The Section of Taxation is pleased to honor Loretta Collins Argrett as our 2007 recipient of the Section’s Distinguished Service Award in recognition of her lifetime achievements and contributions to the Tax Section and to the tax profession.

Ms. Argrett stands out not only for her excellence and skills as a practicing tax lawyer and professor, but also as a champion for the highest standards of ethics in the legal profession. As a leader among women and African Americans who has achieved excellence in the practice of law, she has been an inspiration and role model for many others. She has dedicated a lifetime of service to the tax community, in private practice, in public service, and in the academic world. Ms. Argrett has been a long-time member of the ABA Tax Section and has served as an elected member of the Section’s governing council. In public service she has made a significant contribution as Assistant Attorney General of the United States Department of Justice and earlier government service with the Joint Committee on Taxation. As a professor at Howard Law School she has provided an outstanding example for law students.

The Tax Section was pleased that Ms. Argrett received the Margaret Brent Women Lawyers of Achievement Award at the 2005 ABA Annual Meeting. This national ABA recognition of her leadership as a tax professional is accompanied by many other honors, such as the National Bar Association Taxation Section Outstanding Tax Lawyer Award, the U.S. Department of Treasury Chief Counsel’s Award, the Edmund J. Randolph Award by the Attorney General of the United States, and the Lifetime Achievement Award of Black Alumni by the Harvard Law School Black Students Association.

Ms. Argrett’s life story is one of overcoming obstacles, including racial barriers, and achieving great success. She grew up in Mississippi, in the heart of the segregated South, in the 1940’s and the early 1950’s where racial segregation and violence were commonplace. She was taught by her family that an African American woman from the South could succeed through hard work, education and a belief in herself. Her accomplishments include many “firsts.”

At the age of 35 she decided that the best way to fulfill a personal commitment to improve the economic status of minority communities was to become a tax lawyer where she could focus her skills on tax planning and business advice to African Americans to enhance their opportunities as successful business leaders. With the support of her husband and two young children, she matriculated at Harvard Law School where she specialized in business and tax planning.

After graduation and a stint in private practice in Washington, D.C., she moved to Capitol Hill where she became the first African American staff member on the Joint Committee on Taxation. She subsequently became the first African American woman partner of Wald, Harkrader and Ross in Washington, D.C. Her interest in academics prevailed and she then became a full time tenured law professor at Howard University where she taught tax, business planning and ethics. She has also taught at the American, Georgetown and Arizona State Law Schools.

During the Clinton administration, Ms. Argrett became the first African American to serve as the Assistant Attorney General, Tax Division, in the Department of Justice, where she earned a reputation for upholding and defending the tax system. During her extended six-year tenure in office she made significant contributions promoting the advancement of women and African Americans within the Department of Justice. During one period of her time at Justice, the three top positions were held by women.

* Higgs, Fletcher & Mack LLP, San Diego, CA.
Q: How do you feel about the “Arrowsmith Doctrine”?

A: “A victory may have implications which in future cases will cost the Treasury more than a defeat. This might be such a case, for anything I know. Suppose that subsequent to liquidation it is found that a corporation has undisclosed claims instead of liabilities and that under applicable state law they may be prosecuted for the benefit of the stockholders. The logic of the Court’s decision here, if adhered to, would result in a lesser return to the Government than if the recoveries were considered ordinary income. Would it be so clear that this is a capital loss if the shoe were on the other foot?”

“Where the statute is so indecisive and the importance of a particular holding lies in its rational and harmonious relation to the general scheme of the tax law, I think great deference is due the twice-expressed judgment of the Tax Court. In spite of the gelding of Dobson v. Commissioner by the recent revision of the Judicial Code, I still think the Tax Court is a more competent and steady influence toward a systematic body of tax law than our sporadic omnipotence in a field beset with invisible boomerangs. I should reverse, in reliance upon the Tax Court’s judgment more, perhaps, than my own.” Arrowsmith v. Commissioner, 344 U.S. 6, 11-12 (1952) (dissenting) (citations omitted).

AWARD RECIPIENT: LORETTA COLLINS ARGRETT

Although Ms. Argrett is officially retired, she has remained active, frequently at the ABA level, in the areas of dispute resolution and legal ethics. She served an extended term on the ABA Standing Committee on Legal Ethics and Professional Responsibility, on the ABA Joint Commission to Evaluate the model Code of Judicial Conduct, on the ABA Task Force on Gatekeeper Regulation and the Profession, and currently on the Board of Directors of the ABA Retirement Fund, which monitors $5 billion in investments for 6,000 law firms in the United States.

Not only is Ms. Argrett an outstanding representative of the tax profession, she is well known for her effervescent personality, positive approach to decision-making and life, and for her gracious smile. When not engaged in major undertakings, she escapes to bridge, photography, and a new passion, learning various ballroom dances.

Loretta Argrett is a worthy recipient of the Tax Section Distinguished Service Award. Congratulations.

FROM THE CHAIR-ELECT

Another theme during my term as Chair will be to continue to serve as a resource to the government and tax professionals regarding patenting of tax strategies. We plan to continue to provide the training sessions to examiners from the U.S. Patent and Trademark Office that were started this year and to explore further the policy issues and administration of the tax laws related to the patenting of tax strategies.

Finally, I want to welcome each of you to the Joint Fall CLE Meeting in Vancouver on September 27-29, 2007. We look forward to joining with the Section of Real Property, Probate and Trust Law again and to building on the success of this important partnership. Please remember that in order to return to the United States from Canada, you will need a valid United States passport. We have an outstanding meeting planned and will be located in two wonderful hotels. Make your reservations early and plan to spend some extra time in Vancouver.

Thanks to all the members of the Tax Section for the opportunity to serve as your Chair.