SEYFARTH SHAW

Alan T. Yoshitake
Practice Group Chair

The diverse range of clients seeking Trusts & Estates counsel all have at least one thing in common: they are wisely planning for future contingencies by ensuring that their intentions are carried out when they are deceased.

Our individual clients can be found at nearly every stage of life and at various levels of wealth, business and professional development. We also help clients plan for the possibility of their mental or physical incapacity through such vehicles as advance health care directives and powers of attorney. In addition, we represent private foundations, public charities and other tax-exempt entities with the operations of their boards, compliance with state and federal reporting requirements and the establishment and monitoring of grant procedures. Our practice is focused primarily on the following substantive areas: sophisticated estate planning, estate and trust administration, litigation and estate controversy, and non-profits and charitable giving.

Whatever the situation, our Trusts & Estates attorneys, many of whom have achieved prominence in the field, have likely seen and handled matters similar to those that new clients bring to them. Many members of the group have been practicing for decades, and collectively we have prepared thousands of estate plans and administered countless estates and trusts. We often represent several generations within the same family, demonstrating the well-earned loyalty of our clients as well as our long-term commitment to them.

The Trusts & Estates team collaborates with accountants and other advisors to ensure comprehensive estate plans. We have identified various triggers that could flag the need for a review or revision of those plans to ensure that they are updated as life events occur.

The Trusts & Estates group understands that each client and each estate plan is unique. While we enjoy the benefits and resources of practicing within a full-service, national law firm, we also provide the individual attention you might expect of an estate-planning boutique or smaller firm. We understand the sensitive dynamics of family, financial and business decisions, and the special issues facing those whose personal and professional lives are closely intertwined. Perhaps most importantly, we are results-oriented. We first help clients recognize their objectives, and then focus our full skills and experience on the creation of an effective, individualized estate plan that accomplishes those objectives.

Our attorneys are committed to providing legal services that are personal, practical, competitive, efficient and effectively staffed. In addition, we remain well-versed in emerging legal trends through our scholarship and ongoing participation in seminars around the country.

Sophisticated Estate Planning

Seyfarth attorneys prepare wills and trusts that enable our clients to achieve their estate planning objectives in a tax efficient manner. We counsel clients on ways to avoid probate, protect assets from creditors, ensure that children do not receive too much before an appropriate age, and minimize the taxes incurred when transferring wealth to successive generations. Our Trusts & Estates attorneys are committed to advising clients on how to plan in light of rapidly changing tax laws and economic conditions. In this role, our group seeks not only to advise clients of changes in the law, but also to develop planning strategies that enable clients to take full advantage of those changes for the benefit of themselves and their families.

Estate and Trust Administration

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Our attorneys represent individual and corporate Executors and Trustees in connection with all aspects of the administration of estates and trusts. Our services include probate, assistance with marshalling and valuing assets, accounting and construction proceedings, trust terminations, 'decanting' of trusts and changes of jurisdictions, and preparation of estate, gift, generation-skipping and fiduciary income tax returns and related tax planning, together with representation in audits by the tax authorities and tax dispute litigation.

Litigation and Estate Controversy

Seyfarth attorneys actively represent fiduciaries and other parties involved in will contests, trust contests, will and trust construction and reformation proceedings and other fiduciary litigation. Drawing on the resources of a highly skilled and experienced private client practice and a strong bench of the Firm's litigation practice, Seyfarth's attorneys achieve consistently strong results for clients on cases involving wills, trusts and guardianships, as well as charitable and exempt organization litigation. Our dedicated litigators apply deep understanding of oftentimes complex and multifaceted legal issues to develop a strong case strategy that will deliver consistent results at a fair cost.

Non-Profits and Charitable Giving

We have helped our clients create public charities, private foundations and operating foundations and we have dealt with the Internal Revenue Service and State agencies to obtain and retain tax exemption for these entities. Our services include on-going representation of non-profit organizations in connection with fund raising activities, grant agreements and numerous administrative issues. We also represent charities with respect to gifts and bequests that they receive from individuals, estates, trusts and other grant-making organizations.

We counsel clients on tax-effective methods of charitable giving, including gifts of unique assets and drafting charitable remainder and charitable lead trusts. We prepare grant agreements with respect to major gifts, including building grants, scholarships, endowed chairs and contributions of artwork.

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