Table of Contents

CHAPTER 1. BEGINNING THE PROCESS

I. CLIENT INTERVIEWS AND INFORMATION

§ 1:2 Client questionnaire—Family information

CHAPTER 3. TRUSTS AND TRUSTEES

I. TYPES OF TRUSTS

§ 3:4 A-B trust—Lessen federal estate taxes
§ 3:6 Disclaimer trust
§ 3:11 Generation-skipping trust
§ 3:12 Minor's or 2503(c) trust

CHAPTER 4. TAX JURISDICTION

II. FEDERAL ESTATE TAX JURISDICTION

§ 4:7 Federal tax jurisdiction, in general

CHAPTER 5. TAXATION OF TRANSFERS BY WILL OR INTESTATE SUCCESSION

§ 5:4 Effect of renunciations or disclaimers for Kentucky inheritance tax purposes—Planning pointer—Trust for disclaimed property
§ 5:6 Effect of disclaimers for federal estate tax purposes—Planning pointer—Use of disclaimer to save gift tax or preserve exclusion
§ 5:7 Effect of disclaimers for federal estate tax purposes—Planning pointer—Use of disclaimer trust
§ 5:9 Effect of compromise agreements for federal estate tax purposes

CHAPTER 6. TAXATION OF TRANSFERS IN CONTEMPLATION OF DEATH

§ 6:1 Introduction
§ 6:2 Judicial analysis of Kentucky contemplation of death statute—In general

CHAPTER 9. POWERS OF APPOINTMENT

§ 9:1 Powers of appointment as an estate planning tool
§ 9:2 Inheritance taxes and powers of appointment—In general
§ 9:4 Comparison of Kentucky and federal approaches

CHAPTER 10. LIFE INSURANCE

II. TAXATION OF INSURANCE

§ 10:15 Federal estate taxation of life insurance—Planning pointer—Gifts of policy or premiums, or purchase of policy by beneficiary

III. LIFE INSURANCE TRUSTS

§ 10:19 Irrevocable life insurance trusts—In general
§ 10:21 Irrevocable life insurance trusts—Planning pointer—Insurance trust terms

CHAPTER 11. RETIREMENT PLANS AND BENEFITS

I. TYPES OF RETIREMENT PLANS

§ 11:2 Pension plan—In general
§ 11:4 Profit-sharing plan—In general
§ 11:6 Money purchase plan—In general
§ 11:8 401(k) plans—In general
§ 11:12 Simplified employee pension plan (SEP)
§ 11:13 Individual retirement account (IRA)—In general

II. PLAN PROVISIONS AND OPERATION

§ 11:17 Participation, vesting, and nondiscrimination—Nondiscrimination
§ 11:18 Top-heavy plans—In general

CHAPTER 12. INHERITANCE AND ESTATE TAX DEDUCTIONS, EXEMPTIONS, AND RATES

III. MARITAL DEDUCTION PLANNING

§ 12:17 Requirement that decedent be survived by spouse—Simultaneous death of parties
§ 12:26 Marital deduction and portability
§ 12:27 Tax planning through use of marital deduction, portability and the exclusion amount

IV. INHERITANCE AND ESTATE TAXES

§ 12:30 Kentucky inheritance tax rates and credits—Credit for prior tax paid
§ 12:33 Federal estate tax rates and credits—Credits
§ 12:36 Payment of federal estate tax

CHAPTER 13. VALUATION OF ASSETS

I. VALUATION OF REAL ESTATE

§ 13:11 Special use valuation of farm or closely held business for federal estate tax purposes—In general

II. VALUATION OF PERSONAL PROPERTY

§ 13:25 Discounting minority interests in closely held businesses

CHAPTER 14. GIFTS AND GIFT TAXATION IN ESTATE PLANNING

I. GENERAL CONSIDERATIONS

§ 14:1 Introduction
§ 14:2 Advantages of gift giving
§ 14:6 Elements of gift and application of tax—Gift pursuant to power of attorney

II. SPECIAL CONSIDERATIONS

§ 14:8 Disclaimers

III. ANNUAL EXCLUSION AND SPLIT GIFTS

§ 14:11 Annual exclusion—In general
§ 14:13 Gift splitting

IV. INCOME TAX BASIS IN GIFT PROPERTY

§ 14:14 Donee must use donor's adjusted income tax basis—In general
§ 14:15 Donee must use donor's adjusted income tax basis—Planning pointer—Use of higher basis property for inter vivos gift

VI. GIFTS FOR THE BENEFIT OF CHILDREN

§ 14:20 Taxation of income from gift to child—In general

CHAPTER 15. GENERATION-SKIPPING TRANSFER TAX

I. OVERVIEW OF GENERATION-SKIPPING TRANSFER TAX

§ 15:2 Tax rate, exemption and taxable transfers, in general
§ 15:5 Taxable distribution
§ 15:6 Taxable termination
§ 15:7 Direct skip

CHAPTER 16. GENERAL WILL AND TRUST FORMS

§ 16:8 Marital and credit shelter trust

APPENDICES

APPENDIX A. Kentucky Revised Statutes (Selected Provisions)

Table of Laws and Rules

Table of Cases

Index