Hodgson Russ LLP
ATTORNEYS

FLORIDA RESIDENCY

How you know you have it, and what you may want to do if another state says you don't

This seminar provides information on income tax, homestead, and estate planning issues and guidance on how you may be able to reduce taxes, protect assets, and avoid pitfalls when moving from another state or maintaining dual residences.

Wednesday, January 23, 2013
Naples, The Ritz-Carlton, 9 a.m.

Thursday, January 24, 2013
Palm Beach, The Ritz-Carlton, 2 p.m.

Tuesday, February 19, 2013
Boca Raton, Renaissance Boca Raton Hotel, 2 p.m.

Wednesday, February 20, 2013
Palm Beach, The Ritz-Carlton, 9 a.m.

This seminar is approved for 2 hours of technical business continuing professional education credit by the Florida Department of Business & Professional Regulation, Sponsor/Provider #0002615, Course #0005136, Exp. 9/27/13; accepted by the CFP Board for 2 hours continuing education credit, Sponsor/Provider #3503, Exp. 12/31/13, and pending approval by The Florida Bar for 2.5 hours of general CLER credit.

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Our speakers will provide information about compliance with state residency rules. Unfortunately, many people have learned about these rules the hard way. With good intentions, they did all the things they thought they needed to do in order to take up residency outside of their old state—they filed affidavits of domicile in the new state, registered their automobiles in that state, obtained new driver's licenses, and registered to vote. Sounds like they did all the right things, right?

Wrong! Most people aren't aware that a residency determination is based on more than mere declarations or physical presence in the state. In a residency case, **the burden of proof is on the taxpayer.** Even after you've moved out of one state, if you maintain living quarters in that state and visit from time to time, you may still be considered a resident of that state for tax purposes.

Do you have significant non-Florida contacts? If you do, you may be a prime target for an audit, and you may benefit from this seminar.

This seminar will provide you with information on issues that may be beneficial in protecting your assets and avoiding pitfalls when moving out of a state or maintaining dual residences:

- New Residency and Allocation Issues
- Proactive Preparation for Nonresident Audits
- New Estate Tax Legislation: What Does It Mean?
- Florida: What's Different?
- What Is Statutory Residence and Why Should You Care?
- Current Planning Techniques
- Protecting Your Assets and Reducing Tax on Transfers to Your Family
- Other Hot Topics

This seminar will also provide information on residency law for:

- Individuals With Dual Residences
- Non-Florida Residents
- In-House Tax Counsel
- Accountants
- Tax Managers
- Financial Planners
- Insurance Executives
- High-Net-Worth Individuals

Renaissance Boca Raton Hotel, Boca Raton

2000 Northwest 19th Street, Boca Raton, Florida, 33431 Tel. 561.368.5252 www.marriott.com

The Ritz-Carlton, Palm Beach

100 South Ocean Boulevard, Manalapan, Florida 33462 Tel. 561.533.6000 www.ritzcarlton.com

The Ritz-Carlton, Naples

280 Vanderbuilt Beach Road, Naples, Florida, 34108 Tel. 239.598.3300 www.ritzcarlton.com

Facilities are wheelchair accessible.

ABOUT THE SPONSOR

Hodgson Russ has offices in Palm Beach, Florida; Albany, Buffalo, Johnstown, and New York, New York; and Toronto, Canada. In addition to tax and estates and trusts, Hodgson Russ's practice includes corporate, mergers and acquisitions, securities, intellectual property, real estate, litigation, and most other areas of U.S. law.

The following Hodgson Russ practice areas may be of special interest to those attending the seminar:

State and Local Tax Issues

- Counseling clients in the areas of tax law, including residency, sales and use, corporate franchise, personal income, estate and gift, and allocation of income considerations, among others

Snowbird Considerations

- Advising high-net-worth new (or soon-to-be-new) Florida residents on tax issues arising from multistate lifestyles

Lobbying and Tax Planning

- Advocating for or against change in the tax laws and regulations before the legislature and Florida Tax Department and the New York State Department of Taxation and Finance
- Providing "early warning" services that alert clients to legislative and administrative developments
- Formulating overall state tax strategies, including planning and compliance techniques, as well as developing agendas for legislative action

Information for Accountants, Financial Planners, and Attorneys

- Providing information that may prove helpful in resolving or avoiding federal and state tax problems

Estates and Trusts Matters

- Structuring estate plans to try to minimize or avoid estate taxes
- Establishing and working with private foundations
- Setting up residence trusts (QPRTs), charitable trusts (CLATs or CRUTs), annuity trusts (GRATs), insurance trusts, and others
- Drafting "spendthrift" trusts
- Advising clients about living trusts and other probate-avoidance techniques to try to reduce costs of estate administration
- Preparing wills, trust agreements, family partnership agreements, and related documents
- Handling estate disputes through arbitration or litigation

While primary emphasis will be on New York's approach to residency issues, the concepts discussed are applicable throughout the United States.

SPEAKERS

Paul R. Comeau is based in our Palm Beach and New York City offices. He concentrates his practice in estate and tax planning, taxation law, business planning law, and business acquisitions law. He is co-editor of *New York Tax Service*, co-editor of *New York Tax Cases*, and co-chair of the Multistate Tax Committee of the New York State Bar Association Tax Section. He is co-author of CCH's *New York Residency and Allocation Audit Handbook* and NYSBA's *Contesting New York Tax Assessments*. He is admitted to practice in Florida (1975) and New York (1974).

Katherine E. Cauley concentrates her practice in all aspects of U.S. and Canada/U.S. cross-border tax and estate planning and administration, private foundations and charitable giving, trust administration, and business succession planning. She is a past contributor to *Canadian Tax Highlights*, and she recently co-authored "Broadening New York's Decanting Statute" for *New York Law Journal*. She is also co-author of *Taxation of Distributions From Qualified Plans*, a treatise published by Warren, Gorham, and Lamontof the RIA Group, and she speaks regularly on estates and trusts issue. Ms. Cauley is admitted in New York; she is not admitted to the Florida Bar.

Mark S. Klein has extensive federal, multistate, state, and local tax experience. He is a past instructor of state taxation and tax practice and procedure at the University at Buffalo School of Management Tax Certificate Program and is chair of the State and Local Taxation Section of the ACE Accounting Society. Mr. Klein is editor of *New York Tax Highlights*; contributing editor of CCH's *Guidebook to New York Taxes*; and co-author of CCH's *New York Residency and Allocation Audit Handbook*, CCH's *New York Sales and Use Tax Answer Book*, and NYSBA's *Contesting New York Tax Assessments*. Mr. Klein is admitted to practice in New York (1983), in Florida (1983), and before the U.S. Supreme Court.

Timothy P. Noonan concentrates his practice in state and local tax law with a focus on New York State and City tax issues. Mr. Noonan lectures frequently on New York State and multistate tax matters and is on the faculty of the Institute of Continuing Professional Education. He is the author of a monthly column, "Noonan's Notes on Tax Practice," in *State Tax Notes*, and he has written on state and local taxes for a number of U.S. and Canadian publications. Mr. Noonan is admitted in New York; he is not admitted to the Florida Bar.

REGISTER TODAY

PLEASE CHECK THE SEMINAR YOU WOULD LIKE TO ATTEND.

- ❑ **Wednesday, January 23, 2013, Naples**, The Ritz-Carlton, 280 Vanderbuilt Beach Road, 9 to 11 a.m. (RSVP by January 18)
- ❑ **Thursday, January 24, 2013, Palm Beach**, The Ritz-Carlton, 100 South Ocean Boulevard, 2 to 4 p.m. (RSVP by January 18)
- ❑ **Tuesday, February 19, 2013, Boca Raton**, Renaissance Boca Raton Hotel, 2000 N.W. 19th Street, 2 to 4 p.m. (RSVP by February 15)
- ❑ **Wednesday, February 20, 2013, Palm Beach**, The Ritz-Carlton, 100 South Ocean Boulevard, 9 to 11 a.m. (RSVP by February 15)

❑ I cannot attend but would appreciate a phone call from a Hodgson Russ attorney.

These seminars are complimentary. Space is limited.

Please register early through our website, e-mail, mail, fax, or by phone:

Courtney Pfeffer at Hodgson Russ LLP
450 Royal Palm Way, 6th Floor, Palm Beach, Florida 33480
cpfeffer@hodgsonruss.com ◆ Tel: 561.862.4100 ◆ Fax: 561.862.4120
www.hodgsonruss.com/events

Name: ____________________

Company: ____________________

Title: ____________________

Address: ____________________

City/State/Zip: ____________________

E-mail: ____________________
(Please provide e-mail. Confirmations will be e-mailed to all attendees.)

Phone/Fax: ____________________

Names of additional people attending: ____________________

License # (for CPE): ____________________

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450 Royal Palm Way, 6th Floor
Palm Beach, Florida 33480

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