Summary of Topics for Norman S. Newmark's Presentation to Westward Financial Strategies on November 18, 2011

Mr. Newmark will discuss the status of the estate tax laws including the current federal $5 million estate/gift tax exemptions and related expiration dates, trends and opportunities in planning, and state tax issues. He will also address the techniques of avoiding state probate and similar problems for estates of all sizes.

Under current federal tax laws, the federal estate tax exemption amount (that is, the amount which can pass tax-free to heirs) is $5 million per person. Under a special provision applicable to married couples who die in the years 2011 or 2012 ("$10 million Special Provision"), any unused exemption of the first spouse to die can be used by the estate of the second spouse to die, effectively doubling the exemption to $10 million without planning. However, the $5 million per person exemption and the $10 million Special Provision expire on **January 1, 2013**. At that time, barring interim legislation, the estate tax exemption will precipitously drop to $1 million per person, and the $10 million Special Provision for couples will be eliminated. That means if a couple does not sooner take action, the unused exemption of the first spouse to die (up to $1 million) will be wasted upon the death of the second spouse to die, dramatically increasing the estate tax owed.

Accordingly Mr. Newmark will discuss several planning options for those individuals with assets over $1 million or couples with assets in excess of $2 million, including the use of so-called "living" and other trusts, lifetime gifting, and planning techniques necessary for state inheritance tax and probate avoidance purposes.

If time allows, Mr. Newmark will also discuss other hot topics in the estate planning field, such as domestic asset protection trusts (commonly known as "Delaware trusts") and Roth IRA conversions.