



Trust Summit For Elder Law Attorneys

Agenda

Atlanta Renaissance Midtown

Atlanta, Georgia

January 22 – January 24, 2015

Thursday, Jan. 22, 2015	TOPIC DESCRIPTION	Hours
12:45 – 1:00	Welcome; Initial remarks	
1:00 – 2:30	Orientation to Trusts and Public Benefits I. This segment will cover the Medicaid, Supplemental Security Income, and VA rules applicable to trusts, including specific topics such as SSA In-kind Support and Maintenance, Medicaid availability, Medicaid and SSI transfer rules. Also reviewed will be the main types of public benefit trusts, including two types of “D4A” special needs trusts, sole benefit trusts, self-settled/grantor trusts, and third party trusts.	1.50
2:30 – 2:45	Break	
2:45 – 4:00	Orientation to Trusts and Public Benefits II. A Continuation of this important topic. Overview of Principal & Income concepts.	1.25
4:00 – 4:15	Break	
4:15 – 5:30	Begin Orientation to Trust Taxation (see below).	1.25
Friday, Jan. 23, 2015		
8:00 – 8:30	Continental breakfast	
8:15 – 8:30	Housekeeping remarks	
8:30 – 9:00	Orientation to Trust Taxation. This segment will provide an overview of trust taxation, including nongrantor and grantor trusts. Also covered will be concepts such as trust/fiduciary accounting income and taxable income, distributable net income, and estate taxation (particularly gross estate inclusion of trusts and basis rules).	.50
9:00 – 10:15	Grantor Trust Concepts. This segment will cover basic grantor trust concepts and definitions under IRC §§ 671 and 672, such as grantor and others as asset owners for tax purposes, the meaning of “portions” in grantor trust planning, the meaning and use of “adverse” and “nonadverse” parties. Begin Key Grantor Trust provisions.	1.25
10:15 – 10:45	Break	
10:45 – 12:00	Key Grantor Trust Provisions. A section-by-section analysis of key grantor trust operating provisions beginning with IRC § 673 and running through IRC § 678.	1.25
12:00 – 1:00	Lunch on site	

1:00 – 1:30	Key Grantor Trust Provisions (cont'd from before lunch). A section-by-section analysis of key grantor trust operating provisions beginning with IRC § 673 and running through IRC § 678.	.50
1:30 – 2:15	Estate Inclusion Without Grantor Trust Status. This segment focusses on drafting trusts to avoid grantor trust status but to insure stepped-up basis of appreciated assets on grantor's death. Trusts and VA Benefits.	.75
2:15 – 2:30	Break	
2:30 – 3:15	Miscellaneous Grantor Trust Issues. This segment will cover a variety of issues, including EINs, capital gains exclusion and residential sales reporting, the net investment income tax and grantor trusts, and incorporation of powers by reference.	.75
3:15 – 4:45	Applied Scenarios. Each "Applied Scenario" will discuss the technical aspect of the specified trust followed by team breakouts for drafting exercises. Segment One will examine a trust with a retained income interest and grantor trust status with respect to principal. Segment Two will consider a grantor trust with respect to both income and principal, with no retained income interest but estate inclusion.	1.50
4:45 - 5:15	Q & A; group discussion	.50
6:30 - ?	Optional dinner off-site	
Saturday, Jan. 24, 2015		
8:00 – 8:30	Continental breakfast	
8:15 – 8:30	Housekeeping remarks	
8:30 – 9:30	Applied Scenarios. Segment Three examines the nongrantor trust with estate inclusion (usually for VA benefit purposes). This scenario will examine the use of both a nonadverse and an adverse trustee or trust protector. The last 45 minutes will be devoted to review and Q & A.	1.00
9:30 – 9:45	Break	
9:45 – 10:45	D4A Trusts. A close (and practical) examination of trusts under 42 USC § 1396p(d)(4)(A). Methods of creating appropriate tax results depending on proper identification of the grantor will be included. Methods of establishing when competent beneficiary has no parent, grandparent or guardian.	1.00
10:45 – 11:00	Break	
11:00 – 12:00	Sole Benefit Trusts. The program will conclude with an examination of so-called "sole benefit trusts" and their use in both Medicaid and SSI planning. Q & A	1.00
Total Instructional Time:		14.00