

Estate Planning after the 2024 Election

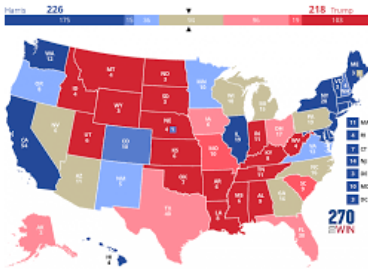
This session will focus on estate planning strategies following the 2024 election. You'll explore how recent political changes may impact estate planning and receive valuable guidance for navigating this evolving landscape.

Moderator:

Russell J. Fishkind, McCann FitzGerald LLP

Speakers:

Keith S. Balla, PKF O'Connor Davies LLP



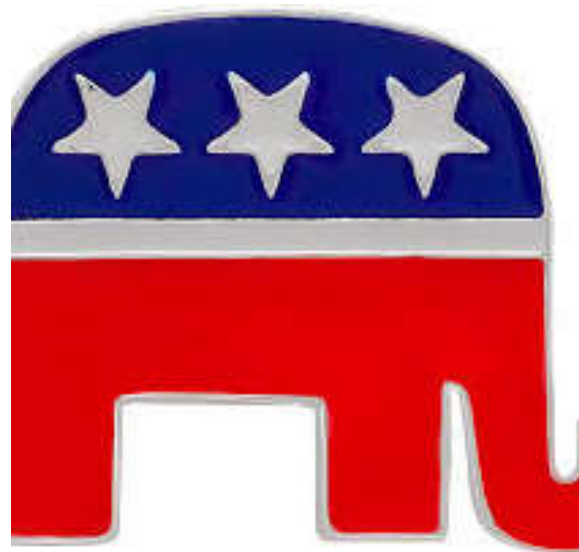
ELECTION
24
ISSUES AT STAKE

The State of the Estate Tax: Post 2024 Election

- Russell J. Fishkind, Esq.
- Keith Balla, CPA
- New Jersey Mid-Year Bar Convention
- Dublin Ireland
- November 8, 2024

The Right View

- Death Tax
- Penalty for success
- Triple taxation
- Doesn't raise enough money
- Forces business owners to sell

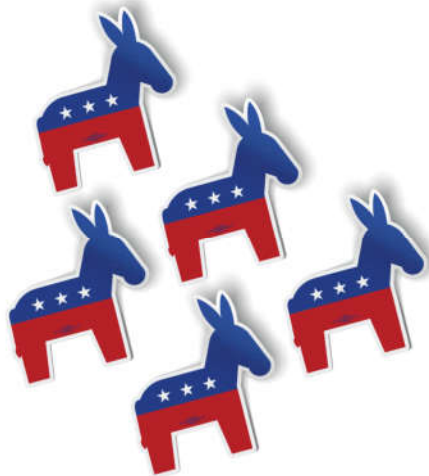




Trump on Estate Tax

- Gift coupled with the estate tax, so that both the gift and generation skipping tax ("GST") exemptions are \$13,600,000 per spouse 2024
- Trump Proposal:
- Eliminate all estate, gift and GST taxes.
- Under current law, any unused federal estate tax exemption of a deceased spouse is added to the available exemption of the surviving spouse if proper election is made on deceased spouse's estate tax return.
- Trump Proposal:
- Elimination of estate tax voids portability
- Who benefits from elimination?





The Left View

- Robin Hood effect
- Affects less than 1% to help 99%
- Taxation drives behavior
- Gifts and Bequests to charity
- Avoid the caste system



Harris on Estate Tax

- Vice President Kamala Harris announced her endorsement of the estate tax provisions contained in the American Housing and Economic Mobility Act of 2024 (the "Act"). Under Harris' proposal, it would be reduced to \$3,500,000 upon proposal of the Act. The key provisions Harris wants to enact are the following:
- Lower the estate and gift tax exemption to \$3,500,000 (the 2009 level).
- Increase the estate tax rates as follows:
- Taxable estate up to \$13,000,000 – 55%
- Taxable estate over \$13,000,000 but not over \$93,000,000. \$7,150,000 + 60% of the excess of such amounts over \$13,000,000.
- Over \$93,000,000 – \$55,150,000 + 65% of the excess of such amount over \$93,000,000.
- A 10% surtax on taxable estates in excess of one billion dollars.

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ESTATE & BUSINESS SUCCESSION PLANNING

A LEGAL GUIDE TO
WEALTH TRANSFER



RUSSELL J. FISHKIND, Esq.
and ROBERT C. KAUTZ, Esq.

Year	Estate Tax Exemption	Top Estate Tax Rate
1997	\$600,000	55%
1998	\$625,000	55%
1999	\$650,000	55%
2000	\$675,000	55%
2001	\$675,000	55%
2002	\$1,000,000	50%
2003	\$1,000,000	49%
2004	\$1,500,000	48%
2005	\$1,500,000	47%
2006	\$2,000,000	46%
2007	\$2,000,000	45%
2008	\$2,000,000	45%
2009	\$3,500,000	45%
2010	\$5,000,000 or 50	35% or 0%
2011	\$5,000,000	35%
2012	\$5,120,000	35%
2013	\$5,250,000	40%
2014	\$5,340,000	40%
2015	\$5,430,000	40%
2016	\$5,450,000	40%
2017	\$5,490,000	40%
2018	\$11,180,000	40%
2019	\$11,400,000	40%
2020	\$11,580,000	40%
2021	\$11,700,000	40%
2022	\$12,060,000	40%
2023	\$12,920,000	40%
2024	\$13,610,000	40%

The Tax Cut And Jobs Act expires in 2025

And the
result of
differing
views...

Proactive Planning
for the Upcoming
Sunset of Estate
Tax Law Changes



January 1, 2026 Estate Tax Sunset

- Estate and Gift Tax revert to 2017
- From \$13,600,000 to \$7,000,000
- The delta $\$6,600,000 \times 40\% = \$2,640,000$ in projected estate tax per UHNW decedent
- Per spouse = \$5,280,000 per couple plus growth

Run on Estate Planning in 2025

- Outright Gifts
- GRATS
- Spousal Lifetime access Trusts
- Intentionally defective Grantor Trusts
- Appraisals
- Valuation Discounts

Use It or Lose It:
2025 Sunsetting
of Estate Tax
Exemptions

About the Panelists...

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