Estate Planning in 2018 - Overland Park

November 6, 2018

In case you weren't able to attend our first seminar, we've added another date.
Same content, different location!

Change in Direction: Undoing Estate Tax Planning
In Favor of Income Tax Basis Planning

Tuesday, November 6
8 am | Breakfast and Check-In
8:00-9:30 am | Seminar

Lathrop Gage LLP
10851 Mastin Boulevard, Suite 1000
Overland Park, KS 66210

For decades, the rule of thumb in estate planning has been to move wealth out of the taxable estate to avoid estate tax, often at the expense of getting a step-up in tax basis at death that eliminates built-in capital gain. However, after the Tax Cuts and Jobs Act of 2017 increased the estate tax exemption to $11.18 million per person, many trusts, family limited partnerships and other closely-held entities are not just obsolete, but counterproductive. Many plans and structures that are no longer needed to avoid estate tax could be altered to achieve the maximum possible step-up in basis and elimination of capital gain, while still avoiding estate tax. The following will be discussed:

- Decanting or modifying irrevocable generation-skipping trusts to cause inclusion in the taxable estate, beginning with the highest-gain assets;
- Changing or dissolving family limited partnerships or other closely-held entities to reduce or eliminate discounts that reduce the step-up in basis at death;

- Transferring assets back to higher generations for the purpose of getting a step-up in basis and eliminating capital gain;
- The duties of trustees to review and modify trusts to capitalize on the tax benefits available under the new law;
- The risks of changing trusts or entities given that the increased estate tax exemption is scheduled to expire after 2025.

Questions?

Contact Kara at

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