



NAEPC EDUCATION & SPONSORED DESIGNATIONS

Accredited Estate Planner - AEP

Estate Planning Law Specialist - EPLS

Refer to the www.naepc.org for:

AEP Application

EPLS Application



National Association of Estate Planners & Councils

Accredited Estate Planner Designation

The Accredited Estate Planner (AEP) designation is a graduate level specialization in estate planning designation, obtained in addition to already recognized professional credentials within the various disciplines of estate planning. It is awarded by the National Association of Estate Planners and Councils (NAEPC) to recognize estate planning professionals who meet stringent requirements of experience, knowledge, education, and professional reputation and character. As part of NAEPC's advocacy program, AEPs will be given priority in requests for referrals within each professional discipline that result from NAEPC promotion and advertising campaigns. In addition, NAEPC promotion and advertising will prominently feature the AEP designation and the advantages of working with an AEP professional.

QUALIFICATIONS & REQUIREMENTS

An **ACCREDITED ESTATE PLANNER** applicant must meet **ALL** of the following requirements as established by the National Association of Estate Planners & Councils:

1. **Credential requirement.** To be eligible to be considered for the AEP designation, the applicant must provide documentation of being licensed to practice law as an Attorney (Atty) or to practice as a Certified Public Accountant (CPA), or of being currently designated as a Chartered Life Underwriter (CLU), Chartered Financial Consultant (ChFC), Certified Financial Planner (CFP®), or Certified Trust & Financial Advisor (CTFA), in any jurisdiction of the United States of America.
2. **Professional discipline engaged in estate planning requirement.** The applicant must be presently and significantly engaged in "estate planning activities" as either an attorney, an accountant, a life insurance professional, a financial planner, or a trust officer.

Estate planning encompasses the accumulation, conservation, preservation, and transfer of an estate through planning and implementation of an estate plan. The overall purpose of the estate planning process is to develop a plan that will maintain the financial security of individuals and their families. Estate planning has come to include lifetime planning that leads to conservation and transfer of assets. Estate planning should also facilitate the intended and orderly transfer of property at death, taking into consideration the family unit and the potential costs of different methods.

Estate planning activities could include the following functions appropriate to the applicant's respective discipline(s):

- Administering estates and trusts
- Analyzing existing life insurance coverage for continuing relevance
- Analyzing proposed transactions for estate and gift tax implications
- Attending Estate Planning Council Meetings and Other Estate Planning Educational Events
- Business Succession Planning
- Business Succession Planning
- Charitable/gifting planning
- Designing estate plans
- Designing Qualified and Non-Qualified Retirement Plans
- Developing strategies to minimize potential estate and gift taxes
- Developing programs to conserve assets during lifetime and at death



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Drafting estate planning documents
Life Settlements of Life Insurance Policies
Preparing estate and gift tax returns
Preparing fiduciary accountings
Preparing fiduciary income tax returns
Probating wills & administering estates
Proposing life insurance solutions consistent with estate plans
Retirement distribution planning
Succession planning

Note: A full time professor at a college, university, or school of law who teaches courses in estate planning, estate tax, or business continuation planning will be considered engaged in estate planning activities.

3. **Experience requirement.** A minimum of five (5) years of experience engaged in estate planning and estate planning activities is required in one or more of the professional disciplines described above. To be exempt from the education requirements described below, an applicant must have a minimum of fifteen (15) years of experience engaged in estate planning and estate planning activities in one or more of the professional disciplines described above.
4. **Education requirement.** The National Association of Estate Planners & Councils (NAEPC) has designated The American College, Bryn Mawr, Pennsylvania, as the provider of the education courses required to earn the AEP designation. Applicants for the AEP designation must successfully complete two graduate courses through the Richard D. Irwin Graduate School of The American College as follows:

Required course:

GS 815 – Advanced Estate Planning I

One elective course selected from:

GS 812 – Business Valuation

GS 816 – Advanced Estate Planning II

GS 836 – Business Succession Planning I

GS 839 – Charitable Giving

GS 842 – Executive Compensation

If the applicant has completed any one (1) of the following listed courses prior to March 31, 2004, it will be accepted as an approved course. These courses are:

GS 814 – Advanced Pension Planning and Retirement Planning I

GS 817 – Personal Tax Planning

GS 838 – Business Succession Planning II

Except as stated in the prior paragraph, there is no requirement that courses must be taken within any prescribed time period. As long as the applicant has kept current through continuing education, it does not matter when the courses were originally completed.

The applicant must provide either a copy of a grade report from The American College or a transcript from The American College.



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“Challenge Exam” Alternative. As an alternative to taking the above mentioned courses, an applicant may elect to sit for the two “challenge exams”. Each exam has a two-hour time limit, and the exams may be taken at different times. The first exam is comprised of the course material for GS 815, Advanced Estate Planning I, and the second exam is comprised of the course material for GS 816, Advanced Estate Planning II. This alternative option is recommended only for those applicants who have previously taken advanced, graduate level courses elsewhere and have advanced knowledge in the field of estate planning. An applicant who fails an examination is then required to take the underlying course upon which that examination was based.

The applicant must provide either a copy of a grade report from The American College or a transcript from The American College. For Challenge Exam information, please contact Joanne Patterson at The American College.

Joanne Patterson
The American College
270 S. Bryn Mawr Avenue
Bryn Mawr, PA 19010
(610) 526-1366

Transfer of Credit for Graduate College Courses. If the applicant has completed comparable graduate-level courses at an accredited college or university, the applicant may apply to the Richard D. Irwin Graduate School of The American College for transfer of credit for these courses. The course or courses must be graduate-level and must be comparable to the current courses comprising the educational requirements of the AEP Designation program. Applicants must provide a copy of the official transcript and a detailed description/syllabus of the course(s).

The course(s) must have been completed within seven (7) years of the request for transfer of credit, and the applicant must have earned a grade of "B" or better for the course(s). Courses being transferred must not have been used to earn another graduate degree; i.e., courses taken to earn an MBA or other masters degree are not acceptable. The applicant must pay the appropriate transfer fees to The American College. The decision to accept or reject graduate courses for transfer of credit rests solely with The American College, and the decisions of The American College shall be final.

Applicants must provide a copy of a transcript from The American College reflecting credit for approved transfer of course credits for AEP course requirements.

15 Years Experience Exemption. AEP applicants who have at least fifteen (15) years of experience engaged in estate planning and estate planning activities in one or more of the professional disciplines described above are not required to take the educational course work and are exempt from the education requirements described in this section.

5. **Membership requirement.** AEP applicants are required to be members of, and continuously maintain membership in, an affiliated local or regional estate planning council where such membership is available. Where no affiliated local council membership is available, the applicant is required to continuously maintain individual membership in the National Association of Estate Planners & Councils.



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membership. However, it is recognized that this membership may not always be available for all AEP applicants due to geographical location, local affiliated estate planning council limits on the number of members from each discipline, unaffiliated local estate planning councils, or other local estate planning council membership criteria that prevent the AEP applicant from belonging to the affiliated local estate planning council. If affiliated local estate planning council membership is not available for any of the foregoing reasons, then NAEPC requires that AEP applicants obtain, and maintain, individual membership in NAEPC until such time as they can become a member of an affiliated local or regional estate planning council. The current dues for individual membership in the NAEPC are \$80.00 a year. The individual NAEPC membership dues are in addition to the annual dues for AEP membership that is required to maintain, and use, the AEP designation.

6. **Professional reputation and character requirement.** First, an applicant must continuously be in good standing with the applicant's respective professional organization and/or license authority (e.g., State Bar Association for attorneys, etc.).

Second, an applicant must provide the names and addresses of three professional individuals as references. The applicant must also provide each individual referrer a copy of the Reference Form to be returned to the NAEPC. Each reference form must be completed in its entirety in the referrer's own handwriting or by using his or her own typewriter or word processor. Forms completed by the applicant will not be accepted. At least two of the professional references must be from individuals who primarily practice in **two** different professional disciplines from the applicant, and one of the professional references must be from an individual who primarily practices in the same professional discipline as the applicant. No references may be from either (1) persons who work for the same company or firm as the applicant, or (2) who are related within the fourth degree of consanguinity to the applicant. Professional references should be from individuals with whom the applicant has worked on estate planning cases and assignments, individuals who are familiar with the applicant's professional capabilities and experience and who are currently actively engaged in estate planning. Professional disciplines are limited to attorneys, accountants (CPAs), life insurance professionals (CLUs), financial planners (CFPs or ChFCs), and trust officers.

Finally, in addition to the three (3) professional references, if the applicant is a member of an affiliated local or regional estate planning council, as part of the council membership verification, the president of the council and one other council officer will be asked to provide information on the applicant's professional capabilities, reputation and experience on the Membership Verification Form. As with the reference forms above, this form should also be completed in its entirety in the handwriting of the officers of the Council or by using their typewriters or word processors.

7. **Commitment to NAEPC Code of Ethics requirement.** The applicant must sign a declaration statement to continuously abide by the NAEPC Code of Ethics.
8. **Dedicated to team concept requirement.** The applicant must acknowledge a commitment to the team concept of estate planning by signing a declaration statement.
9. **Continuing education requirement.** The applicant must satisfy a minimum of thirty (30) hours of continuing education during the previous two calendar years, of which at least fifteen (15) hours **MUST** have been in estate planning. Applicants may be requested to produce documentation to substantiate any activity claimed.
10. **Annual dues and re-certification requirement.** AEPs are required to continuously maintain annual membership as an AEP in order to use the AEP designation. (Annual AEP membership



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dues are currently \$100.00.) Failure to maintain annual membership or failure to meet or comply with the re-certification requirements described below will result in the revocation, until such time as the requirements are met, of the AEP designation.

On an annual basis, AEPs must certify or re-certify that:

- (1) They are continuously engaged in estate planning activities in their professional discipline;
- (2) They are in good standing with their respective professional organizations and/or license authorities and are not subject to any disciplinary misconduct or investigation;
- (3) They maintain membership in an affiliated local or regional estate planning council where such membership is available, otherwise they must be an individual member of the NAEPC and maintain that membership;
- (4) They have abided by and will continue to abide by the NAEPC Code of Ethics;
- (5) They are dedicated to the team concept of estate planning; and
- (6) They have currently satisfied the continuing education requirements of their designated professional discipline and have maintained a minimum of thirty (30) hours of continuing education during the previous twenty-four (24) months, of which at least fifteen (15) hours were in estate planning.

The above annual certifications and re-certifications will be subject to random audits.



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SPECIAL CIRCUMSTANCES

EPLS Designation Holders. Since the EPLS designation is a more difficult designation to obtain, EPLS designation holders in good standing will be automatically granted the AEP designation with no annual AEP membership dues for the first year. They will be subject to AEP annual membership requirements, including certification and re-certification, thereafter.

AEP Emeritus. AEP Emeritus Status is defined as: substantially retired or disabled; age 65 or older; 15-years of continuous and significant involvement in estate planning; and previous 5-years of continuous AEP in good standing. A form can be found at the following web address: http://www.naepc.org/AEP_emeritus.pdf.

Council AEP Candidate Nominees. Each year, an affiliated local or regional estate planning council in good standing may nominate AEP candidates in each of the five (5) professional disciplines of attorney, accountant, life insurance professional, financial planner, and trust officer. The maximum number of nominees for affiliated local or regional estate planning councils in good standing with 100 members or less will be one AEP candidate in each of the five (5) professional disciplines specified above. The maximum number of nominees for affiliated local or regional estate planning councils in good standing with more than 100 members will be two (2) AEP candidates in each of such five (5) professional disciplines.

These AEP candidates must have fifteen (15) or more years of experience engaged in estate planning and estate planning activities and will be subject to the current AEP qualifications and requirements, except that the requirements for professional references and affiliated local or regional estate planning council membership verification will be waived. The AEP application fee for Council AEP candidate nominees will be fifty percent (50%) of the normal AEP application fee. (The current normal AEP application fee is \$250.00. Therefore, the current AEP application fee for Council AEP candidate nominees is \$125.00.) Council AEP candidate nominees are subject to the annual AEP membership dues and re-certification requirements.

Nominations for these AEP Candidates must be in the form of a board of directors resolution signed by the president and one other officer of the affiliated local or regional estate planning council. A form can be found at the following web address: http://www.naepc.org/doc_17.web.



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ACCREDITED ESTATE PLANNER CHECK LIST

INSTRUCTIONS TO APPLICANT

Please make sure that all of the following materials are included when returning your application to the NAEPC National Office. If you have any questions or need additional information, please call (866) 226-2224.

Please forward your completed packet to: National Association of Estate Planners & Councils
1120 Chester Ave., Suite 470
Cleveland, OH 44114-3514

- _____ Completed Application (pgs. 9, 10, & 11), including Declaration Page (pg. 12)
- _____ Copy of licenses and/or certificates for each license, degree, and/or designation
- _____ Copy of grade report or transcript from The American College
- _____ Three reference forms – these may be mailed to the NAEPC under separate cover
- _____ The names and addresses of the three professional reference requests (pg. 14)
- _____ Membership Verification Form (pg. 15), *or*
\$80.00 Individual NAEPC membership dues
- _____ Fees
 - _____ \$250.00 Application Fee (**non refundable**)
 - _____ \$100.00 Yearly AEP Dues
 - _____ \$80.00 Individual NAEPC Membership Dues (if required)

All checks should be made payable to NAEPC.

COMMENTS _____

ALL REQUIRED FORMS ARE INCLUDED IN THIS PACKET



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Estate Law Specialist Program – An Overview

Attorneys who become Board-certified under this program demonstrate a high level of professionalism and commitment to the concept of specialization. We believe that as attorney specialization increases, it will benefit not only lawyers but the public.

This program is currently the only program, other than certain state bar association programs which are only for residents of their particular states, accredited by the American Bar Association to Board-certify attorneys as Estate Planning Law Specialists. It is administered by an attorney-run affiliate of the National Association of Estate Planners & Councils, the Estate Law Specialist Board, Inc. The program was accredited by the ABA in 1996.

To obtain Board-certified status, an attorney must meet the following requirements:

- Five or more years as an estate planning attorney during which at least 1/3 of the attorney's practice is devoted to estate planning
- 12 or more hours of continuing legal education in estate planning topics per year for the last three years
- Verification of professional liability insurance coverage
- Recommendations from at least five colleagues that are not related to or within the same firm as the applicant
- Passing a comprehensive exam designed so competent attorneys having constant exposure to estate planning can pass without substantial independent study

Many states permit lawyers to hold themselves out as specialists if their certification is awarded by an ABA-accredited program. Each lawyer must consult the rules in his or her own state to determine how such a designation applies.

The application fee for the certification is \$500 if the applicant is a member of an NAEPC affiliated local council or \$600 for all others. Yearly dues apply and an attorney is required to recertify, without testing, every five years.

For more information visit www.naepc.org or call the number below and ask to speak to the Estate Law Specialist program representative.



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ESTATE PLANNING LAW SPECIALIST STANDARDS FOR CERTIFICATION

I. Standards for Certification

Admission to practice law

An applicant for certification shall be licensed to practice law, and must provide evidence that he or she is actively licensed and in good standing in the state of his or her primary practice.

Substantial involvement in estate planning

The applicant must have at least five years of experience as a practicing attorney. In addition, in the five years immediately preceding the filing of the application, the applicant shall have demonstrated **substantial involvement** in estate planning. Substantial involvement is measured by the type and number of cases or matters handled by the attorney, and by the amount of time spent practicing in estate planning. In no event shall the proportion of time spent by the applicant be less than one third (1/3) of the applicant's normal full-time practice. Each applicant shall attest to his or her substantial involvement and shall agree to provide, if requested, such additional information and documentation necessary to verify the applicant's substantial involvement.

Continuing Legal Education

In the 36-month period prior to the date of application, the applicant must have completed at least 12 hours of continuing legal education per year in estate planning. The requirement may be fulfilled through any of the following means:

- Attending programs of continuing legal education in estate planning.
- Teaching seminars or courses in estate planning.
- Participating as a panelist, speaker or workshop leader at educational or professional conferences about estate planning.
- Writing published books or articles concerning estate planning.

Examination

The applicant must pass a comprehensive examination. The exam is administered at the office of an Estate Law Specialist Board member (currently Johnson City, TN, Memphis, TN or Wauwatosa, WI), or in the office of an NAEPC Board member (call for details) or online (call for details). Specific testing information can be obtained by calling the EPLS representative at the national office telephone number below.

Favorable references from at least five colleagues

The applicant will be asked to supply the names of eight estate planning law practitioners and/or judges who are knowledgeable regarding estate planning. A minimum of five such individuals must provide favorable recommendation. No current partner or associate, and no one related to the applicant may be used as a reference. In addition to the names supplied by the applicant, the Board may consider references of its own choosing. The Board will ask references about their area of practice, familiarity with estate planning, the length of time they have been practicing and have known the applicant, and ask the references to opine as to the qualifications, competence and professionalism of the applicant.

Professional liability insurance coverage

The applicant must furnish a copy of his or her professional liability insurance contract, or a certificate of coverage, with the initial application. The Board shall determine whether the professional liability insurance coverage is satisfactory. The applicant shall provide authorization for the release of information by the professional liability insurance carrier.



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II. Applying for Certification

- A. Membership in an NAEPC affiliated local council
Membership in an affiliated local council of the NAEPC is encouraged, but not required. Certification as an Estate Planning Law Specialist by the Estate Law Specialist Board, Inc. is available to all attorneys who qualify according to the Board's stated requirements and standards.
- B. Fees
1. Initial Fee
The Board charges the applicant fees for filing of the initial application. The one time application fee includes the applicant's fee for sitting for the exam one time. If the applicant must re-take the examination, an additional fee will be charged. The fees for the initial application are:
- i. Attorney who is a member of an NAEPC affiliated local council - \$500.00. (A list of NAEPC affiliated local councils can be found online at www.naepc.org by clicking the "Local Councils" portion of the site.)
 - ii. Attorney who is not a member of an NAEPC affiliated local council - \$600.00.
- After being certified as an Estate Planning Law Specialist, the applicant must pay annual renewal fees (currently \$125.00). After five years, the applicant must re-apply and a non-refundable recertification fee will be charged in order to cover reasonable administrative expenses. These fees are non-refundable.
- 2. Re-Examination Fee**
An applicant who fails to pass to make a passing grade on the applicant's first attempt at the EPLS exam, may, without reapplying, retake the exam (the second attempt) again no sooner than 90 days from the first attempt date but no later than 365 days from the first attempt date at an exam cost of \$200. An applicant who fails to pass the second attempt can take the exam one additional time (the third attempt) no sooner than 90 days from the second attempt date so long as the third attempt is still within 365 days from the first attempt at a cost of \$200. If an applicant fails all three attempts, the applicant must wait at least six months from the third attempt date and reapply the same as if the applicant had never applied, paying the application fee then in effect.
- C. Verification of information supplied by the applicant
The applicant must verify information in the application by affidavit and must sign a statement authorizing the Estate Law Specialist Board, Inc. to independently contact his or her references. In his or her application, the applicant must waive any alleged claim against the Estate Law Specialist Board, Inc. and/or its affiliated organization, NAEPC, arising out of the reference responses, the application process, and/or denial of the applicant's application for certification.

III. Maintenance of Certification

- A. Annual Requirements
After successful completion of the program, the Estate Planning Law Specialist must complete an annual statement verifying his or her continuation of professional liability insurance and completion of twelve hours of continuing legal education in estate planning during the preceding year.
- B. Recertification after five years
A lawyer's certification as an Estate Planning Law Specialist is valid for five years, after which the certified attorney must re-apply for certification. The recertification process requires that the applicant demonstrate continued competence in estate planning. The applicant must demonstrate that he or she meets the same requirements of substantial involvement, peer review, educational experience and good standing, as demonstrated in the initial application. The applicant will NOT be required to take an examination. An



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appropriate, non-refundable, recertification fee will be charged in order to cover reasonable administrative expenses.

C. Suspension or revocation of certification

The Estate Planning Law Specialist's certification will be revoked or suspended if the attorney:

- Is disbarred or suspended from practice of law in any jurisdiction. A certified attorney must report his or her disbarment or suspension from the practice of law to the Estate Law Specialist Board, Inc. within 30 days of such action.
- Makes a material misrepresentation in connection with an application for certification or recertification.
- Ceases to practice law in all states in which the specialist was licensed to practice law.

No suspension or revocation shall occur without notice to the certified specialist and an opportunity for a hearing.

IV. Board Authority

The Estate Law Specialist Board, Inc. shall have the sole authority to take the following actions:

- Grant certification to an applicant.
- Hear all complaints concerning a specialist and take steps to reprimand or suspend or revoke an attorney's certification.
- Review and approve organizations as approved CLE sponsors. The Board may charge a fee to the CLE organization to defray the administrative costs in reviewing and certifying such organizations; however, any organization that is recognized or registered with any state that requires mandatory CLE shall be automatically deemed to be an approved sponsor for continuing education.
- Establish rules, regulations and procedures to implement the Certification Standards.
- Establish and charge fees for application, certification, testing, recertification and annual maintenance of certification.

V. Appeal Procedure

Any lawyer applicant denied eligibility or certification will be afforded the opportunity to review (but not the confidential peer references) and appeal. The lawyer applicant must notify the Estate Law Specialist Board, Inc. in writing of his or her desire for review and appeal. The applicant must submit a written brief or memorandum in support of the lawyer's position within 90 days of the date of the lawyer's receipt of denial of the lawyer's application for certification. The review and appeal will be decided within six months by the affirmative vote of the Appeals Panel, which shall consist of at least three members of the Estate Law Specialist Board, Inc., at least two of whom did not participate on in the review of the applicant's application. The lawyer will be advised in writing within 60 days of the action and decision by the Appeals Panel.



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VI. Communicating Certification Status

Successful applicants who are awarded Board-certification by the Estate Law Specialist Board, Inc. shall be responsible for determining the rules in their state(s) of practice regarding informing others of their status as a Board-certified Estate Planning Law Specialist. In no event shall an attorney who is Board-certified state or imply that he or she is accredited by the American Bar Association. Accreditation of the Estate Law Specialist Board, Inc. by the American Bar Association indicates solely that such Board has met the American Bar Association's standards for accrediting such organizations.

The Estate Law Specialist Board, Inc. and its affiliated organization, the National Association of Estate Planners & Councils, does not discriminate against lawyers seeking certification on the basis of race, religion, gender, sexual orientation, disability or age.