



Minnesota State Bar Association
Continuing Legal Education

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Legal Education

DATED MATERIAL — PLEASE EXPEDITE!



For more information

Scan code for more information or to register for this course.

CHOOSE ONE: Live or Video Seminar OR Live Webcast of Ronald D. Aucutt's Keynote

REGISTRATION / ORDER FORM

2013: AN ESTATE PLANNING ODYSSEY

684-13 / vjo
January 4, 2013
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Minneapolis

PLEASE "✓" APPROPRIATE BOX BELOW:

LIVE: 1/4/13

\$295 MSBA member \$295 paralegal \$345 standard rate

VIDEO REPLAY:

\$265 MSBA member \$265 paralegal \$315 standard rate

Location: _____ Date: _____

NEW LAWYER DISCOUNT!

(Valid on live and video replay tuition only)

I was first admitted to the bar after January 4, 2009, and have deducted \$60 from the registration fee marked above.

I have a Minnesota CLE Season PassSM. Pass # _____

Check here if address below is new.

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CAN'T ATTEND?
Get the program materials!

Please send me the following:
_____ copy(ies) of the written materials at \$75 each. (available 1/14/13)

Cost of book(s) \$ _____

Shipping \$ _____

Subtotal \$ _____

Tax \$ _____

TOTAL \$ _____

COST OF ITEM(S)	S & H
\$25.01 - 50\$6
\$50.01 - 75\$7
\$75.01 - 100\$8
\$100.01 - 150\$9
\$150.01 - 250\$12
\$250.01 +\$15

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SPECIAL LIVE WEBCAST OPTION:

Ronald D. Aucutt's Keynote

THE FEDERAL ESTATE, GIFT AND GST TAXES GOING FORWARD

Friday, January 4, 2013 9:00 - 10:30 a.m. \$145

1.5 standard CLE credits (applied for)

Includes webcast presentation, Ronald D. Aucutt's materials and powerpoint slides.

How do I register?

It's easy. Simply go to www.minncle.org to sign up for the webcast. For assistance, call customer service at 651-227-8266 or 800-759-8840.

COURSE INFORMATION

CREDITS

Minnesota CLE will apply to the State Board of Continuing Legal Education for **6.25 standard CLE credits** for the live course and video replays. In no case may you claim more than **6.25 credits total** for this seminar.

Minnesota CLE is also applying to the State Board of Continuing Legal Education for **1.5 standard CLE credits for the special webcast option**. Webcast participants may claim no more than **1.5 credits** for this seminar.

NEW LAWYER SCHOLARSHIP PROGRAM

In recognition of the challenges facing lawyers entering the profession, Minnesota Continuing Legal Education has established a scholarship program for unemployed and underemployed lawyers admitted less than three years. Those wishing to apply for such assistance should contact Grant at **651-254-2111** or gdavies@minncle.org for details.

CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 3 business days before the program will receive a full credit on their account; if fewer than 3 business days, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the written materials. Passholders may purchase the course materials at 50% of the full retail price.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend, contact Minnesota CLE at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

QUESTIONS?

Please call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us online at www.minncle.org.

2013

JANUARY 2013 ESTATE, GIFT AND GST TAXES CHANGE!

Whether rates revert back or Congress acts – we're covering the issues!

2013: AN ESTATE PLANNING ODYSSEY

Critical Issues in Planning, Drafting and Administration

For All Estates – Small and Large

HIGHLIGHTS:

- Ron Aucutt's coverage of what happens in the 2012 election; tax reform in general; estate, gift and GST taxes and any last-minute developments
- The latest on changes to the Minnesota estate tax – the calculator; the intersect with federal estate and gift tax law changes and the status of "qualified" property
- Small Estates Panel – drafting ideas for equalizing gifts; planning to minimize claims under recovery statutes; using trusts to protect M.A. interests; inter vivos gifts to reduce Minnesota estate tax and disclaimers for federal estate taxes
- Large Estates Panel – predictable ramifications of inaction or action by Congress; the perils of independent trustees and trust protectors; drafting tips including guiding language for trustees, avoiding the Delaware tax trap, decanting provisions and disclaimers
- Income tax issues for trusts and estates – pitfalls and opportunities of higher rates on ordinary income; capital gains rate increases; the new tax on investment income for individuals and trusts and thoughts on investment allocation to minimize the impact of the new tax
- And much, much more!

SPECIAL WEBCAST OPPORTUNITY!

Can't attend the live or video replays? View Ronald D. Aucutt's presentation via live webcast!

"The Federal Estate, Gift and GST Taxes Going Forward"

Ronald D. Aucutt will give you guidance on what you must do in 2013.

Register online: <http://www.minncle.org/seminardetail.aspx?ID=122981301>

Friday, January 4, 2013
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Minneapolis

Video replay and live webcast details inside.



Minnesota State Bar Association
Continuing Legal Education
Your State Bar at Work for You

ALL ESTATE PLANS NEED TO ADDRESS THESE ISSUES JANUARY 2013

3 CHOICES: Attend the Live Program, Attend a Video Replay, or Participate in the Webcast

8:55 – 9:00 a.m.

WELCOME & INTRODUCTION

9:00 – 10:30 a.m.

THE FEDERAL ESTATE, GIFT AND GST TAXES GOING FORWARD – SOME CONTRASTS BETWEEN THE SCYLLA OF CLAWBACK, THE CHARYBDIS OF LOSS OF EXEMPTION ALTOGETHER, THE SIRENS OF RECIPROCAL SPOUSAL TRUSTS, AGGRESSIVE VALUATION FORMULAS, AND 100-YEAR GRATs

What the 2012 election means/meant for (a) tax reform in general and (b) the estate, gift, and GST taxes in particular; If there is legislation in 2012, what it means, how permanent it will be, and what its fate will be; whether or not there is legislation in 2012, when Congress will next act, and what it might do; and coping with chaos, creatively but not conspicuously, carefully but not cowardly.

Ronald D. Aucutt

Ronald D. Aucutt's keynote presentation is also available via webcast direct to your office. See additional information in this brochure.

10:30 – 10:45 a.m.

BREAK

10:45 a.m. – 12:00 p.m.

LARGE ESTATES PANEL – PLANNING, ADMINISTRATION AND DRAFTING ISSUES

Our panelists will comment upon: the perils of using independent trustees and trust protectors; drafting tips that will provide flexibility in trust/estate settlement and trust administration when there is so much uncertainty in the law; Minnesota residency; using reciprocal spousal trusts; and non-tax law changes that effect our practices, past, present and future.

Ronald D. Aucutt, Steve A. Brand, Andrea S. Breckner, Darryl L. Meyers & Alan J. Yanowitz

Moderated by Susan J. Link

12:00 – 12:15 p.m.

QUESTIONS & ANSWERS

12:15 – 1:00 p.m.

LUNCH (on your own)

1:00 – 1:45 p.m.

THE MINNESOTA ESTATE TAX – HOW PRONE TO DOUBT, HOW CAUTIOUS ARE THE WISE!

Learn how Minnesota estate tax is computed, with special emphasis on: recent changes made by Minnesota Department of Revenue during 2012 to the estate tax calculator; and changes or complexities resulting from federal estate and gift tax law changes occurring by legislation enacted before 12/31/2012; or by default if no legislation is enacted; and perhaps, thoughts on dealing with the possibility of retroactive enactment of legislation. Plus – discussion of status of the estate tax study, directed by the Legislature in its 2011 special session; and “qualified farm property” and “qualified small business property”, including current ambiguities, and legislative attempts at clarification.

Terry L. Slye

1:45 – 2:45 p.m.

SMALL ESTATES PANEL – PERPLEXING PROBLEMS AND POTENTIAL PLANNING OPPORTUNITIES FOR THE “SMALL ESTATE”

Drafting ideas for equalizing gifts to beneficiaries; planning to minimize claims under the estate recovery statutes; using spendthrift and discretionary trusts to protect the M.A. interests of beneficiaries; using inter vivos gifting to reduce Minnesota estate tax liabilities; and using disclaimers to save estate taxes. Analysis will include: *In Re Pamela Andreas Stisser Grantor Trust* and *In Re Rev. Trust of Polly F. Shank*, *Wandry v. Commissioner*.

Peter M. Hendricks, Bryan Jamison & Mary Frances M. Price

Moderated by James T. McNary

2:45 – 3:00 p.m.

QUESTIONS & ANSWERS

3:00 – 3:15 p.m.

BREAK

3:15 – 4:00 p.m.

INCOME TAX ISSUES FOR TRUSTS AND ESTATES FOR THE “FISCAL CLIFF” YEAR – IS IT A CLIFF OR JUST A “TRIP UP”

Pitfalls and opportunities associated with the sunset of the lower income tax rates on ordinary income (including dividends) and capital gains rate increases, as well as the new tax on investment income for individuals and trusts, and how the investment allocation of portfolios can be used to minimize the impact of this new tax.

Marcia E. Urban

4:00 – 4:30 p.m.

QUESTIONS & ANSWERS PANEL

The three course chairs will each identify their important “take-aways” from the presentations and discussions and provide further opportunity to discuss compelling issues.

Lead by Susan J. Link, James T. McNary & Terry L. Slye

SPECIAL KEYNOTE WEBCAST OPTION OF RONALD D. AUCUTT

For those who cannot attend the live seminar or video replays

Friday, January 4, 2013 9:00 – 10:30 a.m.

1.5 standard CLE credits (applied for)

Nationally recognized estate planner, Ronald D. Aucutt, is teaching live at the January 4 seminar in Minneapolis. For those who can't attend, Minnesota CLE has made special arrangements to webcast his live presentation direct from the Minnesota CLE Conference Center to your computer.

By joining the webcast, you will be able to both see and hear Ronald's presentation, access his materials and powerpoint presentation and submit questions for Ronald to answer.

To register for the webcast, simply go to www.minncle.org.

VIDEO REPLAYS

Schedule times for replays may differ from the live presentation due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the course materials on the day of the seminar.

Minneapolis – 1/18/13

(Registration 8:30; Replay 9:00)
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370

Minneapolis – 1/31/13

(Registration 8:30; Replay 9:00)
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370

Albert Lea – 2/15/13

(Registration 8:30; Replay 9:00)
Christian & Peterson
314 South Broadway

Crookston – 3/1/13

(Registration 8:30; Replay 9:00)
Crookston Sports Center
801 Fisher Avenue, Community Room

Duluth – 2/15/13

(Registration 8:30; Replay 9:00)
Radisson Hotel Duluth—Harborview
505 West Superior Street

Mankato – 2/15/13

(Registration 8:15; Replay 8:30)
Farrish Johnson Law Office
Eastwood Industrial Centre
1907 Excel Drive

Marshall – 2/8/13

(Registration 8:30; Replay 9:00)
Lyon County Government Center
607 West Main Street

Moorhead – 2/8/13

(Registration 9:00; Replay 9:15)
Moorhead Public Library
118 Fifth Street South

Saint Cloud Area – 4/5/13

(Registration 8:30; Replay 9:00)
Minnesota School of Business
1201 Second Street South, Waite Park

Spicer – 2/8/13

(Registration 8:30; Replay 9:00)
Clayton Law Offices
7325 140th Avenue NE



Ronald D. Aucutt

McGuireWoods LLP
McLean, Virginia

Ronald D. Aucutt is a partner in the McLean, Virginia (Tysons Corner) office of McGuireWoods LLP and is the chair of the firm's Private Wealth Services Group. Mr. Aucutt concentrates on planning and controversy matters involving the estate, gift, and generation-skipping transfer taxes, the income taxation of trusts and estates, the rules regarding tax-exempt organizations and charitable contributions, and related tax issues. He has extensive experience in assisting clients with the transfer of wealth from one generation to another,

particularly including the orderly and tax-efficient succession of family-owned businesses. He also advises lawyers and other professionals on tax planning and controversy issues across the entire spectrum of estate planning and charitable giving, including the complex rules governing generation-skipping transfers under chapter 13 and the special valuation rules under chapter 14 of the Internal Revenue Code. Mr. Aucutt is experienced in resolving tax issues through rulings and technical advice in the Internal Revenue Service's National Office and in administrative appeals throughout the country. He has contributed to the formation of estate tax policy through legislation and regulations and has served as an expert witness in estate and gift tax matters.

Mr. Aucutt is a Fellow and former President (2003-04) of the American College of Trust and Estate Counsel (ACTEC), an academicien of the International Academy of Estate and Trust Law and former member of its Executive Council, a former Vice Chair (Committee Operations) of the American Bar Association's Section of Taxation, a Fellow of the American College of Tax Counsel and the American Bar Foundation, a member of the Board of Directors of the Evangelical Free Church of America, and a member of the Christian Legal Society. He is also a member of the Advisory Committee of the University of Miami Philip E. Heckerling Institute on Estate Planning, the Editorial Board of *Estate Planning*, the Board of Advisors of *Business Entities*, and Tax Management's Advisory Board on Estates, Gifts, and Trusts. Mr. Aucutt is listed in *Chambers Leading Lawyers* as one of the top ten private wealth lawyers in the country. He was also named one of "Washington's 50 Best Lawyers" in the February 1997 issue of *Washingtonian* magazine, one of the 45 "Best Trusts and Estates Lawyers in the U.S." in the August 1998 issue of *Town & Country* magazine, a "Top Washington Lawyer" in the September 10-16, 2004 issue of the *Washington Business Journal*, one of the twelve "Top Trusts and Estates Lawyers" of the Washington area in the September 27, 2004 issue of *Legal Times*, one of the top 100 lawyers in the Washington area in the 2009 issue of *Washington DC Super Lawyers*, and currently one of the top 30 lawyers in Washington in the December 2009 issue of *Washingtonian*. His biography appears in *Who's Who in America*, *Who's Who in American Law*, *Who's Who in Finance and Industry*, *Who's Who in the World*, and *The Best Lawyers in America*.

Mr. Aucutt received a B.A. degree in 1967 and a J.D. degree in 1975, both from the University of Minnesota. He has been a lecturer in law at the University of Virginia School of Law. He has lectured on estate planning subjects at over 100 tax institutes and conferences nationwide and is the author of more than 100 published articles on estate planning and other tax subjects. Mr. Aucutt is co-author of *Structuring Estate Freezes*, published by Warren, Gorham & Lamont in 1991, 1992, 1993, and 1996.

FACULTY & COURSE CHAIRS

Susan J. Link

Course Co-chair
Maslon, Edelman, Borman & Brand
Minneapolis

James T. McNary

Course Co-chair
McNary Law Office
Red Wing

Terry L. Slye

Course Co-Chair
Briggs and Morgan, PA
Saint Paul

Ronald D. Aucutt

McGuire Woods LLP
McLean, VA

Steve A. Brand

Robins, Kaplan, Miller & Ciresi LLP
Minneapolis

Andrea S. Breckner

Olson & Breckner PA
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Peter M. Hendricks

Garvey, Boggio & Hendricks, PA.
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Bryan Jamison

Jamison & Jamison P.A.
Shoreview

Darryl L. Meyers

Wells Fargo
Minneapolis

Mary Frances M. Price

Edina Estate and Elder Law PA
Edina

Marcia E. Urban

Abbot Downing
Minneapolis

Alan J. Yanowitz

Law Offices of Alan J. Yanowitz PLLC
Rochester