

# Notre Dame Tax and Estate Planning Institute October 28-30 2020

Some planning ideas from several of the programs that will be featured on the  
upcoming virtual conference

To register <https://law.nd.edu/for-alumni/alumni-resources/tax-and-estate-planning-institute/>

## State Income Taxation of Completed Gift Trusts: How Will Your State of Residence React To The Assignment Of Income?

- Why state income taxation of trusts is so important?
- What practitioners should do to identify an opportunity – Review Form 1041!
- How to remove a non-grantor trust to a more favorable state?
  - Trustee change – resignation and new appointment
  - Trust protector action
  - Decanting
- Kaestner cases and lessons to consider?
- For new non-grantor trusts follow structure in recent ING rulings

## Defensive Practices Because Nothing Is Safe: How Practitioners Can Be Safer And Reduce Malpractice Risks

- Get a signed engagement letter.
- Limit the scope of the engagement to what you are really doing.
- Inform the client of risks.
- Inform the client of options. Let the client choose the approach.
- No plan is without risk.
- Inform clients through:
  - Webinars.
  - Articles.
  - Footers on bills.
  - Terms of retainer agreement.
- Checklist for post signing follow up.

## Estate Planning To Obtain The Best Economic Outcome For Beneficiaries of IRA And Retirement Assets

- EDBs may get life expectancy payout.
  - Spouse but only in a conduit trust.
  - Disabled or chronically ill beneficiary can stretch even in accumulation trust.
- Teapot trust.
- CRT.