm their real-time participation in these sessions by responding to prompts integrated into the online delivery system or otherwise. The program will afford up to 17 actual hours of continuing education in this manner, including up to 2 hours of ethics. Each continuing education accrediting agency determines the number of continuing education hours (including ethics) it will accept for accreditation. While the Institute intends to make recordings of all sessions available to attendees after the Institute (enabling, for example, an attendee to later watch a session that conflicted with the "real time" session the attendee participated in), the Institute is unable to track or confirm post-Institute self-viewing of these recordings. Attendees are advised to contact their accrediting agency to determine how much, if any, continuing education credit is available for this post-Institute self-viewing.

Registration and Availability of Materials

All registration is done online at <http://law.nd.edu/estateplanning>, and should be done by September 18 to assure your place. The fee for the Institute is \$595, which includes real-time participation via Zoom in one session per time period of the Institute, as well as access after the Institute to online video recordings of all sessions (access to these post-Institute recordings may be available for a limited time, and may be subject to technological limitations). In addition, your registration fee includes online access to electronic versions of the extensive course outlines, made available for download in advance of the Institute. Physical copies of these materials are available for an additional fee, which includes the delivery cost (\$70 for a set of printed books, and \$20 for a flash drive). In order to enable delivery of these optional physical materials to you prior to the Institute, you must register by September 18, 2020 (registrations after that date will have access to the optional physical materials only while limited supplies last). Registrations are cancellable and refundable (less a \$35 processing fee) until September 18, 2020.

Confirmations

Confirmations will be emailed.

System Requirements:

- Must have internet connection
- Must be logged into a valid Zoom account, which shares the same email address used during registration
- Must be using the latest version of Zoom's App
- Due to certification concerns, connecting to the Institute via telephone will not be an available option

Technical Support:

Technical support to assist with connecting to Zoom meeting sessions will be available on the day of the program. One week prior to the program an informational packet will be sent containing basic logistic and technical information. Included will be a basic troubleshooting guide as well as direct contact information to gain assistance if required on the day of the program.



UNIVERSITY OF
NOTRE DAME

Notre Dame, Indiana 46556

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Advisory Board

Aen Webster

Jack Sawyer

Alan Cassman

Sandra Glazier

Martin Shenkman

Director

Jerome M. Hesch

