

I. What are Trusts? Main Trust Principles

8:30 - 9:00, Jason R. Hanna

- A. Trust Terms, Concepts and Definitions
- B. Key Parties in a Trust and Their Roles
- C. The Laws of Trust Creation and Administration (UTC, UPA, UPIA, etc.)
- D. Trust Revocability and its Implications
- E. Trust Funding Basics
- F. Creditor Rights in Regards to Trusts
- G. Does the Client Need a Trust?

II. Simple Testamentary Trusts and Revocable Living Trusts

9:00 - 9:40, Jason R. Hanna

- A. When are Testamentary Trusts Used?
- B. Living vs. Testamentary Trusts for Tax Purposes
- C. Trust Funding Mistakes and Consequences
- D. Top Trust Administration Issues
- E. Sample Trust Language

III. Tax Reduction with Trusts

9:55 - 10:35, Nicholas A. Dupre

- A. Current State and Federal Tax Regime
- B. Taxation of Trusts: Transfer and Income
- C. Accounting vs. Taxable Income
- D. Tax Consequences of Distributions
- E. Tax Implications of a Trust Becoming Irrevocable
- F. Accumulation Distribution for Some Complex Trusts
- G. Material Participation by Trusts
- H. Tax Consequences of Trusts in Estate Administration

IV. Grantor Trusts

10:35 - 11:15, Nicholas A. Dupre

- A. Types of Grantor Trusts and When They are Used
- B. Intentionally Defective Grantor Trusts
- C. Tax Planning, Requirements and Consequences
- D. Trustee Powers and Duties
- E. Grantor Trust Status and Reporting
- F. Exceptions to the Rules
- G. Sample Trust Language

V. Marital Trusts in a Nutshell

11:15 - 11:55, Deshonda Charles Tackett

- A. When are Marital Trusts Used?
- B. Old AB/Credit Shelter Trusts After ATRA and Tax Cuts and Jobs Act
- C. Tax Planning, Requirements and Consequences
- D. Trustee Powers, Duties and Challenges
- E. Underfunded Trusts After First Death
- F. QDOTs for Noncitizen Spouses
- G. Exceptions to the Rules
- H. Handling Dysfunctional Client Families
- I. Sample Trust Language

VI. Special Needs Trusts (SNTs)

12:55 - 1:35, Bryn Poland

- A. When are SNTs Used? (SNTs vs. ABLE Act Accounts)
- B. Types of SNTs
- C. Tax Consequences of SNTs
- D. Preserving Benefits Eligibility
- E. Trustee Powers and Duties (What Can the Distributions be Used for?)
- F. Sample Trust Language

VII. Generation Skipping/Dynasty Trusts

1:35 - 2:05, Robin L. Apostolakis

- A. GST Tax and Other Tax Considerations
- B. When are Dynasty Trusts Used?
- C. Trustee Powers and Duties and Administration Challenges
- D. Exceptions to the Rules
- E. Sample Trust Language

VIII. Charitable Trusts

2:05 - 2:40, Robin L. Apostolakis

- A. When are Charitable Trusts Used?
- B. CRTs vs. CLTs
- C. Tax Planning, Requirements and Consequences
- D. Trustee Powers and Duties and Administration Issues
- E. Exceptions to the Rules
- F. Charitable Planning in Smaller Estates
- G. Sample Trust Language

IX. Other Trust Structures and Issues

2:55 - 3:40, Bryn Poland

- A. Minors' Trusts
- B. IRA Trusts
- C. Pet Trusts
- D. Medicaid Trusts
- E. Asset Protection Trusts
- F. Irrevocable Life Insurance Trusts
- G. Incomplete Non-Grantor Trusts
- H. Gun Trusts
- I. Trust Decanting, Modification and Dissolution
- J. Smaller Estate Trusts
- K. Constructive Trusts

X. Legal Ethics

3:40 - 4:40, Joe R. Savoie

- A. Who Is Your Client? The Most Important Question in Trusts Practice
- B. Top Legal Malpractice Risks
- C. Testator Capacity Issues
- D. Dealing with Trust Beneficiaries
- E. Protecting Confidentiality
- F. Preventing Fiduciary Misconduct

*If needed, the above agenda may be changed to best accommodate all of our attendees.