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Live Video Webcast

Estate Planning and Closely Held Businesses

Video
Webcast**Date:**
Thursday, March 03, 2016**Product ID#:**
72187ER**Time:**
Eastern: 11:00 am-6:00 pm
Central: 10:00 am-5:00 pm
Mountain: 9:00 am-4:00 pm
Pacific: 8:00 am-3:00 pm

Credit Information

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Financial Planners - 7.00

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Program Description

Make the Best Use of Business Structures in Estate Planning

LLCs and other business entities can be an invaluable tool for transferring wealth to heirs and assuring your clients' legacy lives on. This focused legal guide will give you all the tools you'll need to select the right vehicle, maximize tax savings and ensure smooth succession. Register today!

- Choose the most fitting business structure for each client's unique situation.
- Map out the plan for the gradual or outright transfer of interest with airtight buy-sell agreements, options and other arrangements.
- Prevent and resolve family conflict in succession planning.
- Get hard-won tax planning and reporting tips from experienced faculty.
- Protect your professional reputation with a practical legal ethics guide.

Who Should Attend

This legal course is designed for attorneys. It will also benefit accountants, estate and financial planners, and paralegals.

Course Content

- Initial Client Considerations
- Which Business Entity Makes the Best Estate Planning Vehicle? Tax and Non-Tax Considerations
- Key Valuation Methods, Challenges and Mistakes
- Mapping Out the Transfer of Interest
- Business Succession Planning Amid Family Conflict
- Tax Planning and Reporting
- Legal Ethics

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Agenda / Content Covered

All times are shown in Eastern time

- I. **Initial Client Considerations**
 11:00 - 12:00, Daniel J. Young
 - A. Encouraging Business Owners to Plan for Succession
 - B. Helping the Grantor Clarify His/Her Goals
 - C. Accounting for Family Dynamics
 - D. Key Documents to Assess the Client's Current Financial Situation
- II. **Which Business Entity Makes the Best Estate Planning Vehicle? Tax and Non-Tax Considerations**
 12:15 - 1:15, Thomas R. Schumacher
 - A. FLLPs, FLLCs, C and S Corporations, LLC as an S Corporation
 - B. Series LLCs for Gradual Transfer of Duties and Powers
 - C. Single-Member LLCs After *Olmstead*
 - D. Articles of Organization and Other Formalities
 - E. Converting an Existing Business Structure into Another
- III. **Key Valuation Methods, Challenges and Mistakes**
 1:15 - 2:00, Daniel J. Young
- IV. **Mapping Out the Transfer of Interest**
 2:30 - 3:30, Daniel J. Young
 - A. Buy-Sell Agreements, Options and Similar Arrangements
 - B. Drafting Buy-Sell Agreements for Existing/Operating Businesses
 - C. Planning for a Full or Partial Sale of a Business
 - D. Planning and Executing a Gradual Transfer
 - E. Solving the Problem of Liquidity
 - F. Special Considerations for Sole Proprietors
 - G. Using Life Insurance to Fund Buyout and Disability
 - H. When Leveraged Recapitalization is a Wise Decision
- V. **Business Succession Planning Amid Family Conflict**
 3:30 - 4:00, Thomas R. Schumacher
- VI. **Tax Planning and Reporting**
 4:15 - 5:00, Thomas R. Schumacher
 - A. Income Tax and Capital Gains Planning
 - B. Preventing Challenges by IRS with Regard to Valuation Discounts and Disclaimers
 - C. Specific Strategies for Different Tax Entity Structures
 - D. Estate/Gift Tax Considerations and Portability
- VII. **Legal Ethics**
 5:00 - 6:00, Daniel J. Young
 - A. Who is Your Client? Preventing Conflicts of Interest
 - B. Protecting Confidentiality
 - C. Attorney Fees and Engagement Agreements
 - D. Attorney Fiduciary Responsibility

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THOMAS R. SCHUMACHER is an attorney with Bakke Norman and has more than 30 years of experience representing closely held businesses with all aspects of business planning, including choice of entity, capital formation, business transitions, and mergers and acquisitions. A founder of Bakke Norman in 1985, Mr. Schumacher serves as the firm's managing shareholder. He has volunteered in various capacities with the State Bar of Wisconsin and area economic development boards. Mr. Schumacher also served on the Baldwin-Woodville Area School Board for 15 years. He earned his B.A. degree in economics from the University of Wisconsin and his J.D. degree from the University of Wisconsin Law School.

DANIEL J. YOUNG is co-chair of Lommen Abdo's business law group. He focuses his business practice on mergers and acquisitions, closely-held, family, emerging, and technology businesses; real estate and venture finance; corporate governance; shareholder planning and dispute resolution; succession planning; employment; and estate and trust planning and administration. Mr. Young also serves as outside general counsel to businesses on matters such as choice of entity and entity formation issues, intellectual property, joint ventures and strategic alliances, international ventures, e-commerce, funding and negotiation of funding, raising capital, and counseling of boards of directors. His clients are involved in varied industries, including marketing and advertising, e-commerce and technology, biotechnology and medical devices, entertainment and hospitality, manufacturing, professional services, venture funding and financial institutions, real estate and construction, agriculture, franchise, healthcare, retail, and print and media. Mr. Young is admitted to practice in Minnesota, Wisconsin and Arizona.

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Please refer to [Continuing Education Credit FAQ](#) for general information about seeking credit for your participation in one of our continuing education programs.

Additionally, our team of credit specialists are here to answer your specific credit-related questions weekdays 7am - 5pm Central:

Phone: 866-240-1890

Email: credit@nbi-sems.com

Accreditation Details

Continuing Legal Education

AK CLE: 6.00 Including - Ethics: 1.00

Alaska Bar members may claim credit for attending CLE programs that have been accredited by other mandatory CLE jurisdictions. This program may qualify for up to 6.0 hours of credit, which includes 5.0 hours of VCLE credit under the voluntary CLE Rule of the Alaska Bar Association and 1.0 hours of MECLE ethics under the mandatory ethics continuing legal education CLE Rule.

AL CLE: 6.00 Including - Ethics: 1.00

This course or a portion thereof has been approved by the Alabama State Bar Mandatory Continuing Legal Education Commission for a maximum of 6.0 credit hours, including 1.0 ethics credits.

AR CLE: 6.00 Including - Ethics: 1.00

NBI, Inc. is an accredited sponsor in the state of Arkansas. This program is approved for 6.0 hours of continuing legal education credit, including 1.0 hour of ethics, consistent with the rules and regulations of the Arkansas Supreme Court of Professional Programs.

AZ CLE: 6.00 Including - Ethics: 1.00

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The State Bar of Arizona does not approve or accredit CLE activities for the Mandatory Continuing Legal Education requirement. This activity may qualify for up to 6.0 hours toward your annual MCLE requirement for the State of Arizona, including 1.0 hour of professional responsibility.

CA CLE: 6.00 Including - Ethics: 1.00

This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 6.0 hours, of which 1.0 hour will apply to legal ethics. NBI, Inc. certifies this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education. NBI, Inc. is a State Bar of California approved MCLE provider - #53.

CO CLE: 7.00 Including - Ethics: 1.00

This program may qualify for up to 7.0 hours of self-study general Colorado Continuing Legal Education Credit, including 1.0 ethics credit.

DE CLE: 6.00 Including - Ethics: 1.00

NBI, Inc. is an accredited sponsor of the Delaware Commission on Continuing Legal Education and recommends this program for 6.0 hours of eCLE credit, including 1.0 hour of enhanced ethics. No more than 12.0 hours of eCLE credit may be earned during a reporting period.

FL CLE: 7.00 Including - Ethics: 1.00

Approved by The Florida Bar for a maximum of 7.0 general hours of CLER credit including 1.0 hour of ethics.

GA CLE: 6.00 Including - Ethics: 1.00

This program is approved by the Georgia Commission on Continuing Lawyer Competency. This program may qualify for up to 6.0 hours of distance learning continuing legal education credit with the Georgia Commission on Continuing Lawyer Competency, which includes 1.0 hour of distance learning ethical considerations.

HI CLE: 6.00 Including - Ethics: 1.00

NBI, Inc. is an Accredited Provider with the Hawaii State Board of Continuing Legal Education. This alternative format activity has been approved for up to 6.0 hours of credit for the state of Hawaii, which includes 1.0 hour of ethics or professional responsibility education.

IA CLE: 6.00 Including - Ethics: 1.00

"Estate Planning and Closely Held Businesses" is an accredited program under the regulations of the Iowa Supreme Court Commission on Continuing Legal Education. It is planned that this program will provide a maximum of 6.0 hours of regular credit toward the mandatory continuing legal education requirements under the Iowa rule, including 1.0 hour of ethics credit.

ID CLE: 6.00 Including - Ethics: 1.00

Approved for 6.0 hours of continuing legal education credit in the state of Idaho, which includes 1.0 ethics credit.

IL CLE: 6.00

Ethics Pending. This program has been approved by the Illinois MCLE Board for 6 hours of CLE credit and has been submitted to the Illinois Supreme Court Commission on Professionalism for ethics credit review.

IN CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Indiana Commission for Continuing Legal Education. Participating attorneys are eligible to receive up to 6.0 hours of distance education, which includes 1.0 hour of ethics.

Newly admitted attorneys may receive up to 6.0 hours of new attorney CLE. No more than 6.0 hours of distance education CLE credit may be earned during a reporting period, and there is no carry over of excess distance education hours.

KS CLE: 5.00 Including - Ethics: 1.00

Approved by the Kansas Continuing Legal Education Commission for 5.0 hours of nontraditional format continuing legal education credit, which includes 1.0 hour of ethics and professionalism credit. No more than 5.0 hours of nontraditional format CLE may be earned in one compliance period.

KY CLE: 6.00 Including - Ethics: 1.00

This activity has been approved by the Kentucky Bar Association Continuing Legal Education Commission for a maximum of 6.0 credits, of which 1.0 hour relates to ethical considerations.

LA CLE: 6.00 Including - Ethics: 1.00

This course or a portion thereof has been approved by the Mandatory Continuing Legal Education Committee of the Louisiana Supreme Court. This program may qualify for up to 6.0 hours (based on a 60-minute credit hour) of self-study credit, of which 1.0 hour will apply to self-study ethics credit. No more than 4.0 hours of distance learning CLE credit may be earned during a reporting period.

ME CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the State of Maine Board of Overseers of the Bar. Lawyers who complete this course shall receive 6.0 hours of CLE credit including 1.0 ethics hours under M. Bar R. 12.

MN CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Minnesota Board of Continuing Legal Education for 6.0 hours of credit, including 1.0 hour of ethics.

MO CLE: 7.20 Including - Ethics: 1.20

NBI, Inc. is an accredited sponsor with Missouri Minimum Continuing Legal Education. This program qualifies for 7.2 hours of CLE credit, which includes 1.2 hour of ethics, professionalism or malpractice prevention credit.

MP CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Commonwealth of the Northern Mariana Islands. Lawyers who complete this course shall receive 6.0 hours of CLE credit including 1.0 ethics hours.

MS CLE: 6.00 Pending Credit Approval Including - Ethics: 1.00

This program has been submitted for continuing legal education credit in Mississippi. Approval pending.

MT CLE: 6.00 Including - Ethics: 1.00

Approved for 6.0 hours of CLE credit by the Montana Commission on Continuing Legal Education, including 1.0 hour of ethics.

NC CLE: 6.00 Including - Ethics: 1.00

NBI, Inc. is an accredited sponsor with the North Carolina State Board of Continuing Legal Education. Attendance of this program will result in 6.0 hours of CLE credit, including 1.0 ethics. This program qualifies for estate planning and probate law specialization certification credit.

ND CLE: 6.00 Pending Credit Approval Including - Ethics: 1.00

This program has been submitted to the North Dakota Commission for Continuing Legal Education.

NE CLE: 6.00 Including - Ethics: 1.00

NBI, Inc. is an accredited CLE sponsor in the state of Nebraska. This activity has been approved for up to 6.0 distance learning CLE credits, including 1.0 hour of professional responsibility credit. No more than 5.0 hours of distance learning CLE credit may be earned during a reporting period.

NH CLE: 6.00 Including - Ethics: 1.00

NHMCLE does not approve or accredit CLE activities for the NH Minimum CLE requirement. NBI, Inc. believes this course meets the requirements of NH Supreme Court Rule 53 toward the annual NHMCLE requirement.

NJ CLE: 7.20 Including - Ethics: 1.20

This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 7.2 hours of alternative format CLE credit. Of these, 1.2 qualify as hours of alternative learning format credit for ethics/professionalism.

NM CLE: 6.00 Including - Ethics: 1.00

This program has been approved by the New Mexico Minimum Continuing Legal Education for 6.0 hours of credit, including 1.0 hour of ethics.

NV CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Nevada Board of Continuing Legal Education. This program may qualify for up to 6.0 hours of alternative format CLE credits by the Nevada Board of Continuing Legal Education, which includes 1.0 hour of alternative format ethical considerations.

NY CLE: 7.00 Including - Areas of Professional Practice: 6.00,
Ethics: 1.00

This course has been approved in accordance with the requirements of the New York State Continuing Legal Education Board for a maximum of 7.0 credit hours. 6.0 hours can be applied to the Areas of Professional Practice requirement and 1.0 hour can be applied toward the ethics and professionalism requirement. This nontraditional format program is appropriate for newly admitted and experienced attorneys.

OH CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Ohio Supreme Court Commission on Continuing Legal Education for up to 6.0 self-study CLE credit hours, including 1.0 hour of attorney professional conduct instruction. No more than 12.0 hours of approved self-study CLE credit may be earned for a biennial reporting period.

OK CLE: 7.00 Including - Ethics: 1.00

This course has been approved by the Oklahoma Bar Association Mandatory Continuing Legal Education Commission for 7.0 hours of CLE credit, which includes 1.0 hour of legal ethics.

OR CLE: 6.50 Including - Ethics: 1.00

NBI, Inc. is an approved sponsor with the Oregon MCLE. This program is approved for 5.5 hours of general continuing legal education credit and 1.0 hour of ethical considerations credit.

PA CLE: 6.00 Including - Ethics: 1.00

This program has been approved by the Pennsylvania Continuing Legal Education Board. This program may qualify for up to 6.0 hours of distance learning credit, including 5.0 hours of substantive law, practice and procedure CLE credit and 1.0 hour of ethics, professionalism or substance abuse distance learning CLE credit. No more than 6.0 hours of distance learning CLE credit may be earned during a reporting

period.

RI CLE: 7.00 Including - Ethics: 1.00

National Business Institute is an accredited sponsor with the Rhode Island MCLE Commission. This program is approved for 7.0 hours of CLE credit in Rhode Island, including 1.0 of ethics.

SC CLE: 6.00 Including - Ethics: 1.00

This course is accredited by the South Carolina Commission on Continuing Legal Education and Specialization for 6.0 hours, of which 1.0 hour relates to ethical considerations.

TN CLE: 6.00 Pending Credit Approval Including - Ethics: 1.00

CLE credit on this course has been applied for to the Tennessee Commission on Continuing Legal Education.

TX CLE: 6.00 Including - Ethics: 1.00

This course is accredited for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 6.0 credit hours, of which 1.0 credit hour will apply to legal ethics/professional responsibility credit. Hours in attendance at National Business Institute CLE seminars may be applied to the minimum Judicial Education requirement. This course has been approved by the Texas Board of Legal Specialization for certification and recertification continuing legal education requirements for attorneys and legal assistants.

UT CLE: 6.00 Including - Ethics: 1.00

National Business Institute is an approved "presumptive provider" with the Utah State Board of Continuing Legal Education. This program may qualify for up to 6.0 hours of self-study CLE credit for Utah attorneys, which includes 1.0 hour of ethical considerations.

VA CLE: 6.00 Including - Ethics: 1.00

(Ethics pending). This course has been approved by the Virginia Mandatory Continuing Legal Education Board for 6 hours of credit. Credit for ethics has been submitted to the board and is pending.

VI CLE: 7.20 Including - Ethics: 1.20

This course has been approved by the V.I. Bar Association Committee on Legal Education and Admissions to the Bar for 7.2 hours of CLE credit, including 1.2 hour of ethics.

VT CLE: 6.00 Including - Ethics: 1.00

This course has been approved by the Vermont Board of Mandatory Continuing Legal Education for 6.0 hours of credit, including 1.0 hour of ethics.

WA CLE: 6.00 Including - Ethics: 1.00

Approved for 6.0 hours of Washington continuing legal education credit, which includes 1.0 hour of ethics.

WI CLE: 7.00

Ethics pending. Approved for 7 hours of continuing legal education credit by the Board of Bar Examiners. Application for ethics and professional responsibility (EPR) credit has been made. Approval pending.

WV CLE: 7.20 Including - Ethics: 1.20

This program may qualify for up to 7.2 hours of self-study credit, which includes 1.2 hour of self-study ethics credit, under the West Virginia Rules for Mandatory Continuing Legal Education. No more than 12.0

hours of self-study CLE credit may be earned during a reporting period.

WY CLE: 6.00 Including - Ethics: 1.00

The Wyoming State Board of Continuing Legal Education has granted 6.0 hours of Continuing Legal Education Credit, including 1.0 hour of ethics.

Continuing Professional Education for Accountants

AZ CPE: 7.00

The Arizona State Board of Accountancy does not approve or accredit CPE activities for the Mandatory Continuing Professional Education requirement. This activity is designed to qualify for 7.0 hours of CPE credit for accountants toward their CPE requirement for the state of Arizona.

This is a basic level program presented in a group internet-based setting. No advanced preparation or prerequisites are required. This course will: 1. List at least three key documents needed to assess the client's financial situation. 2. Provide a definition of a single-member LLC. 3. List at least two valuation methods. 4. Explain when a buy-sell agreement is a good option. 5. List at least two common family conflicts that may affect business succession planning. 6. Recall two key considerations in income/capital gains planning for family business. 7. Distinguish between ethical and unethical practices. No advanced preparation or prerequisites are required.

NY CPE: 7.00 Including - Advisory Services: 7.00

National Business Institute is an approved sponsor with the New York State Board of Public Accountancy. This program is designed to qualify for 7.0 hours of CPE credit for accountants (Sponsor License # 000232).

This is a basic level program presented in a group internet-based setting. No advanced preparation or prerequisites are required. This course will: 1. List at least three key documents needed to assess the client's financial situation. 2. Provide a definition of a single-member LLC. 3. List at least two valuation methods. 4. Explain when a buy-sell agreement is a good option. 5. List at least two common family conflicts that may affect business succession planning. 6. Recall two key considerations in income/capital gains planning for family business. 7. Distinguish between ethical and unethical practices. No advanced preparation or prerequisites are required. Field(s) of Study -- Advisory Services.

WA CPE: 7.00

This program qualifies for 7.0 hours of continuing education credit for accountants.

This is a basic level program presented in a group internet-based setting. No advanced preparation or prerequisites are required. This course will: 1. List at least three key documents needed to assess the client's financial situation. 2. Provide a definition of a single-member LLC. 3. List at least two valuation methods. 4. Explain when a buy-sell agreement is a good option. 5. List at least two common family conflicts that may affect business succession planning. 6. Recall two key considerations in income/capital gains planning for family business. 7. Distinguish between ethical and unethical practices. No advanced preparation or prerequisites are required.

WI CPE: 7.00

This activity may qualify for 7.0 hours of CPE credit for accountants toward the CPE requirement for the state of Wisconsin.

This is a basic level program presented in a group internet-based setting. No advanced preparation or prerequisites are required. This course will: 1. List at least three key documents needed to assess the client's financial situation. 2. Provide a definition of a single-member LLC. 3. List at least two valuation methods. 4. Explain when a buy-sell agreement is a good option. 5. List at least two common family conflicts that may affect business succession planning. 6. Recall two key considerations in income/capital gains planning for family business. 7. Distinguish between ethical and unethical practices. No advanced preparation or prerequisites are required.

Financial Planners

N CF: 7.00

This program has been accepted by the Certified Financial Planner Board of Standards Inc. and qualifies for 7.0 hours of CE credit for CFP® Certificants. The Certified Financial Planner Board of Standards Inc. owns the certification marks CFP®, CERTIFIED FINANCIAL PLANNER™ and CFP® (with plaque design)

and CFP® (with flame design) in the US, which it awards to individuals who successfully complete initial and ongoing certification requirements.

Upon completion of this course, attendees should be able to: 1. List at least three key documents needed to assess the client's financial situation. 2. Provide a definition of a single-member LLC. 3. List at least two valuation methods. 4. Explain when a buy-sell agreement is a good option. 5. List at least two common family conflicts that may affect business succession planning. 6. Recall two key considerations in income/capital gains planning for family business. 7. Distinguish between ethical and unethical practices.

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