SMITH ANDERSON
expectexcellence®

Trusts and Estates

PRACTICES

OVERVIEW

The share of your estate going to the Internal Revenue Service (IRS) and its state counterparts depends largely on the effectiveness of your tax planning and, in some cases, on the effectiveness of your representation in tax controversies. Our Trusts and Estates lawyers provide experienced, confidential counsel in planning to reduce your tax burden and in defending against claims of federal and state tax authorities. We use our experience in the complex world of taxation to help you save money for your family and your philanthropy.

Our firm can help you transfer and preserve family wealth from generation to generation, accomplish your charitable goals and reduce income, gift, estate, generation-skipping and other taxes that erode family wealth. We provide counsel on specific wealth-transfer issues such as wills, trusts, transfers of family businesses, ancestral wealth arrangements, charitable gifts and the use of insurance products and tax planning for retirement distributions. Our trusts and estates legal experience includes planning and administering large, complex trusts and estates, and we regularly advise executors, trustees and beneficiaries on tax and fiduciary law matters.

Because we are a full-service law firm, we also offer assistance with related legal matters such as Tax-Exempt Organizations, Financial Institutions, Securities, Commercial Real Estate, Commercial Contracts, and Employment, Labor and Human Resources. We also assist with arrangements for profit-sharing, retirement and executive compensation.

Smith Anderson and several of our partners are recognized in the North Carolina Private Wealth Law chapter of the *Chambers and Partners: High Net Worth*. The *High Net Worth* guide identifies the leading lawyers and law firms for wealthy individuals and families. Also of note, the head of the practice is a Fellow in the American College of Trust and Estate Counsel (ACTEC). Fellowship in the College is by peer nomination and election only and is based on the practitioner’s outstanding reputation, exceptional skill and substantial contributions to the field.

Services

- Trust and estate planning services to individuals
- Trust and estate administration services to executors, trustees and beneficiaries
- Representation before federal and state tax authorities in tax controversies
- Planning advice to those donating to charities
- Advice on legal and tax issues relating to charitable, tax-exempt organizations

EXPERIENCE

- Represented high net worth individuals in sophisticated transfer tax planning
- Successfully defended taxpayers against proposed assessments by federal and state tax authorities involving issues including charitable contribution deductions, cost recovery deductions, and compensation deductions
- Represented clients with respect to asset protection and estate planning
- Advised individual and business clients on complex charitable planning techniques including conservation easements, private foundations, supporting organizations, and charitable trusts
- Advise Terminating Multiple Employer Welfare Arrangement (MEWA) and Voluntary Employees' Beneficiary Association (VEBA) on IRS and DOL Compliance Issues and Distribution of Surplus Trust Assets
- Counseled fiduciaries on the administration of complex, taxable estates
- Prepared wealth transfer documents (wills, trust instruments and related conveyance documents) for high net worth individuals including business owners, private investors and executives of public companies

PROFESSIONALS

Ansley Chapman Cella

Kimberly Quarles Swintosky

Peter James (PJ) Cline

Jamison H. Hinkle

Nicholle A. Kennedy, NCCP

Deborah A. McDermott, CFP®

R. Donavon Munford, Jr.

James (Jim) C. Wrenn, Jr.

RELATED AREAS

Commercial Contracts

Commercial Real Estate

Employment, Labor and Human Resources

Financial Institutions

Mergers and Acquisitions

Public Companies

Tax