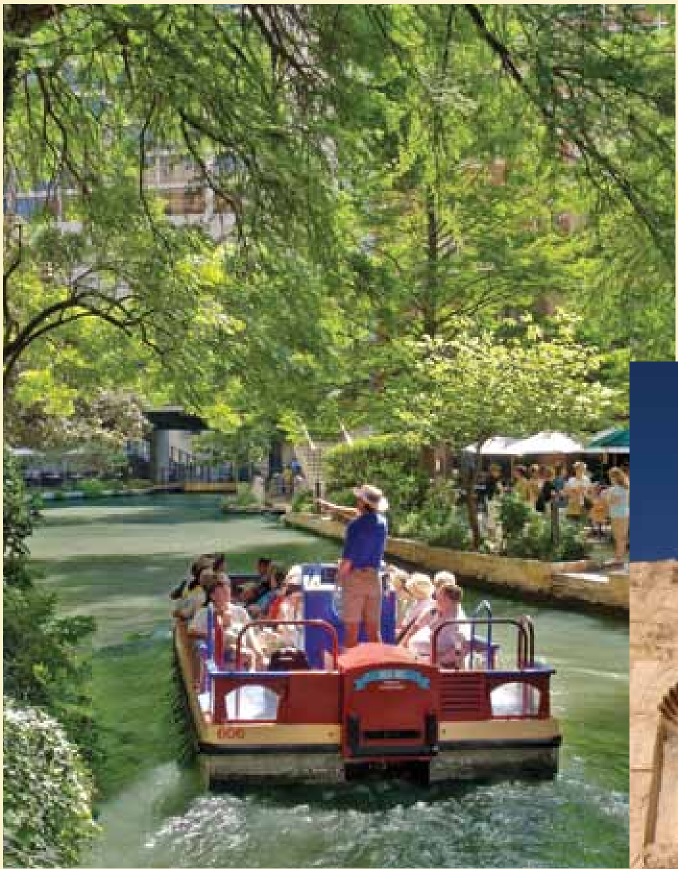
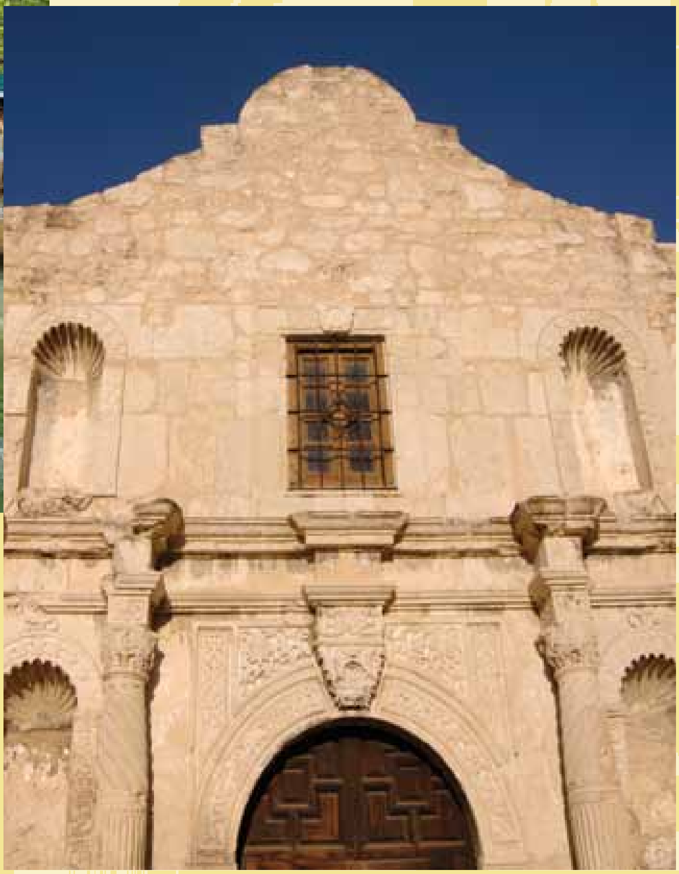
# The NAEPC Education Foundation

## & National Association of Estate Planners & Councils





NOVEMBER 16-
NOVEMBER 18
2011
San Antonio, TX

# 48TH ANNUAL CONFERENCE

# The NAEPC Education Foundation & National Association of Estate Planners & Councils 48TH Annual Conference

November 16-18, 2011 – San Antonio, TX — Phone: 866-226-2224 — Fax: 216-696-2582 — www.NAEPC.org — conference@NAEPC.org

***This conference is paper-lite!***
***Please review "General Information" tab for details.***

LAST NAME

FIRST NAME

NICKNAME FOR NAMETAG PURPOSES

COMPANY

PROFESSIONAL DESIGNATIONS

STREET ADDRESS

CITY, STATE, ZIP

PHONE

FAX

EMAIL ADDRESS

AFFILIATED LOCAL ESTATE PLANNING COUNCIL

Please check all that apply:

- ❑ Affiliated Local Council Administrator (no charge)
- ❑ Affiliated Local Council Board Member
- ❑ NAEPC Past President (no charge)
- ❑ Honoree (no charge)

❑ I have read and understand the continuing education credit and refund policies.

COMPANION FULL NAME & NICKNAME

COMPANION STREET ADDRESS

COMPANION CITY, STATE & ZIP

COMPANION PHONE

COMPANION EMAIL ADDRESS

**Make check payable and mail to:**

The NAEPC Education Foundation
1120 Chester Ave., Suite 470
Cleveland, OH 44114

Or register online at www.NAEPC.org
Or fax registration with credit card information to: 216-696-2582

- ❑ VISA
- ❑ MasterCard
- ❑ American Express

ACCOUNT NUMBER EXP. DATE

SIGNATURE

## REGISTRATION DISCOUNTS

- **$50 early bird discount applies to registrations received prior to September 30, 2011 (see fee computation below).**
- **An additional $50 discount is available to AEP® designees approved after 11/15/2010 or any AEP® who has not previously attended an annual conference.**
- **Members of a related professional association that are members of the Synergy Summit and have not previously attended an annual conference may take advantage of this discounted price.* (See Synergypro.org for a full list of participating organizations.)**

| | Member | Non-member | Syngery Summit Member* |
|---|---|---|---|
| **Council Leadership Day Package** | $800 | N/A | N/A |
| **Conference Educational Package** | $700 | $800 | $750 |
| **3-day Companion Registration Package** | $400 | | |
| **2-day Companion Registration Package** | $350 | | |

**Council Leadership Day Package** — Includes Council Leadership Day sessions, technical education sessions, presentation material, conference breakfasts & luncheons, and the Wednesday evening welcome reception.

**Conference Educational Package** — Includes the Wednesday evening welcome reception, technical education sessions, presentation material, and conference breakfasts & luncheons.

**3-day Companion Registration Package** — Includes conference breakfasts, the Wednesday-Friday companion tours, and the Wednesday evening welcome reception.

**2-day Companion Registration Package** — Includes conference breakfasts, the Thursday-Friday companion tours, and the Wednesday evening welcome reception.

***A $50 late fee will be applied to all registrations postmarked on or after October 14, 2011.**

❑ I am a **Council Leadership Day Package** Registrant
- ❑ I will attend the welcome reception on Wednesday, November 16, 2011
- ❑ I will participate in the 6:00 am Fun Run on Thursday, November 17, 2011
- ❑ I am an active AEP® designee and will attend the designation marketing session on Thursday, November 17, 2011 at 5:00 pm
- ❑ I have chosen a technical education breakout session from the shaded box below
- ❑ I will attend the volunteer event on Saturday, November 19, 2011

❑ I am a **Conference Educational Package** Registrant
- ❑ I will attend the welcome reception on Wednesday, November 16, 2011
- ❑ I will participate in the 6:00 am Fun Run on Thursday, November 17, 2011
- ❑ I am an active AEP® designee and will attend the designation marketing session on Thursday, November 17, 2011 at 5:00 pm
- ❑ I have chosen a technical education breakout session from the shaded box below
- ❑ I will attend the volunteer event on Saturday, November 19, 2011

❑ I am a **3-day Companion Registrant**
- ❑ I will attend the tour on Wednesday, November 16, 2011
- ❑ I will attend the welcome reception on Wednesday, November 16, 2011
- ❑ I will participate in the 6:00 am Fun Run on Thursday, November 17, 2011
- ❑ I will attend the tour on Thursday, November 17, 2011
- ❑ I will attend the tour on Friday, November 18, 2011
- ❑ I will attend the volunteer event on Saturday, November 19, 2011

❑ I am a **2-day Companion Registrant**
- ❑ I will attend the welcome reception on Wednesday, November 16, 2011
- ❑ I will participate in the 6:00 am Fun Run on Thursday, November 17, 2011
- ❑ I will attend the tour on Thursday, November 17, 2011
- ❑ I will attend the tour on Friday, November 18, 2011
- ❑ I will attend the volunteer event on Saturday, November 19, 2011

**Fee Computation**

| | |
|---|---|
| Primary Registrant Fee | ______ |
| Less $50 discount if postmarked by 9/30/11 | ______ |
| Less $50 AEP® discount (see above) | ______ |
| Companion Registrant Fee | ______ |
| Subtotal | ______ |
| $50 late fee if postmarked on or after 10/14/11 | ______ |
| **TOTAL ENCLOSED** | ______ |

## Technical Education Breakout Session Choice

**Thursday, November 17, 2011**

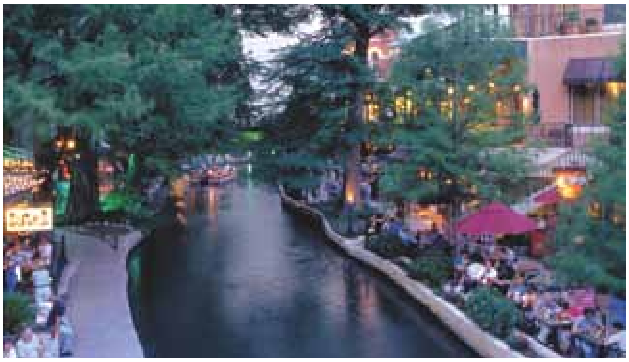
______ Let Their Values Be Your Guide, How the Softer Side of Planning Drives Implementation and Doesn't Require a PhD in Psychology (Fithian)

______ Obligations of the Trusted Advisor: Addressing Risk in Today's World of Compliance, Transparency, and Fiduciary Responsibility (Koplan)

______ Elder Law and Special Needs Planning, a Closer Look Including Case Studies (Krooks)

______ Asset Protection (Oshins / Rothschld)

## SAN ANTONIO, TX – GENERAL INFORMATION



From the stones of the Alamo to the meandering paths of the River Walk, San Antonio takes you on a journey through a land as grand as its reputation. Walk the lines drawn for independence when you visit the Alamo – one of five Spanish colonial missions. Stroll the cobblestone sidewalks of the River Walk to uncover an outdoor theatre with flamenco dancers and mariachis, nationally acclaimed museums, luxury riverside hotels and sidewalk cafes that offer everything from authentic Tex-Mex to worldly cuisines.

Be sure to plan time to explore the rolling terrain of San Antonio's Hill Country, a lush oasis offering resorts complete with top-notch golf courses, spas, and water parks. Just down the road you'll find SeaWorld San Antonio, the world's largest marine life adventure park and family entertainment showplace, and Six Flags Fiesta Texas with thrilling rides and shows fun for every age.

Here, diversity is a way of life, from the colors of the culture to a broad range of attractions. So come, find for yourself that San Antonio is more than a convention destination! Plan your trip in advance by visiting www.sanantoniocvb.com.

## WEATHER & ATTIRE

The average daily high temperature in the area in November is 71 degrees and the average daily low temperature is 49 degrees.

Recommended conference attire is business casual.

## LODGING INFORMATION

The conference is headquartered at the Marriott Rivercenter. The magnificent 38-story hotel is conveniently located on the San Antonio River Walk near many great activities, including shopping at the Rivercenter Mall and the cultural and historical landmarks of San Antonio.

A block of rooms has been reserved for conference attendees with a special rate of $189/night (single / double) plus applicable taxes. The room rate includes complimentary "Wired for Business" service in guestrooms and a 50% discount on self parking rates. Reservations must be made by 10/14/11 to guarantee the group rate. To reserve, visit the "conferences" page of www.naepc.org or by calling Marriott reservations at (800) 364-8064 (reference "NAEPC" to ensure group rate).

**Please note, there are two Marriott hotels within close proximity of one another. Please make sure you are making reservations for overnight accommodations at **Marriott Rivercenter.***

## PRESENTATION MATERIALS & ROSTER OF ATTENDEES

All Council Leadership Day and Educational registrants will receive the technical materials in two formats:

- A CD that contains a full outline for each presentation (advance access will also be available online and communicated to all registered attendees via email)
- An abbreviated outline in the conference registration binder

**A CD version of the program will be available for purchase.**

**All registrants are encouraged to bring a laptop computer to the conference to access the materials on the CD.**

## TRANSPORTATION DISCOUNTS

**RENTAL CAR** — NAEPC has arranged for special discounts with Hertz for car rentals in San Antonio from 11/14/11 – 11/19/11. Visit www.naepc.org to make your reservation or call (800) 654-2240 and reference CV#03WB0008 to obtain the discount.

**SHUTTLE SERVICE** — NAEPC has arranged for special discounts for those that choose to use Airport Express for their transportation needs. Attendees can take advantage of a $15 one-way / $28 round trip fare when booking online. Visit the conferences page of www.naepc.org to find the shuttle bus link that redirects you to the reservations page. Enter "naepc" when you see the prompt "Group, Corporate or Frequent Rider ID".

## CANCELLATION POLICY

Any cancellation must be received in writing or via email to conference@naepc.org. A full refund will be granted if notice is received on or before September 30, 2011. Registrants who cancel between October 1, 2011 and October 31, 2011 will forfeit a $100 administrative fee. No refunds will be granted on or after November 1, 2011.

## CONTINUING EDUCATION CREDIT INFORMATION

15.5 hours of Accredited Estate Planner® designation credit have been awarded for this program.

Continuing education credit is administered by the Society of FSP.

The following credit has been requested in all states: insurance, legal, accounting, CFP®, CTFA and PACE for Thursday, November 17, 2011 and Friday, November 18, 2011. Insurance professionals must attend the entire two days of technical education to receive credit. Partial credit is NOT available. Insurance, legal, and CFP® license numbers are required in order to receive credit.

The conference offers up to 13 hours of continuing education credit. Individual states determine the total number of credits awarded.

To check your state's credit approvals go to
https://www.financialpro.org/public/ce_NAEPC_index.cfm
and click on "NAEPC".

The Society of Financial Service Professionals is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Nashville, TN, 37219-2417. This program is recommended for a total of 12 specialized knowledge & applications credit hours. The 48th Annual Conference is an advanced educational program. A CPA that devotes at least 35% of their practice to estate planning meets the prerequisite level of knowledge to attend the program. After attending, participants will be able to identify and implement advanced estate planning techniques that will improve professionalism and personal service to their clients.

## VOLUNTEER EVENT INFORMATION

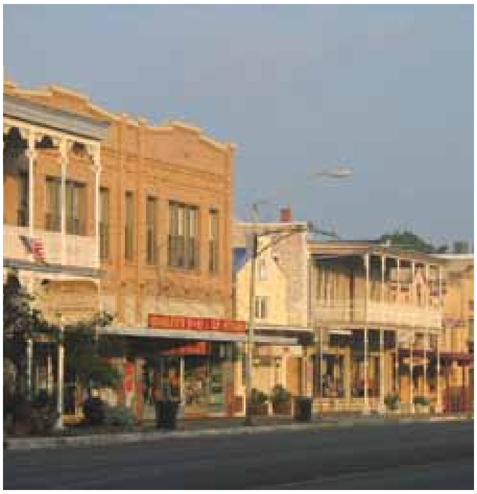
NAEPC is teaming up with the Land Heritage Institute for its 5th Annual Volunteer Experience. The Land Heritage Institute was founded in 2002 to develop, maintain and interpret a living land museum on 1,200 acres of land formerly owned by the San Antonio Water System on the southern banks of the Medina River in Bexar County, Texas. In so doing, the public, young and old, can be transformed by an educational experience that reveals Texas' rich history and environmental realities.

NAEPC volunteers will be working together to assist LHI in cleaning and refurbishing a structure on the grounds. Attendees of all fitness levels are welcome and will be accommodated. Participants will be offered breakfast the morning of the event, transportation to and from the worksite, and lunch on the grounds. The group will be returned to the hotel no later than 3:00 pm so those that wish to travel home on Saturday, November 19, 2011 may do so.

GENERAL INFORMATION

# COMPANION PROGRAM

**COMPANION REGISTRANT INFORMATION** – Companion conference registration fee includes all breakfasts, the Wednesday evening welcome reception, and the companion tours. **Please note, educational sessions are not available to companions.**



## WEDNESDAY, NOVEMBER 16, 2011

### FREDERICKSBURG, TEXAS AND THE HILL COUNTRY – 8:30 AM – 4:00 PM
**WWW.FREDERICKSBURG-TEXAS.COM**

Our coach will depart the Marriott Rivercenter with a uniformed guide to escort participants to the beautiful Texas Hill Country.

Before entering into Fredericksburg, the coach will make a stop at The Wild Seed Farm, home to any type of floral seed imaginable, an amazing gift shop with items for home and garden, a butterfly exhibit, and acres of wildflowers suitable for exploring.

The next stop is Becker Vineyards. Planted in 1992 on 36 acres of French vinifera grapes, this winery houses the largest underground wine cellar in Texas and is home to award winning wines known throughout the United States. Attendees will be treated to a private tour of the vineyard and pressing, bottling, and cellar areas.

Then it's on to the main attraction! Fredericksburg, Texas, a town settled by German immigrants in the early 1800's, is rich with heritage. There are numerous historical buildings, restaurants and museums along the main streets. The many shops of Fredericksburg are in a four-block area and make it a delightful place to find unique gifts, and items from the Hill Country and Texas. Participants will have time to explore the area and have lunch prior to boarding the coach for the return trip.

## THURSDAY, NOVEMBER 17, 2011

### SPOTLIGHTING THE MISSIONS – 9:00 AM – 4:00 PM
**WWW.VISITSANANTONIO.COM**

One of the country's few National Parks within an urban setting, the San Antonio Missions tell the story of the European expansion in the New World. Get set for a day exploring the history of the missions of San Antonio!

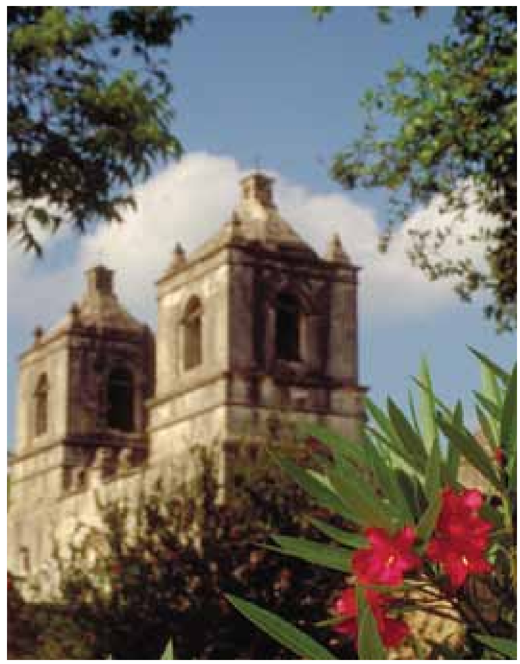
The "Queen of the Missions", Mission San Jose, is the first stop. Established in 1720, this is the largest and best restored of San Antonio's five missions. Participants will tour the Indians' and Spanish soldiers' quarters, both located within the walls. San Jose's church is one of the most beautiful in the country with its elaborate carvings on the chapel façade. After seeing Mission San Jose, the group will stop at one of the area's wonderful Mexican restaurants, Don Pedro's, where lunch will be on your own.

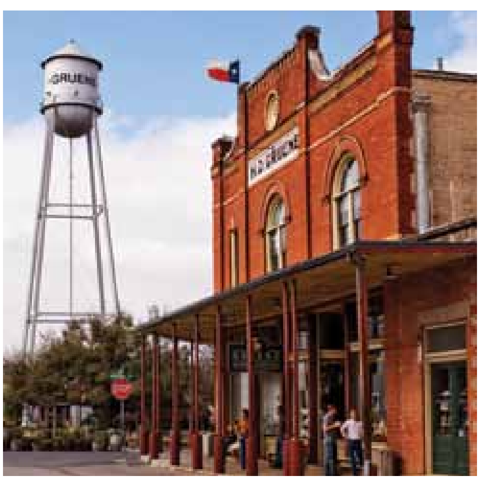
Next stop - Mission Espada! Established in 1731 and never completed, this mission still stands as an outline of an intended church. Time stands still at Espada, which seems as remotely located today as the day it was built.

The third mission made its permanent home along the banks of the San Antonio River in 1731. Mission San Juan Capistrano established a trade network stretching east to Louisiana and south to Coahuila, Mexico.

The next to last of the missions is the oldest unrestored mission church in Texas. Mission Concepcion was established in 1731 and the Twin Towers and beautiful cupola helped make it a construction project of twenty-plus years.

The final stop on this tour is the most famous mission of them all - the Alamo. Guests will tour the chapel and walk the grounds while learning about the battle for Texas Independence. At this final stop of the day, guests will have the option of staying and enjoying the mission at their leisure, or making the short walk back to the hotel.





## FRIDAY, NOVEMBER 18, 2011

### GRUENE, TEXAS...*GET YOUR DANCING SHOES ON!* – 9:00 AM – 4:00 PM
**WWW.GRUENETEXAS.COM**

Take in a day of art and culture in the historic city of Gruene, whether at its monthly Gruene Market Days, a juried art show incorporating mediums from painting to sculpture, or by browsing the displays of up to 100 artisans and craftsmen. Downtown Gruene comes alive with music and authentic German cuisine, an ode to the heritage of this European-influenced city.

Attendees won't want to miss Gruene Hall. Built in 1878, the facility is Texas' oldest continually operating and most famous dance hall. By design, not much has physically changed since first built. The 6,000 square foot dance hall with a high pitched tin roof still has the original layout with side flaps for open air dancing, a bar in the front, a small lighted stage in the back, and a huge outdoor garden. Advertisement signs from the 1930's and 40's still hang in the old hall and around the stage.

# COUNCIL LEADERSHIP DAY PROGRAM

## WEDNESDAY, NOVEMBER 16, 2011

COUNCIL LEADERSHIP DAY is designed to be a sharing session among leaders of NAEPC affiliated local councils. The morning is dedicated to the National Association of Estate Planners & Councils and The NAEPC Education Foundation annual business meetings and committee updates, while afternoon sessions are committed to leadership development. The attendee can expect to interact with fellow volunteer leaders, attend breakout sessions designed for idea sharing and growth, and learn about ongoing NAEPC programs and services. Nearly 50% of affiliated local councils are represented by officers, administrators and/or board members each year. Don't miss the opportunity to share your council's successes, learn how to overcome the struggles, and deliver valuable benefits to your members.

It is the NAEPC's belief an important part of leadership development and knowledge lies within council staff. As such, administrators (paid council staff) are encouraged to attend the Council Leadership Day activities at no charge.

## COUNCIL LEADERSHIP DAY SCHEDULE*

### 7:30 am - 8:30 am

**Breakfast**

### 8:30 am - 12:00 pm

**NAEPC & The NAEPC Education Foundation Annual Meetings**
(Council leaders should attend this portion of the program)
**Informational Updates - Review of Benefits, Programs & Services Available to Councils and Council Members**

### 12:00 pm - 1:00 pm

**Lunch**

### 1:00 pm - 5:00 pm

**Council Leadership Sharing Sessions**
**Administrator Development Sessions**

### 5:00 pm - 7:00 pm

**Welcome reception for all attendees and registered companions**

****A detailed final schedule will be distributed to Council Leadership Day Package attendees at the conference.***

# PROGRAM

## WEDNESDAY, NOVEMBER 16, 2011

**5:00 pm - 7:00 pm** Welcome Reception for all attendees and registered companions

## THURSDAY, NOVEMBER 17, 2011

**6:00 am** **2nd Annual Fun Run & Walk**
Join fellow conference attendees for an energizing start to the 48th Annual Conference technical program! This 2 mile run/walk is sure to start your day off on a healthy foot and will take participants on a brief tour of San Antonio. All fitness levels are welcome.

**7:00 am - 8:00 am** **Breakfast**

**8:00 am - 8:15 am** **48th Annual Conference Welcome & Opening Remarks**

**8:15 am - 9:15 am** **Retirement Planning Under the New Tax Law**
**ROBERT S. KEEBLER, CPA, MST, AEP® (Distinguished)**
This presentation will focus on retirement benefit planning after the 2010 Tax Relief Act. It will also touch on structuring a tax-efficient distribution portfolio and creating the optimal order for distributing various retirement assets.

**9:20 am - 10:20 am** **Burning Questions (and Even Hotter Answers) About Grantor Trusts**
**SAMUEL A. DONALDSON, JD, LL.M., AEP® (Distinguished)**
Although it is the centerpiece in many contemporary estate plans, there are still unresolved issues regarding the grantor trust. This session offers practical answers to several important questions about the use of grantor trusts, including the use of Crummey powers, tax reimbursement clauses, and the exercise of powers to substitute assets.

**10:20 am - 10:50 am** **Break**

**10:50 am - 11:50 am** **The Domestic Asset Protection Trust: Combining it with the Double LLC**
**STEVEN J. OSHINS, JD, AEP® (Distinguished)**
This presentation will address the use of a domestic asset protection trust and how to combine it with two LLCs to further frustrate potential creditors. Oshins will also discuss the choice of jurisdiction for maximum asset protection.

**11:50 am - 1:15 pm** **Lunch**

**1:15 pm - 2:15 pm** **Marital Planning in Times of Uncertainty**
**JEFFREY N. PENNELL, JD**
This session will consider marital deduction, credit shelter, and portability planning for married couples after 2010, mindful of the sunset that may occur in 2013, with special consideration of ethics issues and legitimate methods to minimize the disruption caused by a surviving spouse claiming the elective share.

**2:20 pm - 3:20 pm** **The $5 Million Exemption: What's an Estate Planner to Do?**
**BERNARD A. KROOKS, JD, CPA, LL.M., CELA, AEP®**
Although the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 reduced the importance of estate tax planning for many, it certainly did not obviate the need for estate plans for non-tax reasons such as asset protection, guardianship, elder law, and special needs planning. It is estimated that over 40 million Americans, one in seven, have disabilities and as the population ages, it is anticipated this number will increase. In this climate, planning for seniors and individuals with disabilities takes on increased importance in the estate planning practice. Krooks will discuss various elder law and special needs planning techniques, along with pertinent tax considerations, which will become even more important in today's environment.

**3:20 pm - 4:00 pm** **Break**

**4:00 pm - 5:00 pm** **Breakout Sessions (indicate choice on registration form)**

**Let Their Values Be Your Guide, How the Softer Side of Planning Drives Implementation and Doesn't Require a PhD in Psychology**
**TODD A. FITHIAN**
Entering into the "soft side of planning" for many sounds weak, fluffy or even downright hokey, at least that is often the response heard. Fithian boils this reaction down to fear of the unknown. During this breakout session, attendees will explore what it means to address the "softer side of planning" and some proven rules of thumb.

**Obligations of the Trusted Advisor: Addressing Risk in Today's World of Compliance, Transparency and Fiduciary Responsibility**
**BENJAMIN A. KOPLAN, CLU®, CFP®**
In recent years, one of the focal points of financial regulatory agencies has been to provide a more meaningful definition of the roles and responsibilities of "trusted advisors" (including independent agents as well as advisors within financial institutions, "wirehouses" and broker dealers). Failure to meet these standards can result in significant professional censorship and adverse personal financial repercussions. Then there's also the philosophical debate as to what are the ethical and moral obligations relating to how to best serve the client. This fascinating presentation will share the external legal and regulatory landscape as it relates to the role of insurance within an advisor's practice. It will also consider mandated sales practices with those of the client's expectations. Surprisingly, these are not as far apart as many believe.

**Elder Law and Special Needs Planning, a Closer Look Including Case Studies**
**BERNARD A. KROOKS, JD, CPA, LL.M., CELA, AEP®**
In this breakout session, Krooks will review case studies and go into greater detail regarding the following planning opportunities: Medicare - what's covered and what's not; long-term care insurance, including tax considerations; crisis and non-crisis elder law planning for single individuals and married couples; protecting the family home; use of trusts in elder law and special needs planning; and retirement accounts and long-term care planning.

**Asset Protection**
**STEVEN J. OSHINS, JD, AEP® (Distinguished) &**
**GIDEON ROTHSCHILD, JD, CPA, AEP® (Distinguished)**
This presentation will address why asset protection is the perfect compliment to the estate planning process! Oshins and Rothschild will discuss several alternatives, as well as recent developments within the realm of asset protection.

**5:00 pm - 6:00 pm** **Marketing Your Accredited Estate Planner® Designation with Style**
**JEFFREY S. PAWLOW**
This session is available to active AEP® designees. Participants will learn how best to leverage their designation to clients, prospective clients, and other professionals. This session qualifies for one hour of Accredited Estate Planner® designation continuing education credit.

# PRESENTERS

**STEVE R. AKERS, JD, AEP® (Distinguished)**
Steve Akers is an attorney with 34 years of experience in estate planning and probate law matters and is a managing director at Bessemer Trust, where he directs the family estate and legacy planning practice and is fiduciary counsel for the southwest region. Mr. Akers has lectured on a variety of estate planning, estate administration, and family business planning topics at meetings of a wide variety of national organizations, bar associations, estate planning councils, and national conferences for Internal Revenue Service estate and gift tax agents. He is a co-author of *A Planning Guide to Buy-Sell Agreements* and *Estate Planning After the Tax Relief and Job Creation Act of 2010*. Mr. Akers is a past chair of the American Bar Association Section of Real Property, Trust and Estate Law, previously served as the chair of various committees, as a supervisory council member, and in various officer positions of the section. He is a fellow of ACTEC and is currently a regent, member of its long range planning committee, and previously served as the editor of the *ACTEC Law Journal*. Mr. Akers is a member of the advisory committee to the Heckerling Institute on Estate Planning, and has spoken at the Institute on various occasions, Mr. Akers received his BS in chemical engineering from Oklahoma State University and his JD from the University of Texas Law School.

**DAVID CASARETT, MD, MA**
David Casarett completed his medical training at Case Western Reserve University. His additional training included a master's degree in medical anthropology and fellowships in ethics at the University of Chicago, and in palliative medicine at the University of Pennsylvania. He is an associate professor in the division of geriatrics at the University of Pennsylvania, medical director for research and quality for the National Hospice and Palliative Care Organization, and chief medical officer of the University of Pennsylvania's Wissahickon Hospice and Palliative Home Care. Dr. Casarett is the recipient of numerous awards, including the Presidential Early Career Award for Scientists and Engineers, the highest honor given by the United States government to researchers in the early phases of their careers. He is also the author of *Last Acts: Discovering Possibility and Opportunity at the End of Life*, published by Simon & Schuster in January, 2010.

**SAMUEL A. DONALDSON, JD, LL.M., AEP® (Distinguished)**
Samuel Donaldson is associate dean and a professor at the University of Washington School of Law. The former director of the law school's graduate program in taxation, Professor Donaldson teaches a number of tax and estate planning courses, as well as courses in the areas of property, commercial law and professional responsibility. Professor Donaldson is a four-time recipient of the Philip A. Trautman Professor of the Year award from the School of Law's Student Bar Association. He is currently Of Counsel with the Seattle office of Perkins Coie LLP and is an academic fellow of the American College of Trust and Estate Counsel. Professor Donaldson is the author of the Thomson-West casebook, *Federal Income Taxation of Individuals*, a co-author of the *Price on Contemporary Estate Planning* treatise published by CCH, and of *Federal Wealth Transfer Taxes*, a reference published by Thomson-West. Professor Donaldson has served as the Harry R. Horrow Visiting Professor of International Law at Northwestern University and a visiting assistant professor at the University of Florida Levin College of Law. An amateur crossword constructor, his puzzles have been published in *The New York Times, The Los Angeles Times, The Chronicle of Higher Education,* and *USA Today.* Professor Donaldson was recently notified by email of his selection to receive substantial sums of money from high-level Nigerian business officials in exchange for his bank account information.

**S. STACY EASTLAND, JD, AEP® (Distinguished)**
S. Stacy Eastland joined Goldman, Sachs & Co. to expand the advisory team working with the firm's private wealth clients and currently works with private clients and their own advisors with their strategic wealth management plans, combining a variety of income tax, estate planning and gifting techniques. He received his BS with honors from Washington and Lee and his JD from The University of Texas with honors. Mr. Eastland is a member of the International Academy of Estate and Trust Law; fellow of ACTEC (regent for 1992/1998 term); member of the American Bar Association (supervisory council member of the Real Property, Probate and Trust Law Section from 1990-1998); member of the Texas Bar Association (Texas Bar Foundation fellow); and a member of the Houston Bar Association (Houston Bar Foundation fellow). He is listed in *Who's Who in America* and *The Best Lawyers in America* and has also been listed in *Town & Country* and *Bloomberg Personal Finance* as one of the top trust and estate lawyers in the United States. Articles about Mr. Eastland's planning ideas have also been featured in *Forbes* and *Fortune* magazines.

**TODD A. FITHIAN**
Todd Fithian is a 20 year veteran of the financial services industry. Following in the footsteps of three generations, he knew at an early age his calling was not only to work in the industry, but to work to improve it as well. A lifelong entrepreneur, Mr. Fithian formed a financial advisory firm in Boston soon after graduating from The University of Massachusetts, later joining forces with his late brother Scott to form The Legacy Companies, a training and consulting company for professional advisors to learn and implement the Legacy's Business Development System. Today, as managing partner of The Legacy Companies, Mr. Fithian provides the vision and leadership for his team and is a recognized leader and industry advocate for professional advancement. In 2007, Fithian co-authored *The Right Side of the Table: Where Do You Sit in the Minds of the Affluent*. Nationally recognized for his contributions to the industry, Mr. Fithian is a frequent speaker at industry conferences throughout North America.

**DONALD O. JANSEN, JD, LL.M.**
Donald Jansen is senior tax counsel for The University of Texas System, Office of General Counsel, and is a retired senior partner of Fulbright & Jaworski L.L.P. He is a fellow of ACTEC and the American College of Tax Counsel. Mr. Jansen is a past chairman of the Committee of Significant Current Literature and vice-chair of the Insurance Committee, Probate and Trust Division, Real Property, Probate and Trust Law Section of the American Bar Association. Mr. Jansen is a specialist in estate planning and probate law, certified by the Texas Board of Legal Specialization, and is the past probate editor of the newsletter of the Real Estate, Probate and Trust Law Section of the State Bar of Texas. Mr. Jansen is a member of the advisory committee for the Heckerling Institute on Estate Planning. He is also past president of the Houston chapter of the Federal Bar Association and a past member of its national council.

**ROBERT S. KEEBLER, CPA, MST, AEP® (Distinguished)**
Robert Keebler is a partner with Keebler & Associates, LLP. He was named by *CPA Magazine* as one of the Top 100 Most Influential Practitioners in the United States and one of the Top 40 Tax Advisors to Know During a Recession. Mr. Keebler is the past editor-in-chief of CCH's magazine, *Journal of Retirement Planning*, and a member of its financial and estate planning advisory board. His practice includes family wealth transfer and preservation planning, charitable giving, retirement distribution planning, and estate administration. Mr. Keebler frequently represents clients before the national office of the Internal Revenue Service in the private letter ruling process, as well as in estate, gift, and income tax exemptions and appeals and has received over 150 favorable private letter rulings, including several key rulings of "first impression." Mr. Keebler is the author of over 75 articles and columns and editor, author or co-author of many books and treatises on wealth transfer and taxation. He is a member of the editorial board of the Society of Financial Service Professional's *Keeping Current* series. He is also a featured columnist for CCH's *Taxes Magazine* – "Family Tax Planning Forum," Steve Leimberg's "News of the Week Newsletter" and the Bureau of National Affairs Tax Division. Mr. Keebler also had his "Is that Your 'Final' Answer" article published in *Tax Management Compensation Planning Journal*. He is frequently quoted in national publications as well as local and regional newspapers. Mr. Keebler graduated (cum laude) from Lakeland College with a degree in accountancy and the University of Wisconsin-Milwaukee with a masters in taxation.

# PROGRAM

## FRIDAY, NOVEMBER 18, 2011

**7:00 am - 8:00 am** **Breakfast**

**8:00 am - 8:30 am** **NAEPC / The NAEPC Education Foundation Annual Awards Ceremony**
2011 Hartman Axley Lifetime Service Award Presentation
2011 Estate Planning Hall of Fame® Induction

**8:30 am - 9:30 am** **How to Implement Everything You've Learned at This Conference**
**TODD A. FITHIAN**
In this presentation, Fithian will share his concept of the Why vs. How of planning. Often times, we leave conferences with so many great ideas that never get implemented. When working with your clients, you might think the reason was that you didn't explain it right…or maybe it wasn't the right situation…or maybe the client wasn't ready, but Fithian will share with you the real reason – it is probably more related to where you are spending time with your prospects and clients. Aligning the Why with the How will dramatically improve your implemented results with clients.

**9:35 am - 10:35 am** **When Business Life Insurance Results in Income or Compensation**
**DONALD O. JANSEN, JD, LL.M.**
This presentation is a must for planners who use insurance for closely held-businesses! Business life insurance has income/compensation results based on who the owner is: employee (Section 162 executive bonus plan); employer and employee jointly (loan or economic benefit regime split dollar); employer (Section 101(j) EOLI). This presentation will review the strategies for all three to avoid or minimize the impact of ERISA, Section 409A, and EOLI.

**10:35 am - 11:15 am** **Break**

**11:15 am - 12:15 pm** **New Planning Paradigms Under the Tax Relief Act of 2010**
**STEVE R. AKERS, JD, AEP®** (Distinguished)
The Tax Relief Act of 2010 thrusts new planning paradigms on estate planners, examples being; the new worlds of a $5 million gift exemption and portability of the exemption for gift and estate tax purposes. The volatility in the transfer tax system demands increased focus on planning flexibility into estate plans. This presentation explores planning strategies to maximize flexibility and to take advantage of opportunities afforded by the Act.

**12:15 pm - 1:30 pm** **Lunch**

**1:30 pm - 2:30 pm** **Last Acts**
**DAVID CASARETT, MD, MA**
What would you do if you had an hour, a day, or a week to live? How would you use your time? And are there some ways of using that time that are better, more useful, more important, or more meaningful than others? Dr. Casarett explores these and other questions in this presentation. Drawing on his own experience as a palliative care physician and researcher, as well as on examples from history and current events, Dr. Casarett will describe a variety of ways in which people choose to use their time when that time is limited. Leaving a legacy, strengthening relationships with family, celebrations, revenge, and altruism are just a few of the "last acts" that his patients and many other people have chosen.

**2:30 pm - 2:50 pm** **Break**

**2:50 pm - 3:50 pm** **Flexible Trusts and Fixing the Unfixable**
**GIDEON ROTHSCHILD, JD, CPA, AEP® (Distinguished)**
With the increased use of perpetual "dynasty" trusts, the need for flexibility in drafting the trust agreement is of utmost importance due to the likelihood of changes in tax laws, personal circumstances and unanticipated events. This session will explore some of the methods to give the trustee flexibility while protecting the beneficiaries' interests and carrying out the settler's intent. And when the planner wishes to incorporate some of these tools in an existing irrevocable trust (or has a trust which was poorly drafted) there are now several states permitting decanting which offer solutions to these needs.

**3:55 pm - 5:00 pm** **Some of the Best Estate Planning Ideas We See Out There (That Also Have the Merit of Playing Havoc with Certain "Conventional Wisdom")**
**S. STACY EASTLAND, JD, AEP® (Distinguished)**
This presentation will address reasons the passive investor may wish to utilize family limited partnerships, the use of private derivatives to shift wealth, advantages of selling a family limited partnership interest to a grantor trust, defined value formula clauses, possible use of a leveraged GRAT to facilitate GST planning, post-mortem planning with note freeze partnership, the use of family limited partnerships and charitable remainder trusts, the leveraged buy-out charitable lead annuity trust, the leveraged reverse freeze family limited partnership, and the best ideas for allowing a client to be in control of a family limited partnership.

## SATURDAY, NOVEMBER 19, 2011

**8:00 am - 3:00 pm** **NAEPC & The NAEPC Education Foundation 5th Annual Volunteer Experience with the Land Heritage Institute**
See general information page for additional details.

# PRESENTERS

**BENJAMIN A. KOPLAN, CLU®, CFP®**
With almost thirty years of experience in insurance brokerage, Koplan is well respected as a leader, speaker, and senior consultant in the brokerage marketplace. In the late 1980's he was one of the key architects of Aetna Life's transition from a career to brokerage distribution model. He then partnered with several colleagues in Southern California to build Centrelink Insurance and Financial Services, a preeminent brokerage firm that was ultimately sold to Marsh McLennan in 2004. Now, he brings his significant, relevant experience to Ash Brokerage, with the goal of fostering a premiere service organization for top financial advisors and helping their clients achieve their financial objectives while demonstrating the vital (and financially beneficial) role of insurance as part of a successful advisor's practice.

**BERNARD A. KROOKS, JD, CPA, LL.M., CELA, AEP®**
Bernard Krooks is a founding partner of the law firm Littman Krooks LLP and chair of its elder law and special needs department. Mr. Krooks is past president of the Special Needs Alliance, a national, invitation-only, not-for-profit organization dedicated to assisting families with special needs planning. He is also past president, fellow, past chair of the tax section, past editor-in-chief of *NAELA News*, all with National Academy of Elder Law Attorneys. Mr. Krooks is a founding member and past president of the New York chapter of NAELA and in 2008 received its Outstanding Achievement Award for his lifelong work on behalf of seniors and those with disabilities. Mr. Krooks is past chair of the elder law section of the New York State Bar Association, member of the Trusts and Estates Law Section and Tax Section and past editor-in-chief of the *Elder Law Attorney*, the newsletter of its elder law section. In addition, he is a former member of the NYSBA House of Delegates and he served on its special committee on multi-disciplinary practice. Mr. Krooks serves on the editorial boards of *Exceptional Parent Magazine*, *Trusts & Estates Magazine*, and *Leimberg Information Services*, has been quoted in many national publications and testified before the United States House of Representatives and the New York City Council on long-term care issues. He also has appeared on Good Morning America Now, National Public Radio, CNN, PBS, NBC, and CBS evening news, as well as numerous cable television and radio shows. Mr. Krooks is president of the Westchester County Estate Planning Council, a member of the advisory board for The NAEPC Education Foundation, and a member of the New York City and Hudson Valley Estate Planning Councils. Mr. Krooks is a fellow of ACTEC and serves on its elder law committee. He is an adjunct professor at NYU Center for Finance, Law & Taxation, and is a member of the NYU Institute on Federal Taxation Advisory Board. He is listed in the *Best Lawyers in America, Who's Who in America*, The New York Area's Best Lawyers, *New York Magazine* and *New York Times*, and the Top 25 Westchester, New York Super Lawyers.

**STEVEN J. OSHINS, JD, AEP® (Distinguished)**
Steven Oshins is a member of the law offices of Oshins & Associates, LLC in Las Vegas, Nevada. He is rated AV by the Martindale-Hubbell Law Directory and is listed in *The Best Lawyers in America®*. He has been named one of the Top 100 Attorneys in *Worth*, one of Southern Nevada's Best Lawyers in *In Business Las Vegas*, one of the Best Lawyers in America in the trusts & estates category in *The American Lawyer*, one of the Best Lawyers in America in the Tax Law category in *Corporate Counsel*, named Nevada Super Lawyer in the wills, trusts & estate planning category in *Nevada Business Journal*, named Nevada Super Lawyer in the estate planning & probate category in *Las Vegas Life* and named Mountain States Super Lawyer in the estate planning & probate category. Mr. Oshins has been featured and/or quoted in many media publications and was interviewed by former Good Morning America co-host, Joan Lunden, for a dynasty trust DVD that has been distributed nationally by financial planners and life insurance agents since early 2009. He has authored numerous estate planning and asset protection articles in various magazines and is a frequent national lecturer on advanced estate planning and asset protection techniques. Mr. Oshins has been very active in helping get some of the most valuable trust and creditor protection laws passed in Nevada, including authoring a law creating a new form of business entity called the Restricted LLC and Restricted LP in the 2009 legislative session, making Nevada the first state to offer these favorable laws that allow for significantly higher valuation discounts than are allowed under any other state law.

**JEFFREY S. PAWLOW**
As the chief executive officer and member of The Growth Partnership, Inc., Jeffrey S. Pawlow leads a dynamic team of consultants who are dedicated to helping clients achieve sustainable, profitable growth. Jeff has previously served as a marketing officer for Norwest Bancorp, one of the largest bank-holding corporations in the United States and entered the accounting industry in 1995 as the director of marketing for Smith & Gesteland, LLP, a large local accounting firm in Madison, WI, and subsequently held the same position with RubinBrown. Jeff has been recognized with a total of seven Marketing Achievement Awards by the Association of Accounting Marketing, including the "Best of Show" awards for overall marketing excellence in both 1997 and 1998.

**JEFFREY N. PENNELL, JD**
Jeffrey Pennell is the Richard H. Clark Professor of Law at Emory University School of Law in Atlanta. He is a member of the American Law Institute and an adviser for the restatements of wills and other donative transfers, and of trusts, a former member of the Council of the Real Property, Trust & Estate Section of the American Bar Association, an academic fellow and former regent of ACTEC, and an academician of The International Academy of Estate and Trust Law. His various publications include student and practitioner texts, tax management portfolios, articles, institute chapters, and he is the successor author of *Casner & Pennell on Estate Planning* (6th ed.).

**GIDEON ROTHSCHILD, JD, CPA, AEP® (Distinguished)**
Gideon Rothschild is a partner with the New York City law firm of Moses & Singer LLP, where he co-chairs the trusts & estates and wealth preservation group. He focuses his practice in the areas of domestic and international estate planning techniques for high net worth clients and is a nationally recognized authority on wealth preservation and foreign trusts. Mr. Rothschild is the co-author of the BNA *Tax Management* portfolio on *Asset Protection Planning* and has also authored numerous articles for publications including the *New York Law Journal, Journal of Asset Protection, Trusts and Estates,* and *Estate Planning.* Mr. Rothschild is a fellow of ACTEC and academician of The International Academy of Trust and Estate Lawyers. He is a member of the advisory boards of BNA's *Tax Management* and *Trusts and Estates*, the incoming vice-chair of the Real Property Trust & Estate Section of the American Bar Association, the immediate past chair of the New York Chapter of the U.K. based Society of Trust and Estate Practitioners, and a member of the New York Bar Association. He is an adjunct professor at the University of Miami Law School Graduate Program and has lectured frequently to professional groups. Mr. Rothschild is listed in *Chambers USA, Best Lawyers in America, Top 100 New York Superlawyers* and *Worth's Top 100 Lawyers.*

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