

SPOTLIGHT ON COMMITTEES: TAX PRACTICE MANAGEMENT

by David A. Berek*

The Tax Practice Management Committee focuses on issues that arise in the *management* of a tax practice. The committee does not have a dedicated substantive focus like other substantive committees because there is no Code section specific to the management of a tax practice. Rather, the committee presentations cover practical topics relevant to *all* tax disciplines, designed to appeal to *all* tax attorneys and in *all* sizes of tax practice. And further to this point of general appeal, the meeting on Saturday mornings at 7:30 (accompanied by a light breakfast!) typically does not conflict with other substantive committee meetings.

MIDYEAR MEETING 2007

The meeting held on Saturday, January 20, 2007, is a good example of the variety of topics that we present. Our speaker was Bruce M. Stone of Goldman Felcoski & Stone P.A., whose presentation was entitled “What Every Estate Planning Attorney Should Know About Florida.” Bruce discussed important information and tips concerning Florida estate planning and probate issues that are likely to arise in a tax practice. This presentation falls under the committee’s general tax focus, including emerging or developing substantive tax issues and trends.

COMMITTEE PRESENTATIONS

Given our broad tax practice management focus, the committee consistently offers presentations in three distinct areas: (1) Tax—emerging or developing substantive tax issues and

trends in tax law; (2) Practice—tax practice responsibilities and ethical concerns; and (3) Management—office technology and administration.

The following brief summaries provide an example of our past presentation programs.

MANAGEMENT: OFFICE TECHNOLOGY AND ADMINISTRATION TOPICS

Reid F. Trautz is a frequent committee speaker, presenting about every other year on “Technology Tips for Lawyers.” Reid generally covers practical tips and must-know web sites to enhance a tax practice, with practical suggestions, ideas, and tricks to keep a practitioner informed from a technology perspective. These programs are relevant to practitioners in large firms and solo practitioners and to techno-phobes and techno-philies. It includes a useful handout.

At the 2006 Midyear Meeting, Thomas C. Baird presented on “The Electronic/Paperless Office: Quicker, Better, More Accurate, Cheaper – With Style.” He discussed the pros and cons and the steps involved in going paperless. He also discussed such issues as remote access, confidentiality, and ideas for significantly reducing the costs of the transformation.

In Spring 2005, the committee addressed “Electronic File Management.” W. Birch Douglass, III, David A. Berek, and Melinda Merk discussed the Tax Section’s recent move to a “paperless conference” regarding the best method to organize and catalog the wealth of information that practitioners receive in paper form. They explained procedures for managing

subject matter files and client files electronically, including using an iPod to merge entertainment and professional technology.

In Fall 2003, Daniel B. Evans presented on “Email Management and PDF Files.” He discussed how to manage the volume of an email account, including diverting and sorting messages, filters, and other tips to reduce spam. Dan also discussed interactive PDF files, and the merits of sending client drafts in PDF format, and how to make a PDF file interactive.

In Fall 2002, the committee presented on “Exploring Comm-Online.” The presentation covered how practitioners can use Comm-Online, how to access LEXIS if not a regular subscriber, and other services available through LEXIS for free or at discounted rates. This program also covered how to use the internet for tax or other legal and business research—including information on URLs, directories, search engines, logic search methods and a comparison of some free and subscription legal and tax sites.

PRACTICE MANAGEMENT AND ETHICAL TOPICS

At the 2005 Midyear Meeting, Lou Mezzullo discussed “What Estate Planners Need to Know About Circular 230.” He focused on the then just-released amendments to Circular 230 governing practice before the IRS. We revisited Circular 230 at the Fall 2005 meeting, after the effective date of the amendments, with a joint RPPT presentation on what needs to be included in a Circular 230 email disclaimer and why the content was important.

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At the 2004 Midyear Meeting, Jerome M. Hesch gave an "Estate Planning Software Demonstration." This program was a follow-up to a demonstration of several estate planning software packages presented in Winter 2003 by T. Randolph Harris and Paul E. Van Horn. Jerry's presentation provided an in-depth demonstration of the "GT Toolbox" software designed for Greenberg Traurig. The program included a comparison of estate planning techniques that took into account not only transfer tax consequences but income tax effects as well. Software comparisons are a recurring theme for the committee; in Fall 2005, we participated in a joint program with RPPT that simultaneously compared two estate tax programs.

In Fall 2004, Vincent C. Travagliato gave a demonstration on Wealthwise, an "Interactive Client-Focused Estate Planning Software." Vince demonstrated how this software can be used as a marketing tool

to facilitate the communication between estate planning professionals and clients.

TAX: EMERGING OR DEVELOPING SUBSTANTIVE TAX TOPICS

At our Fall 2006 meeting, the committee presented "What Practitioners Need to Know About Private Trust Companies." W. Birch Douglass, III, led a panel discussion with Lucian L. Morrison, a professional trustee, Michael S. Lee, a wealth strategist, and David Berek, a family office practitioner. The panel discussed the emerging technique of using a family owned trust company as the principal fiduciary for the family, and the interplay with an existing family office and the family's current fiduciaries. The presentation was an overview for tax practitioners that highlighted general issues practitioners should be aware of when dealing with high net worth clients.

As tax practitioners, we are aware of the different skills that the management of a tax practice can encompass, including technology and administrative tasks, practice orientated responsibilities, and emerging substantive issues. Thus, while the majority of the Tax Practice Management presentations address the use of technology in a tax practice, the committee also includes practice-oriented responsibilities and general tax substantive programs that should be of interest to all tax practitioners.

GETTING INVOLVED

The committee welcomes participation by other Tax Section members. We invite interested members to attend one of our programs (Saturday mornings at 7:30 a.m.) or to contact David Berek (Chair) or Emily Johnson (Vice-Chair). ■



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