

55th Annual NAEPC
Advanced Estate Planning Strategies Conference
with Pre-conference Sessions for Council Leaders

November 6 - 9, 2018 · Ft. Lauderdale, Florida



● Technical Education Session Descriptions

Wednesday, November 7, 2018

Concurrent Sponsored Morning Bonus Sessions

Life Settlements – The Value Proposition

provided by Berkshire Settlements
Matthew Sheridan

This presentation will address what an estate planner needs to know about the policy, how fair value can be determined by the valuation of a policy, the relationship between life expectancy and premiums, and what the estate planner can do to assist the insured/owner of policy.

From Novelty to Necessity - Pragmatic Social Media for Law Firms

provided by FindLaw, part of Thomson Reuters
Sean Sands

Social media is becoming an increasingly important strategy for attorneys. Whereas successful websites require a broad mix of technical expertise and outstanding content, organic social media really just asks that attorneys be themselves. Attorneys already have the tools they need to succeed with social media, as the informal nature of social media aligns with the natural ability to relate to and engage with individuals. This session will cover why law firms need to be careful balancing the immediacy and permanence of social as well as the real impact that organic and paid social media can have on an attorney's brand.

199A for Trusts and Estates

Robert S. Keebler, CPA/PFS, MST, AEP® (Distinguished), CGMA

The new Section 199A 20% small business deduction is one of the largest opportunities in the Tax Cuts and Jobs Act. This session is designed to explore the limitations of the 199A deduction, including trusts and estates, and how to design strategies that will help your clients optimize the deduction and reduce the impact of the service business and general limitations.

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Wednesday, November 7, 2018, continued

New Effective Uses of Non-Grantor Trusts for Individual Taxpayers

Jonathan G. Blattmachr, Esq., AEP® (Distinguished)

This presentation will explain, in detail, how non-grantor trusts may be used to avoid the \$10,000 annual limit on real estate tax deductions, the phase-out and disallowance of the new Section 199A deduction for specified service businesses and having to use the alternative W-2 and depreciable property tests for other businesses, and provide a taxpayer with the full the benefit of a deduction for charitable contributions without foregoing the enhanced standard deduction.

Collaborative Planning Opportunities Created through the Valuation of Life Insurance

Lisa R. Featherngill, CFP®, Todd A. Fithian, Todd S. Healy, MSW, CLU®, ChFC®, AEP®, CAP®,
Jamie L. Mendelsohn and Jon B. Mendelsohn
provided by Ashar Group, LLC

The combination of increasing longevity and a sustained low interest rate environment have unexpectedly changed the value equation for existing life insurance policies held by senior clients. The multi-disciplinary panel will use real-life examples to demonstrate how the policy valuation discussion is a perfect pathway to initiate collaboration within advisory teams and significantly increase planning opportunities that serve client best interests.

For more information about the
55th Annual NAEPC Advanced
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Wednesday, November 7, 2018, continued

The Social Media Thicket: Social Media Issues for Estate Planners

Michael H. Rubin, JD

When 20% of married couples today met online, when 40% of millennial social media users report checking on their social media sites before getting out of bed in the morning, when more than half of all in-house counsel report using social media for news and information, when both the President and 83-year old Rupert Murdoch use Twitter, when the Association of Corporate Counsel has a user group on LinkedIn, and when lawyers and law firms are active on social media, there can be no doubt that social media permeates society. No lawyer or estate planner can afford to ignore social media; however, social media usage raises a host of ethical issues, ranging from unauthorized multi-state practice to “screening” potential employees by looking at their social media sites to “friending” an adverse party, to First Amendment rights. Nationally known speaker Mike Rubin will challenge your thinking, raise issues to ponder, and give you something to smile about with his unique blend of scholarship and humor combined with one of the most unusual multimedia presentations you’ll ever see.

Stupid Charitable Tricks and Common Planning Mistakes

Ramsay H. Slugg, JD

Charitable giving is an important component to the estate and financial plans of most high net worth individuals and families. However, donors and donees alike need to be cautious of the many tax traps when contributions involve anything more complicated than cash of publicly traded stock.

Succession Planning for The Closely-Held Business

Jerome M. Hesch, MBA, JD, AEP® (Distinguished)

This session will offer an analysis of the obstacles and available solutions in passing ownership of a family business on to the next generation when the senior family member desires to treat all children equally, but some of the children will not take an active role in running the family business, or where key employees will be needed to assist in operations and management.

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Thursday, November 8, 2018

Concurrent Sponsored Morning Bonus Sessions

Why the Bridge Trust[®] is Superior to a Foreign-Only or Domestic-Only Asset Protection Trust

provided by Lodmell & Lodmell, P.C. / Asset Protection Council[®]

Douglass Lodmell, JD, LL.M.

The Bridge Trust[®] combines the protection of a fully offshore asset protection trust with the simplicity of a domestic trust. This presentation explains why the sponsor believes it is actually better than a purely foreign APT or a purely domestic APT.

Sold a Dream, Woke Up in a Nightmare: Educating Your Clients about a Timeshare's True Costs

provided by Wesley Financial Group, LLC

Chuck McDowell

Over 9.2 million U.S. households own a timeshare product, but the vast majority are unsatisfied with what they've purchased, unhappy about additional fees, or generally unsure of what their signed contract entails. The timeshare industry's sales volume rose from 9.2 billion in 2016 to 9.6 billion in 2017, nearly a 4% increase and more than a 26% increase since 2013. Millions of dollars are spent luring potential buyers to "own the dream" and giveaways include "free" vacations, gift cards, or meals. When guests collect, they are often greeted with unethical, high pressure sales practices that are standard and abundant in the timeshare industry. Often times, new (and existing) owners find themselves facing gigantic interest rates, rising maintenance fees, additional usage fees, and ownership in perpetuity clauses in contracts—which many feel leaves them "stuck." The timeshare industry leaves many vulnerable Americans left with a large, open-ended, recurring bill, often to the detriment of their overall livelihood, as well as creating ongoing financial obligations for themselves and their heirs.

Income Tax Aspects of Trusts and Estates

Samuel A. Donaldson, JD, LL.M., AEP[®] (Distinguished)

This presentation will cover what estate planning practitioners need to know about the federal income taxation of estates and trusts, with an emphasis on recent developments and the common mistakes and traps in the field. Specific topics to be addressed include the application of the 3.8% surcharge on net investment income and planning opportunities with grantor trusts.

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Thursday, November 8, 2018, continued

How Courts Unravel Asset Protection Trust Strategies & Protecting Your Trust

Louis S. Harrison, JD

Asset Protection Trusts are three words that connote a much broader range of consideration for the practitioner. We will examine the categories of asset protection that are relevant for the practitioner, from creating trusts when there are no creditors, to having third parties create trusts, to the consideration of trusts when creditors are or should be known. The category of creditors will be defined, including the spouse, or soon to be ex-spouse, as a potential creditor. A focus will be on the statutory and case law protection afforded these trusts, as well as the distinction between third party trusts and self-settled trusts. We will also review the evolving trend of the judiciary in how these may sidestep the law in ignoring the protective features of these trusts.

Concurrent Sessions

Reading, Interpreting and Drafting Trust Distribution Provisions that Work: Say What You Mean and Mean What You Say *(this session will be repeated)*

Leslie Kiefer Amann, JD, AEP®, TO

This session will investigate ways to improve communication between clients and their providers by concentrating on the content of trust documents and how they convey a grantor's instructions, intent, values and perspective.

A Firearm as a Special Asset: How to Avoid an Accidental Felony *(this session will be repeated)*

C. Dennis Brislawn, Jr., JD, AEP®

Firearms are ubiquitous in America but are regulated under a complex, bewildering and constantly changing set of federal and state laws. They are emotionally-important assets for many which may mean legacy or a problem; either way an advisor must understand possession and transfer law to help clients avoid potential felonies in passing them on successfully to others.

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Thursday, November 8, 2018, continued

Concurrent Sessions, continued

Late Elections Under Section 9100: How Does the IRS Spell Relief?

Beth Shapiro Kaufman, JD

Ms. Kaufman will discuss the availability of relief for missed tax elections, and the nuts and bolts of how to obtain such relief. She will also explore alternatives to consider when 9100 relief is not available.

Secrets of Successful Families: Transferring Values with Wealth for a Lasting Legacy

Justin T. Miller, JD, LL.M. (taxation), CFP®, AEP®

How can you help families avoid the “shirtsleeves to shirtsleeves in three generations” phenomenon? Not only do advisors need to prepare the money for the family, but they also should help prepare the family for the money. This seminar will present the common characteristics of families who have successfully transferred their values—in addition to their wealth—to future generations, and will provide examples of practical contemporary tax and estate planning techniques that have helped such families build lasting legacies.

Exploiting the 2017 Tax Act: Creative New Federal and State Income Tax Savings Opportunities

Steven J. Oshins, JD, AEP® (Distinguished)

This presentation focuses on ways to exploit the 2017 Tax Act by creating multiple non-grantor trusts from scratch and by decanting existing grantor and non-grantor trusts. The presenter also covers ways to exploit the new IRC Section 199A pass-thru deduction rules, including using a 28.57% magical W-2 formula to maximize the deduction.

Important reminder for insurance professionals:
You must attend all technical education sessions on Wednesday, November 7th, Thursday, November 8th, and Friday, November 9th to receive credit. Learn more at www.naepc.org/conference.

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Friday, November 9, 2018

Estate Planning Current Developments and Hot Topics

Steve R. Akers, JD, AEP® (Distinguished)

Estate planning paradigms have changed in an era of very large estate and gift tax exclusions. IRS guidance regarding the 2017 Tax Act and other IRS regulatory projects will be addressed, together with important case law developments throughout the past year.

Putting It On & Taking It Off: Managing Tax Basis Today (For Tomorrow)

Paul S. Lee, JD, LL.M. (taxation), AEP® (Distinguished)

Now that “tax reform” has arrived, the importance of (and the opportunities surrounding) the management and creation of tax basis has never been greater. This presentation will discuss innovative tax basis management techniques that strip, shift, create, concentrate, and maximize basis where it can be of most benefit to taxpayers. The discussion will include: (i) upstream planning and powers of appointment to create basis; (ii) maximizing and multiplying the “step-up” in basis; (iii) the upside of leverage; (iv) partnership planning to move basis to where you want it; (v) novel uses of grantor trusts and disregarded entities to move basis; (vi) how to “base-up” foreign assets for U.S. taxpayers; and (vii) planning that benefits charity while capturing new basis for the family.

Don't Worry Retire Happy: Seven Steps to Retirement Security

Tom Hegna, CLU®, ChFC®, CASL®

According to a 2014 Gallup Report most Americans, especially those near retirement, biggest worry is “running out of money during their retirement.” This is keeping many of America’s Baby Boomers from feeling like they can afford a happy retirement. As financial advisors, we have reached a critical time planning for our clients - being prepared and creating an optimal plan is essential in today’s fluctuating retirement landscape. Hegna’s presentation will address how retirement has changed for clients in the last 30 years, offer an understanding of different scenarios for optimizing your client’s Social Security Benefit, how working in retirement can have an effect on Social Security Benefits and other retirement plans, how to cover basic expenses with guaranteed income that will last an entire lifetime, the importance of having a plan for unknown and likely increasing medical costs, and how your clients can most efficiently pass wealth to heirs.

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