



JOIN US FOR THE MIDWEST'S PREMIER ESTATE PLANNING EVENT

In cooperation with the Estate Planning Society of Kansas City, the Financial Planning Association of Greater Kansas City, and University of Missouri – Kansas City School of Law

Thursday-Friday, April 21 & 22, 2016 ■ Overland Park Convention Center, Overland Park, Kansas

Join us for the Midwest's premier estate planning conference, featuring:

- Nationally renowned speakers at a fraction of the cost of leading national conferences
- A special half day session with Professor Sam Donaldson
- The opportunity to advance your career, gaining knowledge and relationships that will allow you to better serve your clients
- Up to a year's worth of Continuing Education Credits

For conference and registration information, please visit KCEPS.org, or call 816-235-1648

2016 Symposium Chairperson:
Lynn D. Cockle ■ Polsinelli PC ■ Kansas City, Missouri

The Symposium will include critical information for:

- Estate Planning Attorneys
- Business and Tax Attorneys
- CPAs
- Trust Officers
- Planned Giving Professionals
- CFPs®/Financial Planners
- Life Underwriters



As it has throughout the event's 35-year history, the Kansas City Estate Planning Symposium's 2016 program will feature national-caliber speakers in the field of estate planning, addressing topics of interest to our audiences.

Thursday, April 21, 2016

7:30 AM REGISTRATION AND BREAKFAST

Brought to you by our Platinum Sponsors

8:00 AM WELCOME AND INTRODUCTORY REMARKS

8:15 AM EXPLORING THE TIME SPACE CONTINUUM (MULTI-STATE TRUST TAX ISSUES)

It doesn't take much for a trust to implicate the tax laws of multiple jurisdictions. For instance, a client funds a trust while a resident of State A but moves to State B, the beneficiaries reside in States C and D, the agreement provides that the laws of State E will govern, but the trust is being administered primarily in State F with co-trustees in State G. Double, triple taxation or more is possible. In truth, why should any taxable trust ever pay state income tax? This presentation will review the variety of multi-state tax complications that arise in the trust context, with suggestions on how to minimize or eliminate them.



PAUL S. LEE is a Senior Vice President of the Northern Trust Company. Based in New York City, he serves as a Senior Regional Wealth Advisor and Managing Director. In this capacity, he is responsible for providing strategic tax, estate planning, and investment advice to high-net-worth clients and their advisors.

9:05 AM FAMILY BUSINESS – KEEP IT, SELL IT, GIVE IT AWAY

The business owner's challenge of balancing tax, family, legacy, and charitable objectives.



ANN BURNS is the Chair of the Trust, Estate and Charitable Planning group at Gray Plant Mooty, Minneapolis, Minnesota. Her practice focuses on estate and charitable planning, business succession planning, estate and trust administration, and fiduciary and tax litigation. Ann brings a unique mix of skills to her law practice as a certified public accountant and attorney.

She represents multigenerational families of wealth throughout the country and individual and corporate trustees in estate planning, fiduciary, and tax matters.

9:55 AM REFRESHMENT BREAK

Brought to you by our Platinum Sponsors

10:15 CONCURRENT BREAKOUT SESSIONS

A) FUNDING A BUSINESS SUCCESSION PLAN WITH LIFE INSURANCE

It's not your father's "buy-sell" world: people are living longer, have different ideas of how to leave their business, and don't like the traditional "let's own policies on each other's lives" arrangement. This presentation offers creative, bold life insurance funding alternatives to help achieve client goals.



BRADFORD P. BAUER, J.D. maintains a consulting practice in insurance-related estate and business planning and appears regularly on the Hoopis Performance Network's Advanced Planning Channel, of which he is the chief architect and lead teacher. Brad worked for 25 years at the Northwestern Mutual Life Insurance Company, becoming Director of its Advanced Planning Division. He also headed up the Northwestern Mutual Advanced Planning Seminar for 10 years.

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B) PLANNING FOR NET INVESTMENT INCOME

This session will focus on some of the more difficult issues arising under the New Investment Income Tax, especially as it relates to trusts. Strategies to address material participation under the passive activity rules and allocation of deductions to DNI will be among the topics considered.



STEVEN G. SIEGEL is president of The Siegel Group, which provides consulting services to attorneys, accountants, business owners, family offices and financial planners. Based in Morristown, New Jersey, the Group provides services throughout the United States. He is presently serving as an adjunct professor of law in the Graduate Tax

Program (LLM) of the University of Alabama (teaching Income Taxation of Trusts and Estates), and has served as an adjunct professor of law at Seton Hall and Rutgers University law schools.

11:05-11:10 AM RETURN TO GENERAL SESSION ROOM

11:10 AM THE NEW NORMAL: PLANNING FOR THE MODERN FAMILY

As popular media reflects, families today come in all shapes and sizes. Contemplating the modern family to reduce conflicts through thoughtful drafting has become a significant aspect of estate planning. This session will focus on drafting tips with a particular focus given to defining terms such as "spouse" and "descendant", and to reconsidering traditional boilerplate to improve clarity.



LAUREN WOLVEN is a partner in the Trust & Estates Group of Levenfeld Pearlstein, LLC in Chicago. She concentrates her practice on estate planning, tax and succession planning for privately held businesses, and fiduciary risk management. A Fellow of the American College of Trust and Estate Counsel, Lauren is a frequent lecturer and author on a variety of

estate planning and trust administration topics.



12:00 PM LUNCH BREAK (included in fee)

SPONSORED BY The Private Client Reserve of US Bank

12:45 PM CYBER ESTATE PLANNING AND ADMINISTRATION

This presentation focuses on the developing area of “digital assets,” electronic records ranging from e-mail accounts to banking, investment, and shopping accounts, domain names, social networking sites, and online games. Prof. Beyer will offer guidance on the utility of comprehensive planning for digital assets and will discuss issues that affect this set of assets, offer estate planning options, analyze existing laws, and explore current and future trends in this area.



PROF. GERRY W. BEYER joined the faculty of the Texas Tech University School of Law in June 2005 as the first holder of the Governor Preston E. Smith Regents Professorship. Prof. Beyer previously taught at law schools coast-to-coast and in Australia. As a state and nationally recognized expert in estate planning, Prof. Beyer presents dozens of continuing

legal education presentations each year for state and local bar associations, universities, and civic groups. He is the editor of the most popular estate planning blog in the nation.

1:35 PM HOT BUTTON TAX ISSUES FOR THE IRS

This session will examine those areas on which the IRS is currently focusing special attention, in audits or regulatory and legislative projects. In these areas, practitioners need to be particularly thorough in advising clients, both because of the impact of possible changes in the law and because the client’s transaction could receive unwanted attention from the IRS.



THOMAS W. ABENDROTH is a partner in the Chicago law firm of Schiff Hardin LLP and practice group leader of the firm’s Private Clients, Trusts and Estates Group. He concentrates his practice in the fields of estate planning, federal taxation, and business succession planning. Tom has taught at the American Bankers Association National

Graduate Trust School since 1990 and is a co-presenter of a monthly teleconference series on estate planning issues presented by the American Bankers Association. He is a Fellow of the American College of Trust and Estate Counsel.

2:25 AM REFRESHMENT BREAK

Brought to you by our Platinum Sponsors

2:45 PM WHAT EVERY ESTATE PLANNER SHOULD KNOW ABOUT UNDUE INFLUENCE: RECOGNIZING IT, INSULATING/PLANNING AGAINST IT...AND LITIGATING IT.

Today vulnerable adults are falling prey to the undue influence of others. The tabloids focus on cases of the rich and famous, but persons with estates both big and small are potentially subject to undue influence. While such efforts can amount to criminal abuse of a vulnerable adult, it is more common to find instances where the influence is more circumstantial and subtle. In such instances a person who stands in a position of trust may engage in behavior (intentionally or unintentionally) that supplants the will and desire of the vulnerable adult with the will of the trusted individual. Because undue influence is generally a process as opposed to a single event, its growing prevalence as a basis for litigation which attacks the validity of estate planning documents, makes it of considerable importance to estate planning attorneys and attorneys who litigate such issues. Therefore, it is important for attorneys to understand and be able to identify vulnerabilities and the indication of undue influence. It is also important to understand some options and practices that might be utilized to protect the integrity of the estate plan from the outset of the process thereby providing a possible defense to later attack as well as how to prepare for and litigate an undue influence case when the need arises.

Attorneys often confuse the issue of competency with undue influence, but these issues are mutually exclusive, as one must be competent to be unduly influenced. If an attorney fails to focus in on or otherwise understand such issues and practices that might be utilized when preparing an estate plan for an otherwise vulnerable adult, that attorney may find themselves on the wrong side of the litigation and otherwise unable to defend the independence of a client’s estate plan. In such instances, the failure to properly document observations and processes may unnecessarily eliminate a defense when a presumption of undue influence exists. In such instances the failure to take simple precautions and adequately document the process utilized to assess capacity and the absence of undue influence, may well undercut a finding of independence and enhance claims that the attorney merely acted as scrivener – or worse yet – a shill.

Panel of three speakers:



THOMAS M. DIXON is a trial lawyer and heads Clark Hill’s Litigation Practice Group firm-wide. Tom specializes in will, trust, estate and probate litigation. Tom has been continually recognized by his peers as a Michigan Super Lawyer, in Best Lawyers in America, “Top Lawyer” by Crain’s Detroit Business and as a “Top Lawyer” by *dbusiness*. Tom has also received an “AV®” Preeminent Rating by his peers through Martindale-Hubbell.



SANDRA D. GLAZIER is a principal with Lipson, Neilson, Cole, Seltzer & Garin, P.C., in its Bloomfield Hills, Michigan office. Sandy concentrates her practice in the areas of probate litigation; estate planning; probate and trust administration; and, family law. An experienced litigator and estate planner, Sandy has represented contestants and proponents of estate planning documents, as well as fiduciaries, in significant trust litigation proceedings. She has served as a mediator for the Oakland County Circuit and Probate Courts, and been appointed as a mediator, arbitrator and guardian ad litem in family court cases.



THOMAS F. SWEENEY, Of Counsel to Clark Hill PLC, Birmingham, Michigan, has been a trust and estate attorney for over forty years. Formerly a member of Clark Hill, PLC for 18 years, Tom now serves as Of counsel to that firm and focuses on estate planning, trust administration and trust dispute resolution. He has extensive experience with federal and state income and transfer taxation (gift, estate, generation-skipping and inheritance) affecting trusts, estates and individuals.



4:00 PM ETHICS: AVOIDING THE ESTATE PLANNING “BLUE SCREEN OF DEATH” WITH COMPETENT AND ETHICAL PRACTICES: PART 1

Estate planners should be watchful of conduct that could expose them to liability for malpractice or jeopardize their licenses. This presentation will highlight areas where estate planners are apt to run into trouble and the steps they may take to avoid it.



PROF. GERRY W. BEYERS

Governor Preston E. Smith Regents Professorship
Texas Tech University School of Law

4:50 PM HAPPY HOUR SPONSORED BY Midwest Trust

Friday, April 22, 2016

7:30 AM REGISTRATION AND BREAKFAST

Brought to you by our Platinum Sponsors

8:00 AM ANNOUNCEMENTS AND INTRODUCTIONS

**SPECIAL HALF-DAY SESSIONS
WITH PROFESSOR SAM DONALDSON**



SAMUEL A. DONALDSON is a Professor of Law at Georgia State University in Atlanta, Georgia. Prior to joining the Georgia State faculty in 2012, he was on the faculty at the University of Washington School of Law for 13 years. During his tenure at the University of Washington, he was a five-time recipient of the Philip A. Trautman Professor of the Year award from the School of Law's Student Bar Association. Professor Donaldson served for two years as Associate Dean for Academic

Administration and for six years as the Director of the law school's Graduate Program in Taxation. He 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 an Academic Fellow of the American College of Trust and Estate Counsel (ACTEC) and a member of the Bar in Washington, Oregon, and Arizona.

8:15 AM FEDERAL TAX UPDATE FOR ESTATE PLANNERS (RECENT DEVELOPMENTS)

This informative and entertaining session will recap the cases, rulings, regulations, and legislation related to federal income, estate, and gift taxes of interest to estate planners. Stay up to date with all the latest developments!

10:00 AM REFRESHMENT BREAK

Brought to you by our Platinum Sponsors

10:20 AM MARITAL DEDUCTION AND PORTABILITY PLANNING

The \$5.45 million exclusion and the portability election have transformed estate planning for married couples. This presentation will develop templates that can be used for couples with small, medium, and large estates so that important tax planning opportunities are not missed and fatal tax traps can be avoided.

11:10 AM UNWINDING ESTATE PLANS BECAUSE OF CHANGED CIRCUMSTANCES

Stuff happens. Assets change, people change, laws change. When a client's estate plan no longer works as intended, simply pulling the plug on prior strategies may come at a cost. This presentation will explain the traps in unwinding plans and how to work around them.

What did you like best about this year's Symposium?

"I regularly attend Heckerling. The dominant value here is the presenters seem to go further in making application to practice usage of the material."

"Location, speakers, timing, cost – it was all great!"

"Excellent program – speakers were on time, tightly run ship."

"Very knowledgeable, good speakers, wonderful staff, electronic access to materials."

12:00 PM LUNCH BREAK (included in fee)

SPONSORED BY Country Club Trust Company

1:00 PM TALES FROM THE CRYPT: A REVIEW OF PAST MISTAKES BY LAWYERS, ACCOUNTANTS, TRUST PROFESSIONALS AND OTHER ESTATE PLANNING PROFESSIONALS

This will be a review of past mistakes by estate planning professionals in the planning of estates and trusts, the administration of estates and trusts, the making of tax elections, issues that arise in charitable planning, and the preparation of tax returns. The purpose of the program is to understand how the mistakes occurred and to learn from them so that they can be avoided in the future.



CHARLES D. "SKIP" FOX is a partner in the Charlottesville, Virginia office of McGuireWoods LLP and head of the firm's Private Wealth Services Industry Group. Skip concentrates his practice in estate planning, estate administration, trust law, and charitable organizations. He speaks extensively around the country on estate planning topics and has written numerous

books and articles. Skip is a Fellow and Secretary of the American College of Trust and Estate Counsel.

1:50 PM ESTATE PLANNING ISSUES WITH INTRA-FAMILY LOANS AND NOTES

While parents have routinely loaned money to children for home and car purchases, businesses and the like, intra-family loans have become even more popular in recent years in light of the extremely low interest rates and the difficulties with obtaining financing from traditional lending sources. This discussion will address a host of issues that need to be considered when taking advantage of this planning opportunity, including the need for proper documentation and adequate security in the event of default, deductibility of interest payments paid, income tax recognition of interest payments received, income tax issues associated with the gifts of notes or forgiveness of debt, special considerations in using self-canceling installment notes, and strategies for avoidance of tax traps and adverse tax implications of such loans.



STEPHEN R. AKERS, JD, is a Managing Director with Bessemer Trust Company, N.A., in Dallas, Texas, where he is Senior Fiduciary Counsel and is in the Estate Planning Department. Mr. Akers is a member of the Advisory Committee to the University of Miami Philip E. Heckerling Institute on Estate Planning and is a frequent speaker at that Institute, as

well as other estate planning seminars across the country. He is a past Chair of the American Bar Association's Section of Real Property, Trust & Estate Law.

2:40 PM BREAK

Brought to you by our Platinum Sponsors

3:00 PM CHARITABLE GIFT PLANNING STRATEGIES INVOLVING CLOSELY-HELD BUSINESSES

Following a review of how and why charitable gifts of certain types of appreciated assets (e.g., publicly traded stock) produce better tax savings than gifts of other assets, this program will examine the income tax opportunities, traps, and solutions that are unique to charitable gifts made by upper-income business-owners of C corporations, LLCs, limited partnerships, and S corporations.



CHRISTOPHER HOYT is a Professor of Law at the University of Missouri Kansas City School of Law where he teaches in the area of federal income taxation and business organizations. Previously, he was with the law firm of Spencer, Fane, Britt & Browne in Kansas City, Missouri. Professor Hoyt has served as the Chair of the American Bar Association's Committee on Charitable Organizations (Section of Trusts and Estates) and he serves on the editorial board of Trusts and Estates magazine.

3:50 PM ETHICS: AVOIDING THE ESTATE PLANNING "BLUE SCREEN OF DEATH" WITH COMPETENT AND ETHICAL PRACTICES – PART 2

Estate Planners should be watchful of conduct that could expose them to liability for malpractice or jeopardize their licenses. This presentation will highlight areas where estate planners are apt to run into trouble and the steps they may take to avoid it.



TURNERY P. BERRY is a Member of the Executive Committee and the Chair of Wyatt, Tarrant & Combs, LLP's 26 lawyer Trusts, Estates & Personal Planning Service Team in Louisville, Kentucky. He is the State Chair for the American College of Trust and Estate Counsel (ACTEC), a past Regent of ACTEC, and former President of the ACTEC Foundation; a Fellow of the American College of Tax Counsel; a member of the Joint Editorial Board for Uniform Trust and Estates Act; a Uniform Law Commissioner; a Member of the Advisory Board of Trusts and Estates Monthly; a Trustee of the Southern Federal Tax Institute; a member of the Advisory Council of the Heckerling Institute on Estate Planning; and a Vice-Chair of the Charitable Planning section for the ABA Section of Real Property, Trust and Estate Law.

4:40 PM CLOSING REMARKS AND ADJOURN

Conference Bag Sponsor UMB Bank, n.a.

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