

SPOTLIGHT ON COMMITTEES

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COMMITTEE ON INDIVIDUAL INCOME TAX

The work of the Committee on Individual Income Tax can be analogized to that of a general practitioner acting in tandem with numerous specialists. In carrying out its activities, the Committee focuses on provisions that affect individual taxpayers but that do not fall exclusively within the purview of committees with a particular substantive focus. As explained below, the Committee's activities reflect a prior Committee name, concerns about complexity, overlap with other Tax Section entities, and an interest in life-cycle and "interdisciplinary" issues. Many of its activities should be of interest to practitioners who counsel individual taxpayers, to young lawyers, and to law students.

Because the Committee has had several names, many Section members may be unaware of its current activities. Two years ago the Committee changed its name from the Committee on Individual Investments and Workouts, a name it had adopted several years ago when bankruptcy and restructuring issues were a critical aspect of its activities. The Committee continues to address these issues in both its current developments reports and by sponsoring at least one panel per year in this area. The Committee has covered the tax consequences of debt discharge, Supreme Court decisions in cases such as *Gitlitz*, *Young*, and *Craft*, and a taxpayer's ability to discharge taxes in bankruptcy. In this

area, it has benefitted from interaction with members of the Bankruptcy Tax Force, several of whom have participated in Committee-sponsored panels. Again, reflecting its prior name, the Committee also presents programs dealing with such investment topics as the broker/dealer/trader distinction.

Although the Committee's "constituents" are adversely affected by complexity, they may be unable to afford private representation but not be poor enough to qualify for assistance from a low income taxpayer clinic. Because of its concern for these taxpayers, the Committee has provided input into Section simplification efforts, discussed joint programming with the Committee on Low Income Taxpayers, and presented a panel on the work of Citizens Advocacy Panels. It is sponsoring an October 2002 Section program on using mediation and arbitration in tax matters. Perhaps most importantly, it has scheduled time at each May meeting for a dialogue with National Taxpayer Advocate Nina Olson. Committee programs directly follow those sponsored by the Committee on Low Income Taxpayers, enabling interested members to attend both.

Because an individual taxpayer's primary goals change over time to reflect both economic and demographic factors, the Committee has a particular interest in life cycle issues. Recent programs reflecting this interest include a panel covering financing a college education, a panel discussing tax consequences for students and their parents, and a panel covering invest-

ment and other tax consequences of a personal residence. Possible future panels topics include financing long term care and saving for retirement.

In several presentations, the Committee added an interdisciplinary twist by including non-tax professionals as panelists. For example, the panel on financing a college education included a financial aid professional who commented on how various savings devices affected a student's ability to receive financial aid. A panel on attorney's fees included an attorney specializing in personal injury litigation. A panel on equity-based compensation covered tax, financial, and accounting aspects of options, stock appreciation rights, and other devices.

The Committee also follows proposed and recently enacted legislation, reporting on such topics as the bankruptcy bill under consideration in Congress for the past few years, the Democratic and Republican tax platforms, and income tax consequences of transfer tax repeal.

The Committee's structure currently includes Subcommittees chaired by Tom Allington (Bankruptcy, Workouts, and Insolvency), Mona Hymel (Individual AMT), Bill Lyons (Section 108 and Other Exclusions), and Roberta Mann (Individual Deductions).

Tax Section members who are interested in joining the Committee or who have ideas for future panels or other Committee projects should contact the Chair, Gail Levin Richmond, richmondg@nsu.law.nova.edu. ■

REMINDER: Section members may apply to join committees with the new online *Committee Preference Form* at www.abanet.org/tax/groups/comember.html. You will need your eight-digit ABA member ID number and your password (usually your last name) to access the form. If you do not know your ID number, contact the ABA Service Center at service@abanet.org. *One Committee Rule:* As of July 1, 2001, the Section has rescinded its *One Committee Rule*. Section Members now may join as many committees as they like.