



**Estate Planning Council of Greater Miami**  
**4<sup>th</sup> Annual Estate Planning Symposium ♦ Tuesday, February 9, 2016**  
*University of Miami BankUnited Center, 1245 Dauer Drive, Coral Gables, Florida*

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**AGENDA**

**8:00 – 8:30am**                    **Breakfast, Registration and Networking with Sponsors**

**8:30 – 8:45am**                    **Welcome and Introductions**

**8:45 – 9:35am**                    **ASSET PROTECTION PLANNING WITH OFFSHORE TRUSTS**

**HOWARD ROSEN, JD ♦ Donlevy-Rosen & Rosen, P.A. ♦ Coral Gables, FL**

Asset protection planning is the process of protecting a client's assets from future creditor claims. In our litigious society, every business owner, professional, and high net worth individual is at risk. Assets can be taken by creditors, judgments, and divorce. The key to successful wealth preservation is advance planning. This presentation will discuss which clients should consider this type of planning, the limitations inherent in domestic asset protection planning, how the offshore trust actually functions to effectively protect assets, and related issues surrounding such planning techniques.

**9:45 – 11:00am**                    **INBOUND WEALTH PLANNING**

**SUZANNE L. SHIER, JD ♦ Trust and Advisory Services, Northern Trust ♦ Chicago, IL**

With the ever-evolving nature of international tax, the non-U.S. resident or non-U.S. citizen with activities in the United States and their U.S. advisors need to be aware of fundamental, international tax principles to avoid the unintended application of U.S. federal taxes. Determining exactly whose income, gains, and assets are subject to U.S. federal taxes is complex and requires a comprehensive approach without shortcuts. And, just when the general rules of international tax principles under the Internal Revenue Code and related Treasury regulations have been reviewed and applied, an applicable international tax treaty or a new tax law can change everything. This session will discuss the jurisdictional reach of the U.S. income tax and the U.S. estate, gift, and generation-skipping transfer tax system. The U.S. tax system is one of the most aggressive in the world, but effective planning can mitigate its effect.

**11:00 – 11:20am**                    **Break and Networking with Sponsors**

**11:20am – 12:10pm**                    **BOTH SIDES NOW – TAXPAYER AND IRS VIEWS OF THE IRS AUDIT PROCESS AND TRENDS**

**MARTIN E. BASSON, JD ♦ Former Supervisory Attorney, IRS Estate & Gift Tax Division; Tax Consultant ♦ Boynton Beach, FL**

Having worked as a supervisory attorney in the IRS Estate & Gift Tax Division for over thirty years, and for the past four years representing private clients in audit disputes with the IRS, Marty Basson has looked at audits, as Joni Mitchell so eloquently penned, "From both sides now." This session will discuss the IRS audit and appeals process in detail, looking at potential issues from both the perspective of the IRS and that of the taxpayer's representative. It will also cover audit trends, recent case law dealing with the valuation of art, valuation of closely held entities, penalties, and other relevant issues to those who practice in the area of estate and gift taxation.

**12:10 – 1:25pm**                    **Luncheon and Networking with Sponsors**

**1:25 – 2:40pm**                    **ESTATE PLANNING FOR BUSINESS OWNERS**

**CHARLES D. ("SKIP") FOX IV, JD, AEP (DISTINGUISHED) ♦ McGuireWoods LLP ♦ Charlottesville, VA**

This session will examine the non-tax and tax issues that confront estate planning professionals in advising clients on the succession of a family or closely held business from set of owners to another. On the non-tax side, the dynamics of working with older and younger generation family members will be examined as will the steps in the development of a plan and dealing with a plan that shows signs or trouble or causes disharmony. On the tax side, different strategies for minimizing the tax cost of transferring ownership and control from the current owners to family members and new owners will be examined. Among the techniques are gifts, capital structures, installment sales, GRATs, buy-sell agreements, and redemptions. Some attention will be paid to the unique challenges of dealing with S Corporations in business succession planning.

**2:50 – 3:40pm**                    **THE ADVISOR'S GUIDE TO LIFE INSURANCE: OPENING THE "BLACK BOX" OF THE LIFE INSURANCE CONTRACT WITH CASE STUDIES**

**R. MARSHALL JONES, JD, CLU, ChFC, AEP ♦ Jones Lowry ♦ Miami, West Palm Beach, and New York**

**WAYNE TONNING, FSA ♦ M Financial Group ♦ Portland, OR**

Life insurance policies are too often over-sold and too seldom over-perform. This presentation is dedicated to reversing that result. What's inside the "Black Box" of the insurance contract? What are the various types of Trust Owned Life Insurance policies and how do you compare them? How do you evaluate an existing portfolio of insurance? How do you analyze competing proposals for new insurance? What are the sometimes subtle differences between plans that succeed and those that fail?

**3:40 – 4:00pm**                    **Break and Networking with Sponsors**

**4:00 – 4:50pm**                    **THE EVOLUTION OF AN INVESTMENT FIDUCIARY'S ROLE IN ESTATE PLANNING**

**HAROLD EVENSKY, CFP®, AIF ♦ Evensky & Katz/Foldes Financial Wealth Management ♦ Coral Gables, FL**

The most commonly cited reasons for estate planning are protecting assets and effectively passing on property to loved ones. The appointment of an investment fiduciary is also a significant choice for clients and their families. This session will provide historical perspectives and updates on the current investment fiduciary debate, and potential actions, and discuss the following: the ERISA Plan and Prudent Man Rule; Third Restatement and the duty of a delegated trustee; the Uniform Prudent Investor Act; legal responsibilities of charitable trustees and directors; implications of the Dodd-Frank Act and a uniform fiduciary rule; SEC developments; and recent DOL rules addressing conflicts of interests in retirement advice.

**4:50 – 5:20pm**                    **QUESTION AND ANSWER SESSION WITH SYMPOSIUM SPEAKERS**

**5:20 – 5:30pm**                    **Conclusion**

## ABOUT OUR SPEAKERS

**MARTIN E. BASSON, JD** Since retiring from the IRS after thirty-seven years as an attorney, Mr. Basson has started a new career as an independent tax controversy consultant. From August 2009 to October 2011, Martin was the sole attorney on the staff of the IRS National Whistleblower Office. Prior to this position, for twenty-one years, he was the Supervisory Attorney, Estate & Gift Taxes, for the South Florida District of the Internal Revenue Service. He received his B.A. from Colgate University and his J.D. from St. John's University School of Law. He was admitted to the NYS Bar in 1974 and remains a member in good standing. With the exception of serving as Assistant Tax Commissioner for the City of New York during the Koch Administration, Mr. Basson has worked for the IRS since 1974. Other positions he has held within the IRS include Supervisory Attorney (Estate and Gift), Manhattan District, and Senior Program Manager for both the Estate & Gift and the Engineering & Valuation Programs in the North-Atlantic Regional Office. He has served as an Adjunct Professor of Law at the University of Miami Law School's LL.M. Program in Estate Planning since 1994, has been a faculty member of Nova Southeastern University's Planned Giving Program, and has lectured at numerous American Bar Association (ALI-ABA) sponsored seminars around the country. Mr. Basson has eight times (1994, 1996, 1999, 2003, 2006, 2008, 2009 and 2012) been a faculty member at the Philip E. Heckerling Institute on Estate Planning, the nation's largest technical conference in the field of estate planning. He has been a presenter at the AICPA National Business Valuation Conference, a speaker at the AICPA Estate & Gift Technical Resource Panel, a lecturer at the Annual Conference of the National Association of Estate Planners & Councils, and a panel member at the ABA Real Property, Trusts and Estate Law (RPTEL) Spring Symposia (2008 & 2013) in Washington, D.C. Mr. Basson was recognized by the Tax Section of the Florida Bar as the recipient of their "2008 Outstanding Public Service Award," an award given to a government employee for achieving standards of excellence in working with members of the Florida Bar and their clients. He was a charter member of the IRS Estate & Gift Tax National Advisory Panel, a select group of IRS attorneys who assisted in the formulation of nationwide policy decisions in the Estate & Gift area. Mr. Basson lectures extensively on the subject of estate and gift taxes (and now the IRS Whistleblower Program) in South Florida.



**HAROLD EVENSKY, CFP®, AIF** Mr. Evensky is the Chairman of Evensky & Katz/Foldes Financial Wealth Management, and a Professor of Practice in the Texas Tech University, Personal Financial Planning Department. Prior to forming his own company, he served as a Vice President of Investments with major investment banking firms. Mr. Evensky received his Bachelor's and Master's Degrees in engineering and business from Cornell University. He is the past Chair of the International CFP® Council, the CFP® Board of Governors, the Board of Examiners and the Board of Appeals and the TIAA-CREF Institute Advisory Board. He is on the Editorial Advisory Board of the *Journal of Financial Planning* and *Journal of Retirement*, and he is the Research Columnist for the *Journal*. He has also served on the National Board of the IAFP and the Charles Schwab Institutional Advisory Board and Council. In 1999, he was awarded the Dow Jones Investment Advisor Portfolio Management Award for Lifetime Achievement. In 2001 he was listed by *Financial Planning Magazine* as one of five "Movers, Shakers and Decision Makers, The Most Influential People in the Financial Planning Profession," and, he was named one of the "25 Power Elite" in the financial services industry by *Investment News*. In 2009 he was included in *Money Magazine's* Six Top Advisors and in 2010 he was included in *Investment Advisor Magazine's* "Thirty for Thirty" – Investment Advisors most influential in building the profession over the last 30 years. In 2013 he was listed as one of the professions 15 Transformational Advisors by *Investment News* and is a recipient of the FPA Heart of Financial planning award. Mr. Evensky is an internationally recognized speaker on investment and financial planning issues. In addition, he has written for and is quoted frequently in the national press, and is the author of *Wealth Management* (McGraw Hill), co-author of *The New Wealth Management*, published in conjunction with the CFA Institute by Wiley & Sons and co-editor of *The Investment Think Tank, Theory, Strategy, and Practice for Advisers* and *Retirement Income Redesigned - Master Plans for Distribution* (Bloomberg).



**CHARLES D. ("SKIP") FOX IV, JD AND AEP (DISTINGUISHED)** Charles D. ("Skip") Fox IV is a partner in the Charlottesville, Virginia office of the law firm of McGuireWoods LLP and head of its Private Wealth Services Industry Group. Prior to joining McGuireWoods in 2005, Skip practiced for twenty-five years with Schiff Hardin LLP in Chicago. Skip concentrates his practice in estate planning, estate administration, trust law, charitable organizations, and family business succession. He teaches at the American Bankers Association National Trust School and National Graduate Trust School where he has been on the faculty for over twenty-five years. Skip was an Adjunct Professor at Northwestern University School of Law, where he taught from 1983 to 2005, and is currently an Adjunct Professor at the University of Virginia School of Law. He is a frequent lecturer across the country at seminars on trust and estate topics. In addition, he is a co-presenter of the long-running monthly teleconference series on tax and fiduciary law issues sponsored by the American Bankers Association. Skip has contributed articles to numerous publications and is a regular columnist for the *ABA Trust Letter* on tax matters. He was a member of the editorial board of *Trusts & Estates* for several years and was Chair of the Editorial Board of *Trust & Investments* from 2003 until 2012. Skip is a member of the CCH Estate Planning Advisory Board. He is co-editor of *Making Sense of the 2010 Estate Tax Legislation* (CCH 2011) and *Estate Planning Strategies after Estate Tax Repeal: Insight and Analysis* (CCH 2001). He is also the author of the *Estate Planning With Life Insurance* volume of the CCH Financial Planning Library, and a co-author of four books, *Estate Planning Manual* (3 volumes, 2002), *Tax Law Guide*, *Glossary of Fiduciary Terms*, and *Fiduciary Law and Trust Activities Guides*, published by the American Bankers Association. Skip is a Fellow of the American College of Trust and Estate Counsel (for which he is Treasurer) and is listed in *Best Lawyers in America*. In 2008, Skip was elected to the NAEPC Estate Planning Hall of Fame. He is also Chair Emeritus of the Duke University Estate Planning Council and a member of the Princeton University Planned Giving Advisory Council. Skip has provided advice and counsel to major charitable organizations and serves or has served on the boards of several charities, including Episcopal High School (from which he received its Distinguished Service Award in 2001) and the University of Virginia Law School Foundation. He received his A.B. from Princeton, his M.A. from Yale, and his J.D. from the University of Virginia. Skip is married to Beth, a retired trust officer, and has two sons, Quent and Elm.



## **R. MARSHALL JONES, JD, CLU, ChFC, AEP**

R. Marshall Jones is a Principal of Jones Lowry, an M Financial Member Firm. Jones Lowry is an independent firm that designs, implements and administers innovative life insurance solutions for ultra-high net worth clients and their advisors. Jones Lowry has more than \$2.0 billion of individual life insurance in force. Mr. Jones graduated with honors from Harvard College. He received his Juris Doctorate from the University of Akron Law School and served as a Senior Writer for the Law Review. He is a non-practicing member of the Florida Bar and holds the professional designations of Accredited Estate Planner (AEP®), Chartered Life Underwriter (CLU), Chartered Financial Consultant (ChFC), Chartered Advisor in Philanthropy (CAP) and Fellow, Life Management Institute (FLMI). M Financial is a national insurance group owned by its Member Firms. With its 37+ year old, independent data base of high net worth insureds and corporate executive insureds, M Financial and its Member Firms partner with major insurance companies to develop and monitor M-Proprietary policies that have the potential to perform better than illustrated. Marshall has presented at numerous professional organizations, including national meetings of the Association for Advanced Life Underwriting (AALU), Million Dollar Round Table (MDRT), the Society of Financial Services Professionals (SFPS) and the New York University Summer Institute in Taxation. He is the author of the book, *Making Decisions about Life Insurance*. Marshall and his wife Irene have been married for more than 35 years. They enjoy golf, running, bridge, and reading. Marshall finished 36th in the 1973 Boston Marathon and completed more than twenty sub-3 hour marathons over the next 25 years.



## **WAYNE TONNING, FSA**

Wayne Toning is a Director and Actuary–Insurance, Product Management at M Financial Group. He brings more than two decades of experience with M Financial to components of M Financial's client advocacy strategy. Wayne's product management responsibilities include due care initiatives, authoring knowledge and marketing reports, bulletins, updates, and white papers for Member Firms to use with their advisors (i.e., attorneys, CPAs, and family offices). Wayne conducts industry product competitive studies, drives due care analysis of all M Partner Carrier product offerings and financial strength, leads in-force policy management activities, and delivers key metrics and insights in support of the development of new products. In addition to his core leadership in Product Management, Wayne oversees M Financial's Sales Support and Advanced Markets teams. In this role, he has successfully led the team in the development and delivery of new services and staffing realignments designed to enhance the level of marketing support for M Financial's growing number of Member Firms. In 2011, Wayne co-authored *The Advisor's Guide To Life Insurance*, a comprehensive resource that provides insight on the purchase, fundamentals, applications, and maintenance of life insurance products. The book was published by the American Bar Association's Section of Real Property, Estate and Tax Law. Wayne also speaks regularly at advisor events, covering topics related to product complexities and due care, on which he has become a nationally recognized expert. Prior to joining, and then assuming leadership of, M Financial's Product Management team, he spent 12 years implementing and managing reinsurance arrangements for M Financial Re, M Financial's producer-owned reinsurance company. Wayne received a BS in finance from Portland State University and is a Fellow of the Society of Actuaries.



## **HOWARD ROSEN, JD**

Howard Rosen is an "AV Preeminent" rated Attorney and Certified Public Accountant practicing law in Miami, Florida, as a shareholder (partner) in the firm of Donlevy-Rosen & Rosen, P.A. Mr. Rosen served as an Adjunct Professor and lecturer at law at the University of Miami School of Law for twenty years (1991 - 2010), a guest lecturer at the University of Miami School of Business Administration, and is an internationally recognized authority and frequent lecturer on the subjects of asset protection, taxation, and estate planning. Mr. Rosen is the Chairman of the Asset Protection Committee of the American Association of Attorney - Certified Public Accountants (2004 - Present). Mr. ROSEN is the founding author of the *BNA Tax Management Portfolio* titled "Asset Protection Planning," which is used by lawyers, CPA's, and estate planners nationwide in researching asset protection issues. He was also the co-author of another *BNA Tax Management Portfolio* titled "U.S. Taxation of Foreign Estates, Trusts, and Beneficiaries" and a book titled *Asset Protection: A Guide for Professionals*. He has published numerous articles in professional and academic journals on these subjects, and he is the Editor/Publisher of *The Asset Protection News*. Mr. Rosen is a member of BNA Tax Management's Advisory Board on Estates, Gifts and Trusts (1994 - Present); the Board of Advisors of the Southpac Offshore Planning Institute (SOPI); the Asset Protection Planning Committee of the Real Property, Probate and Trust Law Section of the ABA; the Tax and International Law Sections of the Florida Bar; and the American Association of Attorney - Certified Public Accountants. Mr. Rosen served as a member of the Board of Advisors of Aspen Publishers' *Asset Protection Journal* (1999 - 2001); the Board of Advisors of Warren, Gorham & Lamont's *Journal of Asset Protection* (1995 - 2000); the Board of Governors of the Florida Institute of CPA's (1997-1999); as the President (1998 -1999) and as a Director (1991 - 2000) of its South Dade Chapter; and has received the Outstanding Discussion Leader award from the Florida Institute of CPA's. Mr. Rosen also served as a charter member of the Planned Giving Advisory Council of the Baptist Hospital of Miami Foundation. Mr. Rosen's educational achievements include a Juris Doctor degree from the University of Miami (Summa Cum Laude - #2 in his class) where he was a Reid Scholar, and a Bachelor of Business Administration degree (in Accounting) from the University of Miami (Magna Cum Laude). Mr. Rosen concentrates his law practice in asset protection planning and related matters. Admitted to practice law in 1974, his experience includes estate planning, corporate and personal tax planning, foreign tax planning, and other tax related matters.



## **SUZANNE L. SHIER, JD**

Suzanne L. Shier is the Wealth Planning Practice Executive and Chief Tax Strategist/Tax Counsel for Wealth Management at Northern Trust and serves on the Wealth Management Operating Group. She is responsible for leading Wealth Planning Advisory Services and for providing thought leadership on wealth planning and tax issues of interest to clients and their advisors, with a special emphasis on wealth planning and tax policy, legislation, strategies, trends and developments. Prior to joining Northern Trust, Suzanne spent 26 years as a partner at Chapman and Cutler LLP in Chicago, ultimately leading the firm's Trusts and Estates practice, representing individuals, charitable organizations, and corporate fiduciaries in a full range of wealth planning and fiduciary matters, including philanthropy, domestic and international wealth planning, and fiduciary administration. Suzanne is an adjunct professor in the Master of Laws in Taxation Program at Northwestern University Law School and also a frequent speaker and author. She has been quoted in publications such as the *Wall Street Journal* and *Bloomberg* and has received numerous professional honors and recognitions, including selection for inclusion in *Best Lawyers in America in Trusts and Estates*. Suzanne earned her bachelor's degree with distinction in economics and sociology from the University of Michigan in 1982. She received her law degree, *cum laude*, from the Loyola University Chicago School of Law in 1985 and a master of laws in taxation from the DePaul University College of Law in 1997. In the civic community, Suzanne supports diversity and education initiatives. She has been involved with the Executive Committee and Board of Directors of Gads Hill Center and the Chicago Coalition of Women's Initiatives in Law. Suzanne is Chairperson of the Board of Directors of Chicago Scholars, a college access program for high potential urban students, and a Trustee of Hope College. Suzanne is a fellow of the American College of Trust and Estate Counsel and a member of the Chicago Bar Association, Chicago Estate Planning Council, American Bar Association, International Bar Association and the International Society of Trust and Estate Practitioners.





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**4<sup>th</sup> Annual Estate Planning Symposium ♦ Tuesday, February 9, 2016**  
*University of Miami BankUnited Center, 1245 Dauer Drive, Coral Gables, Florida*

**REGISTRATION FORM**

**FEES**

Through 12/31/15:  EPC Members - \$175.00 |  Non-Members - \$200.00  
1/1/16 - 1/31/16:  EPC Members - \$200.00 |  Non-Members - \$225.00  
2/1/16 through event:  EPC Members - \$225.00 |  Non-Members - \$250.00  
Full-time Students:  \$95.00

**HOW TO REGISTER**

**Online** at EPC of Greater Miami's Event Page

**Mail** with check payable to EPC of Greater Miami or credit card information to  
EPC of Greater Miami ♦ c/o Manageability ♦ 1821 Hillandale Rd., Suite 1B-320 ♦ Durham, NC 27705-2659

**Secure fax** with credit card information to **919-287-2711**

**Scan and email** with credit card information to **info@epcmiami.org**

PLEASE PRINT CLEARLY!

First Name	MI	Last Name	Designations
Title/Position			
Company			
Mailing Address	City	State	Zip
E-mail	Day Telephone	Nickname for badge	
Credit Card #	Exp. Date	Sec. Code	Amount
Credit Card Billing Address (if different from above)			
Signature	Date		

**Questions?**

**info@epcmiami.org | www.epcmiami.org | 919-908-6178**

*Cancellations received in writing by February 5, 2016, will receive a full refund, less a \$25 administrative fee. There will be no refunds after February 5, 2016. All fees must be paid in advance. By your signature above, you hereby authorize Estate Planning Council of Greater Miami to debit your credit card for the total amount, and have read and understand the cancellation/refund policy of this registration agreement. Program subject to change. **Please contact us with any special access or dietary needs.***

**APPROVED FOR 7 HRS OF CLE (CERTIFICATION: ELDER LAW – 7 HRS; WILLS, TRUSTS & ESTATES – 7 HRS);**  
**7 HRS OF CFP CE; 7 HOURS OF FLORIDA INSURANCE**  
**ALSO QUALIFIES FOR 7 HRS OF SELF-REPORTED CPE FOR FLORIDA CPAS AND 7 HOURS OF CIMA AND CTEA CE**