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December 4–5, 2019

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WEDNESDAY MORNING, DEC. 4, 2019

Presiding Officer:
Jimmy Martens, Martens, Todd, Leonard & Ahlrich, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. 2.00 hrs

Recent Developments in Federal Income Taxation

Review significant court decisions, rulings, and statutory and regulatory developments of the past year.

Stanley L. Blend, Clark Hill Strasburger, San Antonio, TX

10:30 a.m. Break

10:45 a.m. 1.00 hr

Partnership Audits

George Hani, Miller & Chevalier Chartered, Washington, DC

11:45 a.m. .75 hr

Law and Order: STC (State Tax Cases)

Hear opposing views from two lawyers whose practices focus on Texas franchise and sales tax cases. Jack Hohengarten, Chief of the Tax Division representing the Comptroller, explains the Comptroller's litigating positions from significant 2018 and 2019 state tax cases. Lacy Leonard, a law partner in an Austin, Texas firm focusing exclusively on the trials and related appeals of the same cases, explains the taxpayers' positions. They can't both be correct. So, you be the judge.

Jack Hohengarten, Office of the Attorney General, Austin, TX
Lacy Leonard, Martens, Todd, Leonard & Ahlrich, Austin, TX

12:30 p.m. Pick Up Lunch

Included in registration.

WEDNESDAY AFTERNOON

Presiding Officer:
Catherine C. Scheid, Attorney at Law, Houston, TX

LUNCHEON PRESENTATION

12:50 p.m. .75 hr

Tax After 2017: Requiem for Ability to Pay

Enactment of the TCJA was followed by a mad dash to understand its effects; the speed and process of enactment left no time for serious attempts to analyze whether the TCJA transformed the income tax system in any fundamental way. But it has, and Professor Abreu explains how.

Professor Alice G. Abreu, Temple University Beasley School of Law, Philadelphia, PA

1:35 p.m. Break

1:50 p.m. .75 hr

A Multistate View of SALT

Learn about the latest legislation, cases, and developments in other states and at the federal level affecting state and local tax responsibilities and enforcement. Address practical state and local tax issues for businesses operating in a changing multistate and international environment.

Christina A. Mondrik, Mondrik & Associates, Austin, TX
Nancy L. Prosser, Texas Comptroller of Public Accounts, Austin, TX

2:35 p.m. 1.00 hr

Voluntary Disclosure Practice and Hot Topics in IRS Enforcement

This presentation discusses both the IRS and practitioner views of the revised voluntary disclosure practice, as well as hot topics and trending issues in IRS enforcement. Explore the key ethical considerations in navigating the decision between making voluntary disclosures, using the Streamlined Filing Compliance Procedures, and making quiet disclosures.

Charles J. "Chad" Muller III, Chamberlain, Hrdlicka, White, Williams & Aughtry, San Antonio, TX
Daniel N. Price, Internal Revenue Service, Austin, TX

3:35 p.m. Break

3:45 p.m. 1.50 hrs ethics

Obligation to Report Tax-Related Misconduct

Is there an ethical or legal obligation upon attorneys and/or judges to report tax misconduct such as fraud, false verification, etc. of the parties? Explore the obligations imposed upon the courts and the attorneys when there is evidence of tax-related misconduct and developing trends in that area.

Moderator:
Frank Agostino, Agostino & Associates, P.C., Hackensack, NJ

Panelists:
Daniel Fannin, Internal Revenue Service, Criminal Investigation, Austin, TX
Marilea W. Lewis, Duffee + Eitzen, Dallas, TX

5:15 p.m. Adjourn

THURSDAY MORNING, DEC. 5, 2019

Presiding Officer:
Charles J. "Chad" Muller III, Chamberlain, Hrdlicka, White, Williams & Aughtry, San Antonio, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. 1.00 hr

Qualified Opportunity Zones

Established by the Tax Cuts and Jobs Act to generate development and growth in low-income communities, this presentation focuses on the tax benefits of investing in a qualified opportunity fund and the statutory requirements, including formation, funding, testing, and ongoing compliance considerations of the program.

T. Van Alston, RSM US LLP, San Antonio, TX
Katherine Noll, Chamberlain, Hrdlicka, White, Williams & Aughtry, San Antonio, TX

10:00 a.m. 1.00 hr

New Rules on Section 461(l): Limitations on Excess Business Losses

While partnerships and LLCs are "flow-through" entities, a series of rules restrict the "flow" of losses. Examine the latest restriction—Section 461(l)—and the loss limiters before it—Sections 704(d)(basis), 465 (at-risk) and 469 (PALs).

R. Brent Clifton, Winstead PC, Dallas, TX

11:00 a.m. Break

11:15 a.m. 1.00 hr

Analysis of the Financial and Income Tax Aspects When an Earnout is Used for the Sale of a Business

When a buyer and seller cannot agree upon a price for a business, an earnout is used and may result in selling the business for less than its true value. The materials discuss how earnout formulas can be adjusted to ensure that true value is paid. Because earnouts can result in adverse income tax treatment to the seller, the materials apply the installment sale and OID rules to illustrate the income tax treatment of earnouts and how to eliminate these adverse income tax results.

Jerome M. Hesch Esq., Adjunct Professor of Law, Miami, FL

12:15 p.m. **Pick Up Lunch**

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:
Patrick L. O'Daniel, Norton Rose Fulbright, Austin, TX

LUNCHEON PRESENTATION

12:35 p.m. .75 hr ethics

Ethical Issues Relating to the Use of Social Media and Blogging by Lawyers and Law Firms

Social media is a great new tool—we are bombarded with messages about the benefits for us as lawyers in credentialing and marketing ourselves, and educating the public with our blogs on legal issues. Many lawyers and judges use it successfully. Of course, it's so easy to use these tools that we sometimes don't remember that we can also make missteps. Also, our clients use (misuse) their accounts to talk about us. And when we or others do, social media is also there to show the resulting gaffe to (potentially) thousands if not millions of people.

Fred F. Murray, Washington, DC

1:20 p.m. **Break**

1:35 p.m. 1.00 hr

Is Time Up On *Auer*? The Application of Authority in the Changing World of Deference

Courts continue to consider whether and to what extent agencies are entitled to deference with respect to their interpretation of statutory provisions and legislative intent. Review the history of the Administrative Procedure Act, various forms of agency guidance, and key judicial decisions addressing deference. Against this backdrop, discuss how the current landscape and recent developments may impact tax administration and enforcement.

Caroline D. Ciraolo, Kostelanetz & Fink, LLP, Washington, DC
Abbey B. Garber, Thompson & Knight LLP, Dallas, TX

2:35 p.m. .75 hr

Section 199A: Nuts and Bolts

Learn about the Section 199A qualified business income deduction, from the statutory basics to the recently issued Treasury and IRS guidance. Discuss qualified trade or business income, rental real estate and the safe harbor, the various limitations on the 199A deduction, the aggregation rules under the regulations, and other key practical aspects of 199A.

Jessica L. Kirk, Thompson & Knight LLP, Dallas, TX

3:20 p.m. 1.25 hrs

Section 199A: Planning

Hear a brief overview of Section 199A concepts and discuss how to structure existing and new businesses to maximize the deduction and offer a comparison to operating a business as a C corporation.

Daniel H. McCarthy, Wick, Phillips, Gould & Martin, LLP, Fort Worth, TX

4:35 p.m. **Adjourn**

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NANCY L. PROSSER
Texas Comptroller of Public Accounts
Austin, TX

*Planning Committee member

CONFERENCE ACCREDITATION

CLE CREDIT

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 14.50 hours, of which 2.25 credit hours will apply to the legal ethics/professional responsibility credit.

The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and Oklahoma Bar Association MCLE presumptively approved provider (#169).

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Approved TX Legal Specialization Credit: Estate Planning and Probate Law, and Tax Law

FRIDAY MORNING, DEC. 6, 2019

Presiding Officer:
Stanley M. Johanson, The University of Texas School of Law, Austin, TX

7:30 a.m. **Conference Room Opens**
Includes continental breakfast.

8:20 a.m. **Welcoming Remarks**

8:30 a.m. **1.25 hrs**

Recent Developments Affecting Estate Planning
Hear Professor Johanson's popular and always-informative review of the latest cases, regulations, rulings and other "hot" estate planning topics!
Stanley M. Johanson, The University of Texas School of Law, Austin, TX

9:45 a.m. **Break**

10:00 a.m. **1.00 hr**

Succession Planning for Owners of the Successful Pass-Through Entity
Analyze the personal and financial obstacles that arise when passing ownership of a family business on to the next generation. Learn how a preferred partnership structure can be used in balancing the need to treat all the children equally when only some play an active management role. Discover how key employees can be given an equity interest in the family business without adverse income tax treatment and without putting undue financial pressure on the key employee. Finally, review alternatives used to defer payment of the estate taxes.
Jerome M. Hesch Esq., Adjunct Professor of Law, Miami, FL

11:00 a.m. **1.00 hr**

Use and Misuse of Business Entities in Estate Planning: Miscellaneous Tax Issues
Examine income and/or transfer tax issues associated with solutions for family rivalry and business succession issues for family businesses.
Richard B. Robinson, Robinson, Diss and Clowdus, P.C., Denver, CO

12:00 p.m. **Pick Up Lunch**
Included in registration.

FRIDAY AFTERNOON

Presiding Officer:
Stanley M. Johanson, The University of Texas School of Law, Austin, TX

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LUNCHEON PRESENTATION

12:20 p.m. **.75 hr**

Practice Tips for IRS Estate and Gift Tax Inquiries from Cradle to Grave
Learn the latest trends in dealing with the IRS from the examination level through litigation. Discover procedural matters, issues currently being raised by the IRS in audits, little-known procedural anomalies, and traps for the unwary.
Josh O. Ungerman, Meadows, Collier, Reed, Cousins, Crouch & Ungerman, L.L.P., Dallas, TX

1:05 p.m. **Break**

1:20 p.m. **1.00 hr**

Dos and Don'ts of Estate Planning for Millennials
Millennials are taking over. They now make up the largest portion of the U.S. labor force, and it is time we started paying attention to them. Learn about some of the differences that distinguish millennials from prior generations and learn which estate planning strategies are particularly relevant for millennial clients.
Christine Wakeman, Winstead PC, Dallas, TX

2:20 p.m. **Break**

WORKSHOP ACCREDITATION

CLE CREDIT
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The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and Oklahoma Bar Association MCLE presumptively approved provider (#169).

2:30 p.m. **1.50 hrs**

Estate Planning Workshop
Address practical concerns commonly faced by practitioners in the estate planning area, including hot-button issues stemming from recent cases, rulings, and regulations (final and proposed). Gain insight on current "hot" estate planning techniques.

Moderator:
Stanley M. Johanson, The University of Texas School of Law, Austin, TX

Panelists:
Stephen R. Akers, Bessemer Trust, Dallas, TX
Mickey R. Davis, Davis & Willms, PLLC, Houston, TX
Jerome M. Hesch Esq., Adjunct Professor of Law, Miami, FL
Josh O. Ungerman, Meadows, Collier, Reed, Cousins, Crouch & Ungerman, L.L.P., Dallas, TX
Christine Wakeman, Winstead PC, Dallas, TX

4:00 p.m. **Adjourn**

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Special group registration rates available. Call 512.475.6700

Taxation Conference Registration
Includes Electronic Course Materials and Wednesday and Thursday Luncheon Presentations

- ❑ Individual registration by Monday, November 25 .... $575
- ❑ Individual registration after Monday, November 25 .... $625

Taxation Conference Printed Binder – Available Through Monday, November 25
Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase".

- ❑ Printed Course Binder $37.89 ($35*)

Taxation Conference Registration Total .... $______

Estate Planning Workshop Registration
Includes Electronic Course Materials and Friday Luncheon Presentation

- ❑ Individual registration by Monday, November 25 .... $375
- ❑ Individual registration after Monday, November 25 .... $425

Estate Planning Workshop Printed Binder – Available Through Monday, November 25
Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase".

- ❑ Printed Course Binder $37.89 ($35*)

Estate Planning Workshop Registration Total .... $______

REGISTRATION SUBTOTAL **$**______

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- ❑ Taxation eConference $525

Taxation Conference Post-Course Binder – For Research and Self-Study
Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- ❑ Electronic Post-Course Download (PDF) $243.56 ($225*)
- ❑ Printed Post-Course Binder $297.69 ($275*)

Taxation Conference Post-Conference Products Subtotal .... $______

Estate Planning Workshop eConference – For Texas and California MCLE Credit
Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

- ❑ Estate Planning eConference $325

Estate Planning Workshop Post-Course Binder – For Research and Self-Study
Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- ❑ Electronic Post-Course Download (PDF) $135.31 ($125*)
- ❑ Printed Post-Course Binder $189.44 ($175*)

Estate Planning Workshop Post-Conference Products Subtotal .... $______

Annual eLibrary Subscription – For Research and Self-Study
Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

- ❑ eLibrary 12-Month Subscription $319.34 ($295*)

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TOTAL POST-CONFERENCE PRODUCTS **$**______

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67TH ANNUAL TAXATION CONFERENCE
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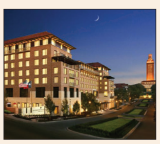
December 4–5 & 6, 2019

CONFERENCE LOCATION



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877.744.8822 (Reservations)

Special Room Rate: $189
Good through November 4
Reference "Taxation and Estate Planning Conference" (Subject to Availability)

Parking:
Daily self-parking will be validated for the AT&T Conference Center Garage or surrounding UT garages. Please note Dobie is not a UT garage and parking cannot be validated. Separate fees apply for valet and overnight parking.

KEY DATES

November 25, 2019
Last day to order a printed binder

November 25, 2019
Last day for early registration
Add $50 for registrations received after this time

November 25, 2019
Last day for full refund cancellation

December 2, 2019
Last day for partial refund cancellation
$50 processing fee applied

December 4, 2019, at 8:20 a.m.
Taxation Conference Begins

December 6, 2019, at 8:20 a.m.
Estate Planning Workshop Begins

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REASONS TO ATTEND

UT Law CLE's **2019 Taxation Conference** presents the expertise and in-depth analysis essential to understanding where tax law is, where it came from, and where it is going. With a renowned slate of regional and national speakers, the conference is a must attend event for those looking to keep current amidst a dramatically changing tax landscape.

Join legendary UT Law Professor **Stanley M. Johanson** as he leads his **Estate Planning Workshop**, which offers timely topics, lively discussion and practical advice.

EARN YOUR FULL MCLE REQUIREMENT

15/3 GUARANTEE

UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, attendees will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.