



SFEPC Annual Trust and Estate Summer Symposium

Friday, June 14, 2024

Location: Golden Gate University, 536 Mission St, San Francisco, CA 94105

Business Planning from Formation Through Sale, Divorce or Death

AGENDA		
Time	Topic	Speaker(s)
8:00 am	Check in and Breakfast	
8:30 am	Welcome and Introduction	Justin Miller, Evercore
8:35 am	<i>1st Session (75 mins.)</i> Litigators' Lessons Learned Related to Family Business Interests This session will provide practical pointers learned by two fiduciary and tax litigators related to family businesses from creation to death and termination.	Stephanie Loomis Price and Briana Loughlin, Perkins Coie
9:50 am	Break	
10:00 am	<i>2nd Session (60 mins.)</i> What the S...?! Wealth and Tax Planning with S Corps. This session focuses on the challenges presented by S corporations in the context of wealth transfer planning, including ownership complications, basis issues and compliance issues. Potential restructuring issues and solutions are also addressed.	Naomita Yadav, Withersworldwide
11:00 am	Break	
11:10 am	<i>3rd Session (60 mins.)</i> Drafting Effective Prenuptial and Postnuptial Agreements for Business Owners This session provides a practical guide for attorneys drafting and negotiating prenuptial and postnuptial agreements that protect business owners' financial interests without damaging their marriage. Key topics to be covered include disclosure, enforceability, and alternatives to marital agreements when business interests are involved. Courts tend to favor comprehensive and well-drafted agreements, especially those addressing specific scenarios and potential disputes. For	Wendy Goffe, Stoel Rives



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	attorneys in Uniform Premarital Agreement Act (UPAA) states, this session explores the benefits of stricter provisions to enhance the agreement's chances of being upheld in all states.	
12:10 pm	Break / Lunch Service Starts	
12:30 pm	<p><i>Lunch & 4th Session (60 mins. w/ Ethics Credit)</i></p> <p>Plans That Work for Families That Don't</p> <p>Estate planning for families who own businesses and other significant assets often present difficulties rooted in the family's internal dynamics and psychological issues. The very act of estate planning may upset the delicate balance that a family has developed over decades to keep their business functioning. Strong emotions, often suppressed for a lifetime, may emerge for testators contemplating their legacies and for beneficiaries contemplating their futures. Death and grief can release suppressed emotions that fuel legal actions by survivors, which in turn can erode the value of the business more effectively than any tax or competitor.</p>	John Hartog and Jaime Herren, Hartog, Baer & Zabronsky
1:30 pm	Break	
1:40 pm	<p><i>5th Session (60 mins.)</i></p> <p>But It's for Charity! Don't Open the Door for the IRS to Ruin Your Charitable Deductions</p> <p>Charitable planning is commonly incorporated into pre-disposition planning for business owners. As is the case in many aspects of life, timing can be everything. Planning for the charitable gift must include securing the income tax charitable deduction. The tax rules for determining whether an income tax charitable deduction is available and how to secure that deduction are persnickety. Small failures and oversights can provide the IRS with a basis to deny large deductions. This program will cover a wide swath of charitable deduction planning including substantiation rules for charitable gifts, specific asset issues, and some relevant cases planners should consider.</p>	John Prokey, Ramsbacher Prokey Leonard
2:40 pm	Dessert and Wine Reception	