

Course topics

- Asset protection planning overview
- Fraudulent transfers and exempt property
- The nine keys to a beneficiary controlled trust
- Searching for favorable trust law
- Family limited partnerships and family LLC
- Future creditors and fraudulent transfers
- Domestic asset protection trusts which states offer the best situs
- Attorney ethics and liability
- Offshore asset protection trusts and planning
- Estate planning, traditional trusts and exit strategies

Featured speakers

Robert D. Gillen, Law Offices of Robert D. Gillen, Ltd., Naperville, Illinois

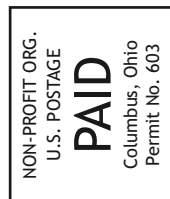
Robert D. Gillen received his B.S. from the University of Illinois and his J.D. from IIT/Chicago Kent College of Law. His professional memberships include: Offshore Trust Institute; Alliance of International Legal Counselors (founding member); International Federation of Flying Rotarians; American Bar Association (Asset Protection Section; Real Property and Probate Law Section); Aircraft Owners and Pilots Association; Arizona State Bar Association (Probate and Trust Section); Maricopa County Bar Association (Estate Planning Section); Illinois State Bar Association (Probate and Trust Committee); Dupage County Bar Association (Estate Planning Committee; Estate Planning Council; Fox Valley Estate Planning Council. Gillen practices in the areas of asset protection, wealth preservation and international estate planning services with foreign situs asset protection trusts, limited liability companies and domestic asset protection solutions, including limited liability companies, family limited partnerships, domestic asset protection trusts, beneficiary controlled trusts, irrevocable life insurance trusts, intentionally defective grantor trusts, charitable remainder and lead trusts, personal residence trusts, minor trusts, qualified domestic trusts and special needs trusts. He also has extensive experience with succession planning for family-owned businesses, corporations and partnerships. In addition, Gillen is an instructor for the Center for Professional Education for continuing education classes for CPAs. He is a contributing author to *Asset Protection Strategies Volume II* (American Bar Association 2004) and the author or co-author of numerous articles appearing in professional magazines. Gillen is a frequent speaker on the topic of asset protection for numerous professional organizations, including the Department of the Treasury, the American Association of Neurological Surgeons, the American College of Cardiology, the National Tax Institute, the Center for Professional Education, WealthCounsel, various bar associations, numerous estate planning councils, Northern Trust Bank, Harris Bank, Bank One, numerous hospitals and medical associations, corporations and business groups.

Mark Merric, Merric Law Firm, LLC, Denver, Colorado

Mark Merric received a masters of taxation and is a certified public accountant, certified management accountant, certified internal auditor and an adjunct professor at the University of Denver's Law School Graduate Tax Program. He is the principal at his firm, a manager of the Alliance of International Legal Advisors, LLC, and a manager of a China-U.S. import-export sourcing company. Merric practices in the areas of estate planning, business transactions, international tax, asset protection planning and import-export transactions. He is a co-author of Commerce Clearing House's treatise, *The Asset Protection Planning Guide: A State-of-the-Art Approach to Integrated Estate Planning* and is the author of many articles regarding offshore asset protection trusts, the U.S. taxation of foreign mutual funds, international tax planning and domestic estate planning. Merric is a frequent speaker with CTM and ATM designations and has appeared on cable television speaking on estate planning and offshore asset protection trusts. He received one of the highest evaluations that a speaker has ever received from WealthCounsel, E-Planners, the Texas Medical Association, the Better Business Bureau, the International Association of Financial Planners and the Chartered Life Underwriters.

John E. Sullivan, III, Sullivan & Sullivan, Cleveland, Ohio

John E. Sullivan is a founding member of his firm. He represents debtors, creditors and other interested parties in collections, bankruptcy and asset protection matters. As part of his practice, Sullivan advises clients on the use of onshore and offshore trusts and companies as well as the use of U.S. exempt property laws, and is actively involved in structuring and implementing asset protection plans. He is also involved in estate and probate matters. Sullivan is a frequent speaker on matters related to asset protection and asset recovery and has numerous publications to his credit, including a law review article cited in the annotations to the Uniform Fraudulent Transfers Act and another law review article cited in the official Commissioner's Comments to the Uniform Trust Code.



Onshore and Offshore Asset Protection Techniques

7.0 Total, 1.0 Ethics

July 30, Cleveland

July 31, Columbus



Onshore and Offshore Asset Protection Techniques

Schedule

- 8:00 Registration
- 8:30 **Asset protection planning overview**
Learn how to identify asset protection planning candidates and what types of tools and techniques are available to assist them with their planning goals. Not all clients need or want expensive solutions—but they do want effective ones! Make sure you know and understand why some techniques are less effective and others fail.
Robert Gillen, Law Offices of Robert D. Gillen, Ltd., Naperville
- 9:15 **Fraudulent transfers and exempt property**
If a present creditor is chasing a client or in the reasonable future will be doing so, a transfer to any person, trust, or entity, including a family limited partnership in exchange for FLP interests, is subject to fraudulent conveyance issues. Learn the fundamentals of Ohio fraudulent transfer law and why the use of exemptions may constitute a fraudulent transfer.
John Sullivan, Sullivan & Sullivan, Cleveland
- 10:00 Break
- 10:15 **The nine keys to a beneficiary controlled trust**
Recent articles in the *Wall Street Journal*, *Investors News* and the *Horse's Mouth* proclaim the beneficiary controlled trust as one of the best estate and asset protection planning tools. Learn how to implement this tool into your practice.
Mark Merric, Merric Law Firm, LLC, Denver
- 11:15 **Searching for favorable trust law**
While many states have mediocre to poor third party trust law (i.e., nonself settled), Delaware and South Dakota continue to pass legislation more favorable for settlers and beneficiaries. For a nominal annual trustee fee, shouldn't we be moving many of our trusts to states with favorable trust laws?
Mark Merric, Merric Law Firm, LLC, Denver
- 12:00 Lunch (on your own)
- 1:00 **Family partnerships and family LLCs**
Are FLPs and LLCs still considered to be good asset protection tools? Will a charging order offer effective protection? What are the limits on charging orders and phantom income? Learn why FLPs and LLCs may be overrated!
John Sullivan, Sullivan & Sullivan, Cleveland

- 1:45 **Future creditors and fraudulent transfers**
Fraudulent transfers typically arise with existing creditors, but what happens when a future creditor is unable to obtain payment due to the prior creation of an asset protection structure?
John Sullivan, Sullivan & Sullivan, Cleveland
- 2:30 **Domestic asset protection trusts which states offer the best situs**
Not all clients want an offshore solution. Ten states have now enacted domestic asset protection trust (DAPT) legislation. If one is forum shopping from a non-DAPT state, which states offer greater protection? What are some of the concerns raised regarding DAPT legislation?
Mark Merric, Merric Law Firm, LLC, Denver
- 3:00 Break
- 3:15 **Attorney ethics and liability**
When working with high-risk clients in high-risk environments, you can't afford to overlook the legal boundaries of your practice. When was the last time you researched the code of ethics? Have you ever wondered when an attorney stops being an advisor and becomes an active participant in a conspiracy to defraud a creditor? Can a legal advisor be liable for recommending and implementing asset protection techniques that failed to protect the client's assets? Is an attorney obligated to bring up asset protection planning with high-risk clients? Civil liability is bad enough but criminal charges against an attorney can really derail your career. In some states it is a criminal act to participate in fraudulent conveyances. Are you sure you are giving the proper advice to your clients to keep you out of trouble?
Robert Gillen; Law Offices of Robert D. Gillen, Ltd., Naperville
- 3:45 **Offshore asset protection trusts and planning**
Offshore planning is still regarded as providing the highest level of creditor protection. Learn how asset protection trusts are typically structured. What do attorneys look for as part of their due diligence when comparing different offshore jurisdictions? Explore some of the myths surrounding offshore asset protection trusts and how various assets may fit into the planning structure.
Robert Gillen, Law Offices of Robert D. Gillen, Ltd., Naperville
- 4:30 **Estate planning, traditional trusts and exit strategies**
Estate planning must be coordinated with an asset protection structure and can involve traditional trusts, QPRTs, CRUTs, nonself settled trusts, as well as various drafting issues such as spendthrift provisions, dynasty versus vesting options and discretionary versus ascertainable standards. How does one create an exit strategy and what is involved?
John Sullivan, Sullivan & Sullivan, Cleveland
- 5:00 Conclusion

Registration

08-036

Ohio attorney number: _____

Admission date: _____

Name: _____

Firm: _____

Address: _____

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New address

Tuition and Location

Please check one: July 30, 2008 Cleveland July 31, 2008 Columbus

	Pre-registration:	Walk-in registration:	Government attorneys:	New lawyers: (1-12 months in practice)
Member:	<input type="checkbox"/> \$230	<input type="checkbox"/> \$255	<input type="checkbox"/> \$196	<input type="checkbox"/> \$115
Nonmember:	<input type="checkbox"/> \$288	<input type="checkbox"/> \$313	<input type="checkbox"/> \$244	<input type="checkbox"/> \$144

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Cancellation policy: Cancellations received by 5 p.m. the business day prior to the seminar will be refunded less a \$25 office fee. Those not attending will receive the course materials in full consideration of tuition paid.

Program information

Date and locations

July 30, 2008....Cleveland
One Cleveland Center
East 9th Street and St. Clair

July 31, 2008....Columbus
Ohio State Bar Association
1700 Lake Shore Drive

Course number.....08-036

CategoryProbate

Course levelAdvanced

Credit hours.....7.0 Total, 1.0 Ethics

To register

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