

JEFFREY A. ZALUDA

Business:

Horwood Marcus & Berk Chartered
Attorneys-at-Law
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Education:

American University Washington College of Law, Washington, D.C.
J.D., Cum Laude, 1986
American University Law Review, 1984-1986

University of Massachusetts, Amherst, MA
B.A., Magna Cum Laude, 1982
Commonwealth Scholar
Major: Social Thought and Political Economy

Legal

Experience:

Admitted to the Illinois Bar and to the U.S. District Court for the Northern District of Illinois, 1986

Horwood Marcus & Berk Chtd., Chicago, IL
12/87-Present, Partner, Trusts and Estates Group Chairman and Trusts and Estates Controversy Group Chairman

My primary client responsibilities include advising families, closely held businesses, business owners, and other individuals with respect to a wide variety of tax, estate, business, asset, and wealth protection planning issues. The practice typically includes business planning, asset protection planning, trust and estates controversy work, income tax planning (both federal and state), estate planning, design of gift programs and vehicles, family business counseling (including family dispute resolution, intergenerational transfers, "freezes", buy-sell agreements, family LLCs and partnerships, S Trusts, etc.), international estate planning, planning incident to divorce, serving as expert witness, planning for domestic partners, insurance planning, disability planning (including special needs trusts), charitable giving, and retirement planning. I am also involved in numerous aspects of firm management including management committee duties, associate mentoring, associate development, and strategic planning.

Sonnenschein, Carlin, Nath & Rosenthal, Chicago, IL
8/86-12/87, Associate

IIT Chicago-Kent College of Law, Chicago, IL
1/90-6/92, Adjunct Professor

Additional
Licenses:

Illinois Life, Health, and Accident Insurance License
Series 7 and 63 Securities License (expired)

Bar Activities: Fellow of the American College of Trust and Estate Counsel
Society of Trust and Estate Practitioners (International Society)
Tax Management Estates, Gifts and Trusts Advisory Board (BNA)
Chicago and American Bar Associations
Chicago Estate Planning Council
Greater North Shore Estate Planning Council
American Civil Liberties Union

Community
Activities:

Jewish Council on Urban Affairs, Board of Directors (2013-)
Lake County Affordable Housing Commission (2005-2013), Chairman
(2009-2012)
Lake County Affordable Housing Corporation (2005-2013), President
(2009-2012)
Moraine Township Trustee (2005-2009)
City of Highland Park Housing Commission (1999-2005)
Highland Park Illinois Community Land Trust, Board of Trustees
(2003-2005)
North Shore School District 112 Education Foundation, Trustee,
Chairman of Kids in Community Service (KICS) Grant Program
(1999-2003)
Response Center, Skokie, Illinois, Executive Committee (1993-1998)
Jewish Federation of Metropolitan Chicago, Legacies and
Endowments Professional Advisory Committee
Community Service Volunteers, Birmingham, England (1982-1983)
University of Massachusetts Student Senate (1980-1981)

Publications:

SCOTUS on Same Sex Marriage, Part I, Tax Management Memorandum (BNA, July, 2013) (Co-authored with Carrie A. Harrington)

What Lending Institutions Need to Know About Trusts, Journal of Taxation and Regulation of Financial Institutions (CRI September/October 2011) (Co-authored with Lauren J. Wolven)

Estate Planning for Unmarried Persons, Tax Management Portfolio No. 813, 3rd edition (BNA 2010) (A legal treatise co-authored with Richard M. Horwood, Lauren J. Wolven, and Margaret L. Hudgins)

A “Spouse” by Any Other Name is not Necessarily a “Spouse”, Tax Management Estates, Gifts, and Trusts Journal (BNA, July 9, 2009) and <http://taxandaccounting.bna.com>, Insights & Commentary (BNA, June, 2009)

Estate Planning with Alternative Investments – Or, Problems We’d All Like to Have and Some Possible Solutions, Tax Management Estates, Gifts, and Trusts Journal (BNA, November 13, 2008) and Tax Management Memorandum (BNA, November 24, 2008)(Co-authored with Margaret L. Hudgins)

Constructing a Plan: Asset Protection for Real Estate, Tax Management Real Estate Journal (BNA, April 2, 2008)(Co-authored with Margaret L. Hudgins)

Practical Guidance for Trustee Risk Management, ACTEC Journal (The American College of Trust and Estate Counsel, Spring 2007)(Co-authored with Lauren J. Wolven)

Practical Strategies for Managing a Trustee’s Liability Exposure, Parts I & II, Estate Planning (Warren, Gorham & Lamont, September & October, 2006)(Co-authored with Lauren J. Wolven)

Fiduciary Risk Management, Tax Management Memorandum (BNA, May 15, 2006)(Co-authored with Lauren J. Wolven)

Advising the Client with Sudden Wealth, Journal of Taxation of Investments (Civic Research Institute, Summer 2005)(Co-authored with Benjamin N. Feder)

Asset Protection for Professionals and Business Executives, Tax Management Estates, Gifts and Trusts Journal (BNA, March 10, 2005)

Asset Protection for Professionals and Business Executives, Tax Management Memorandum (BNA, November 29, 2004)

Preserving Wealth: Effective Domestic Asset Protection Strategies, Journal of Taxation of Investments (Delta Hedge, Autumn 2004)(Co-authored with Richard M. Horwood)

Estate Planning for Unmarried Persons, Tax Management Portfolio No. 813, 2nd edition (BNA 2004) (A legal treatise co-authored with Richard M. Horwood and Lauren J. Wolven)

A Trustee's Balancing Act: Income and Remainder Beneficiaries' Rights, Estate Planning (Warren, Gorham, & Lamont, January, 2003)(Co-authored with Richard M. Horwood)

Current Trends in Asset Protection, Journal of Taxation of Investments (Delta Hedge, Summer 2002)(Co-authored with Richard M. Horwood)

The Use of Private Placement Life Insurance in Tax and Estate Planning, Tax Management Memorandum (BNA, May 20, 2002)(Co-authored with Lauren J. Wolven)

Estate Planning: Asset Protection Solutions Are Increasingly Integral to Effective Estate Planning, Journal of Taxation of Investments (Delta Hedge, Spring 2001)(Co-authored with Richard M. Horwood)

Estate and Wealth Protection Planning for the New Economy, Journal of Taxation of Investments, (Delta Hedge, Autumn 2000)(Co-authored with Richard M. Horwood).

The State of State Trust Taxation, Tax Management Memorandum (BNA, April 26, 1999) (Co-authored with Richard M. Horwood)

Choice of Forum for Trusts and Other Entities, Tax Management Memorandum (BNA, March 30, 1998)

Asset Protection by Design, Journal of Taxation of Investments (WG&L, Winter 1998) (Co-authored with Richard M. Horwood)

States Battle for Investor Attention, Personal Financial Planning Journal (WG&L, November/December 1997)

Leverage the Estate Planning Benefits of Non-Qualified Incentive Plans, Tax Management Memorandum (BNA, September 29, 1997). (Reprinted in The Monthly Digest of Tax Articles, February, 1998)

Preserving Wealth and Values Through a Private Foundation, Personal Financial Planning Journal (WG&L, July/August 1997)

Estate Planning for Unmarried Persons, Tax Management Portfolio No. 813 (BNA 1997) (A legal treatise co-authored with Richard M. Horwood)

Providing Tax-Wise Estate Planning Advice, Personal Financial Planning (WG&L, January/February 1997)(Co-authored with Richard M. Horwood)

ESBTs Provide Family Business Planning Opportunities, Tax Management Memorandum (BNA, January 20, 1997)

Small Business Job Protection Act of 1996 Contains Significant S Corporation Simplification and Reform Measures, Journal of S Corporation Taxation (WG&L, Winter 1997)

Planning for a Client's Health Needs, Personal Financial Planning (WG&L, November/December 1996)

Income and Transfer Tax Issues of Relationship Agreements, Tax Management Financial Planning Journal (BNA, August 20, 1996)

Income and Transfer Tax Issues of Relationship Agreements, Tax Management Estates, Gifts and Trusts Journal (BNA, July 11, 1996)

Defining Property Rights of Domestic Partners, Journal of Asset Protection (WG&L, July/August 1996)

Estate Planning with Respect to Divorce, Personal Financial Planning (WG&L, March/April 1996)

Estate Planning with Respect to Divorce, Estate Planning (WG&L, November/December 1995)

The Wide World of Trusts, Personal Financial Planning (WG&L, May/June 1995) (Co-authored with Richard M. Horwood)

LLCs Provide New Opportunities and Issues for Estate Planners, Tax Management Memorandum (BNA, October 31, 1994). (Reprinted in The Monthly Digest of Tax Articles, June, 1995)

Asset Protection By Design, Tax Management Estates, Gifts and Trusts Journal (BNA, July-August 1994) (Co-authored with Richard M. Horwood)

Tax-Wise Estate Planning, The Practical Lawyer (ALI-ABA, April, 1994) (Co-authored with Richard M. Horwood)

The Emerging Role of Limited Liability Companies in Estate Planning, Personal Financial Planning (WG&L, March/April 1994) (Co-authored with Richard M. Horwood)

Planning Strategies When a Client's Death is Imminent, Estate Planning (WG&L, May/June 1993) (Co-authored with Richard M. Horwood)

Note: Pulliam v. Allen: Harmonizing Judicial Accountability for Civil Rights Abuses with Judicial Immunity, 34 American University Law Review 523 (1985)

Presentations:

Asset Protection Planning From A-Z: 26 Things to Think About Before Jumping In, Chicago Bar Association Trust Law Committee, April 14, 2014

Asset Protection Planning From A-Z: 26 Things to Think About Before Jumping In, Harris Bank, In-House Continuing Education, January 8, 2014

Gianni Schicchi Plans His Estate, Lyric Opera of Chicago Planned Giving Seminar, November 6, 2013

New Reproductive Technologies and Means: Legal and Ethical Perspectives, BMO Harris Bank, In-House Continuing Education, September 11, 2013

Big Changes in Illinois Trust Law: Directed Trustees and Decanted Trusts, BMO Harris Bank, In-House Continuing Education, July 31, 2013

Practical Guidance for Fiduciary Risk Management: Tips for Serving as and Advising Executors and Trustees, The PrivateBank and Trust Company In-House Continuing Education, July 18, 2013

New Reproductive Technologies and Means: A Jewish and Legal Ethical Perspective, Jewish Federation of Metropolitan Chicago, Legacies and Endowments Professional Advisory Committee, June 18, 2013

Big Changes in Illinois Trust Law: Directed Trustees and Decanted Trusts, The PrivateBank and Trust Company In-House Continuing Education, September 6, 2012

Estate and Tax Planning Incident to Getting Into and Out of Marriage, BMO Harris Bank, In-House Continuing Education, May 9, 2012

Asset Protection Planning From A-Z: 26 Things to Think About Before Jumping In, Illinois Institute of Continuing Legal Education, February 10, 2012

Exemptions are High and Valuations are Low. That Can't Possibly Be Good for My Insurance Sales. Right? STARS Conference of Top Insurance Producers, Oak Brook, Illinois, September 27, 2011

Common Day to Day Ethical Issues When Serving as or Advising a Fiduciary, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, September 15, 2011

Who Wants to be a Fiduciary? Ethical and Other Issues Faced by Fiduciaries and Their Advisors, Chicago Estate Planning Council, June 1, 2011

What Lenders Need To Know About Trusts, Harris Bank In-House Continuing Education, April 7, 2011

Miscellaneous Estate Administration Issues for Decedents Dying in 2010, or "So, Sue Me", Chicago Bar Association Trust Law Committee, November 8, 2010

Asset Protection Planning From A-Z: 26 Things to Think About Before Jumping In, Illinois Institute of Continuing Legal Education, April 30, 2010

Business Succession Planning for the Family Business, Illinois Institute for Continuing Legal Education, January 8, 2010

Same-Sex Marriage and Estate Planning for Non-Traditional Couples, BNA Call-In Audio Conference, February 10, 2009

Estate Planning for Domestic Partners, Dallas Estate Planning Council, January 8, 2009

Asset Protection Planning From A-Z: 26 Things to Think About Before Jumping In, Chicago Estate Planning Council, November 20, 2008

Asset Protection for Business, Illinois Institute for Continuing Legal Education, Video-conference, October 28, 2008

Estate Planning With Alternative Investments – Or, Problems We'd All Like to Have and Some Possible Solutions, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, September 18, 2008

Comparing Legal Entities: Risk and Reward, The PrivateBank and Trust Company, In-House Continuing Education, June 5, 2008

The State of State Fiduciary Income Taxation, Chicago Financial Planning Group, May 23, 2007

A Primer on GRAT's, Installment Sales, Etc., DiMeio Schneider & Associates LLC, In-House Continuing Education, February 13, 2007

A Primer on GRAT's, Installment Sales, Etc., Chicago Estate Planning Council Young Members Section, January 11, 2007

Everything You Always Wanted to Know About (Advanced) Estate Planning* (* But were afraid to ask), North Shore MAP Forum Roundtable Group, CPA Continuing Education, Riverwoods, Illinois, October 18, 2006

Everything You Always Wanted to Know About (Advanced) Estate Planning* (* But were afraid to ask), Plante Moran Tax Technical Workshop, In-House Continuing Education, Ann Arbor, Michigan, September 19, 2006

Estate and Succession Planning for the Family Business, LaSalle Bank Wealth Management Group, In-House Continuing Education, February 7, 2006

Estate Planning for the Business Owner, YPO Windy City Chapter, February 2, 2006

An Estate Planner's Approach to the Sale of Your Business: An Issue Spotting Checklist, Wilmette MAP Forum Roundtable Group, CPA Continuing Education, Wilmette, Illinois, December 13, 2005

A Holistic Approach to the Sale of Your Business: An Issue Spotting Checklist, LaSalle Bank Wealth Management Group, In-House Continuing Education, October 20, 2005

Asset Protection for Professionals and Executives, Great Lakes Federal Tax Institute, Cleveland, Ohio, May 13, 2005

Asset Protection for Professionals and Executives, Illinois State Bar Association Health Care Section Council, January 21, 2005

Asset Protection for Professionals and Executives, Chicago Bar Association, Asset Protection Committee, October 27, 2004

Asset Protection for Professionals and Executives, Chicago Estate Planning Council, October 19, 2004

Asset Protection for Professionals and Executives, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, September 23, 2004

The Role of Shareholder and Operating Agreements in Business Succession Planning, LaSalle National Bank Personal Financial Planning Group, In-House Continuing Education, June 30, 2004

Planning Strategies for Non-Traditional Families, Jewish United Fund of Metropolitan Chicago, Legacies and Endowments Professional Advisory Committee, May 19, 2004

Leveraging Asset Protection Strategies with Charitable Giving, Chicago Council on Planned Giving, March 16, 2004

Ethical Issues When Representing or Serving as a Fiduciary, Illinois Institute of Continuing Legal Education, February 12 and 19, 2004

Domestic Asset Protection Strategies and Issues, American Bar Association Section of Taxation, Joint Fall Meeting, September 13, 2003

Tips for Lending to FLPs and FLLCs, LaSalle National Bank Private Bankers, In-House Continuing Education, September 9, 2003

Wealth Protection Planning for the Real Estate Investor, The PrivateBank & Trust Company, In-House Continuing Education, May 7, 2003

Dealing with Controversy: A Trustee's Investment Dilemma, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, March 13, 2003

What Total Return Trust Laws Mean To You, The PrivateBank & Trust Company, In-House Continuing Education, October 10, 2002

The Use of Private Placement Life Insurance in Tax and Estate Planning, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, March 14, 2002

Asset Protection Strategies Using Life Insurance and Retirement Plans, The Greater Chicago Chapter of the Society of Financial Service Professionals and NAIFA Chicago Region, February 7, 2002

Getting to the Best State, American Bankers Association, Advanced Program for Trust Professionals, August 25, 2001

Wealth Protection Planning in the New Economy, Chicago Bar Association, January 24, 2001

E-Planning - for the New Economy, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, September 21, 2000

Wealth Protection Planning in the New Economy, BrookWeiner LLC In-House CPE Program, August 23, 2000

Wealth Protection Planning in the New Economy, Chicago Estate Planning Council, April 25, 2000

Multistate Considerations: The Effect of Out-of-State Laws on Illinois Estate Plans, Illinois Institute of Continuing Legal Education, April 19, 2000

Getting to the Best State, Advanced Insurance Planning Study Group, December 15, 1999

What to do When a Beneficiary's Expectations Aren't Met by a Grantor's Actions, CBA Trust Law Committee, November 15, 1999

Post-Mortem Estate Tax Planning, CBA Trust Law Committee, March 15, 1999

Limited Liability Companies: Drafting Operating Agreements, CBA Corporate Law Committee, November 17, 1998

Protecting Your Assets From Predators and Creditors - Including the IRS, The First National Bank of Chicago, Customer Seminar, October 29, 1998

What to do When You're Living With Sue: Estate Planning for Cohabitation Arrangements, Illinois Institute of Continuing Legal Education, October 23, 1998

Advanced Asset Protection Planning: Protecting Family Assets, Illinois Institute of Continuing Legal Education, October 21, 1998

Leverage the Estate Planning Benefits of Non-Qualified Stock Option Plans, National Association of Stock Plan Professionals, August 4, 1998

Key Planning Considerations for the Business Owner, Young Presidents Organization, May 21, 1998

Planning With the New Alaska and Delaware Trust Acts, CBA Trust Law Seminar, March 12, 1998

Should Your Assets Live Where You Do? Chicago Estate Planning Council, January 21, 1998 (Prepared by Jeff Zaluda; Presented by Jordan Goodman)

Choice of Forum for Trusts and Other Entities, Tax Management Estates, Gifts, and Trusts Advisory Board Meeting, January 15, 1998

Estate Planning and Divorce: Before, During, and After, CBA Young Lawyers Division, January 7, 1998

New Foreign Trust Rules, Illinois Institute of Continuing Legal Education, November 6, 1997

Estate Planning and Divorce: Before, During, and After, Illinois CPA Society, August 27, 1997

Using Family Limited Partnerships for Investment Assets, William Blair & Co., LLC In-House CPE Program, July 9, 1997

Preserving Asset Value in Special Family Situations, Illinois CPA Society, May 14, 1997

The World-Wide Estate Planning Web: International Estate Planning: Israel, CBA Trust Law Committee, March 17, 1997

Using Private Foundations to Preserve Wealth and Values, Sanford C. Bernstein & Co., Inc. In-House CPE Program, March 3, 1997

S Corporation Rules Revamped and Revitalized, Illinois Institute of Continuing Legal Education, January 14, 1997

Estate Planning Incident to Divorce, Rome Associates, In-House CPE Program, April 20, 1996

Estate Planning Incident to Divorce, CBA Young Lawyers Division Estate Planning Committee, November 21, 1996

New Fashions in Asset Protection Design, Tax Management Estates, Gifts and Trusts Advisory Board Meeting, August 15, 1996

Estate Planning and Administration Jeopardy, The Chicago Trust Company In-House CPE Program, June 27, 1996

Estate Planning Incident to Divorce and Remarriage, Illinois Institute of Continuing Legal Education, Estate Planning Short Course, April 25, 1996, May 16, 1996

Family Limited Partnerships, Vestor Capital Corp., In-House CPE Program, April 2, 1996

Tax Considerations in Selecting Business Entities: Limited Liability Companies and Partnerships, State Bar of Arizona Continuing Legal Education Program, March 21, 1996

Valuation Discounts Under the Cloud of Code Section 2704, CBA Trust Law Committee, March 15, 1996

Tax Planning for Domestic Partners, Tax Management Estates, Gifts, and Trusts Advisory Board Meeting, February 22, 1996

The Application of IRC Section 2703 and 2704 on Family Limited Partnerships and Limited Liability Companies, CBA Trust Law Committee, February 14, 1996

Estate Planning for Domestic Partners, South Suburban Estate Planning Council, December 19, 1995

Do I Need an Estate Plan Review? Tellabs, Inc. In-House Education Program, November 27, 1995

Do I Need an Estate Plan?, Alzheimer's Assisted Living Primary Care Givers, November 9, 1995

Estate Planning for Domestic Partners, American National Bank In-House CPE Program, October 26, 1995

We are Family . . . Or Are We? Estate Planning for the Growing Population of Domestic Partners, Chicago Estate Planning Council, September 7, 1995

Family Limited Partnerships, Weiss & Co., In-House CPE Program, April 20, 1995

The Use of Trusts in Asset Protection Planning, CBA Federal Taxation Committee, October 25, 1994

LLCs Provide Opportunities for Estate Planners, Tax Management Estates, Gifts, and Trusts Advisory Board Meeting, August 18, 1994

The Essentials for Tax-Wise Estate Planning, The Hechtman Group, Ltd. In-House CPE Program, June 28, 1994

When Handshakes Don't Count: Understanding the Importance of Buy/Sell Agreements, Midwest Association of Family Business Owners, June 15, 1994

Estate Planning for Special Family Situations, Illinois CPA Society Annual Estate and Gift Tax Conference, May 17, 1994

Re-examining Planning Alternatives: the LLC in Estate Planning, American National Bank In-House CPE Program, March 10, 1994

Re-examining Planning Alternatives: the LLC in Estate Planning, Gleeson, Sklar & Sawyers In-House CPE Program, November, 1993

Estate Planning for the Single Parent, Illinois CPA Society Estate and Gift Tax Planning Committee, July 21, 1993

Advanced Trust Planning Techniques, Philip Rootberg & Co. In-House CPE Program, June 9, 1993

Foundations of an Estate Plan, March of Dimes Birth Defects Foundation, Greater Chicago Area Chapter, Planning Seminar, May 19, 1993

The Role of Insurance in New Planning Strategies, American Society of CLU and ChFC National Video Telecast, Chicago Telecast Opening Remarks, May 13, 1993

Home Sweet Home: Estate Planning with the Home, CBA Trust Law Committee, April 19, 1993 (Committee Chair)

Tax Planning in the Clinton Era, American National Bank of Arlington Heights, March 20, 1993

When You Can't Put It Off 'Til Tomorrow: Imminent Death Estate Planning, South Suburban Estate Planning Council, July 21, 1992

The Essentials of Estate Planning for the Closely-Held Business, Veatch, Rich & Nadler Chtd. In-House CPE Program, May 13, 1992

Estate Planning for the Moderate Estate, CBA Trust Law Committee, February 17, 1992 (Committee Chair)

The Essentials for Tax-Wise Estate Planning, Weiss & Co. In-House CPE Program, September 27, 1991

Retention of Rights and Powers by the Grantor That Will Not Cause Grantor Trust Treatment, CBA Trust Law Committee, May 20, 1991

Protecting and Taking Advantage of an S Corporation Election Through a Shareholders' Agreement, South Suburban Estate Planning Council, February, 1991

Protecting and Taking Advantage of an S Corporation Election Through a Shareholders' Agreement, CBA Trust Law Committee, October 15, 1990

Ethical Considerations in Estate Planning for a Closely Held Business, CBA Trust Law Committee, June 14, 1989