



# Section on Trusts & Estates

## The Mission of the ISBA Trusts & Estates Section:

To be responsible for activities relating to the education of probate, estate planning and trust law practitioners; to promote and work for the development, modernization and improvement of legislation relating to the estate planning, probate and trust areas of the law; to review relevant matters and issues, and to study and recommend solutions to various problems involving the public, the courts, and attorneys insofar as the areas of concern of the section are involved.

## General:

- ◆ Section fees are \$25 per year.
- ◆ To join, go to [www.isba.org/sections](http://www.isba.org/sections)

## Continuing Legal Education

The Section sponsored or co-sponsored three programs during the year:

- ◆ **Estate Planning with Digital Assets** (Nov. 9, 2016)
- ◆ **Decedent's Trust and Estate Administration** (Dec. 2, 2016)
- ◆ **Estate Administration Issues: Are You Prepared to Handle Some of the Difficult Issues Facing Your Client?** (June 9, 2017)

Section members also receive discounts on section-sponsored CLE programs.

## Newsletters

Delivered electronically unless otherwise requested. During 2016-17 the Section published 12 newsletters. Articles include:

- ◆ 2016 tax year in review (Feb. 2017)
- ◆ Case law update (July 2017)
- ◆ Case law update (Apr. 2017)
- ◆ Could a departing shareholder's continuation with the company as an employee or a consultant be treated as a "retained interest" under Section 2036 or 2701 of the tax code? (Sept. 2016)
- ◆ Don't forget about the charity! Complying with the Charitable Trust Act (760 ILCS 55/1 et seq.) (Mar. 2017)
- ◆ Don't forget dad! Short-term guardianships aren't just for the kids (Nov. 2016)
- ◆ Double deduction for prepaid farm expenses (Jan. 2017)
- ◆ Drafting an all-star lineup of co-trustees for trust management (July 2016)
- ◆ Estate tax account transcript now formally recognized as a substitute for an Estate Closing Letter, but should you use it? (July 2017)
- ◆ Flinn Report Summary – August 5, 2016 through September 16, 2016 (Nov. 2016)
- ◆ Flinn Report Summary – February 10, 2017 through March 31, 2017 (May 2017)
- ◆ Flinn Report Summary – January 6, 2017 through February 3, 2017 (Apr. 2017)
- ◆ Flinn Report Summary— May 20, 2016 through July 29, 2016 (Sept. 2016)
- ◆ Flinn Report Summary: September 23, 2016 - December 30, 2016 (Feb. 2017)
- ◆ The GST trust tax trap (Dec. 2016)
- ◆ Heirships (July 2017)
- ◆ The Illinois RUFADAA: Guiding privacy, access and disclosure in the digital age (Oct. 2016)
- ◆ In re Estate of Agin (Nov. 2016)
- ◆ Include trustee's acceptance language in an instrument conveying real property out of a land trust into a living trust (June 2017)
- ◆ IRS inflation adjustments for 2017 (Jan. 2017)
- ◆ No common law rights for unmarried cohabitants (Dec. 2016)
- ◆ The other side of the Power of Attorney coin (Nov. 2016)
- ◆ The obsolescence of the full power deed in trust (Mar. 2017)
- ◆ Property powers of attorney are needlessly dangerous (Apr. 2017)
- ◆ Proposed 2704 changes meet stiff resistance at IRS hearing (Jan. 2017)
- ◆ Proposed Section 2704 regulations: Insights straight from the source (Dec. 2016)
- ◆ Protective trusts without compressed tax brackets for trust management (July 2016)
- ◆ Release and indemnification of a trustee: Best practice recommendations for practitioners (Oct. 2016)
- ◆ Should Illinois estate tax always be paid under protest? (May 2017)
- ◆ Thank you to our authors (Aug. 2016)
- ◆ Transfers into trust: A new reality? (Sept. 2016)
- ◆ Unmasking client pseudo-mental capacity (Aug. 2016)
- ◆ What constitutes a gift of farm land? (June 2017)

## Legislation

The Section Council reviews proposed legislation that may affect their members' practice area. Highlights of the most recent legislative session include:

1. Number of bills reviewed: 43
2. Significant legislation:
  - a. House Bill 2516 - Adult dependent child
  - b. House Bill 2665 – Guardianship for disabled adults
  - c. House Bill 302 - Unclaimed Life Insurance Benefits Act

## Other

- ◆ The ISBA Trusts & Estates Discussion List allows section members to pose questions and share information with fellow section members from around the state.