

# ASSET PROTECTION NEWSLETTER

November 11, 2022

1

## ASSET PROTECTION NEWSLETTER SERIES PRESENTED BY DICKINSON WRIGHT, PLLC

Dickinson Wright's [Business and Wealth Succession Practice Group](#) is pleased to announce an upcoming *Asset Protection* newsletter featuring a series of content designed to educate and motivate the entrepreneur to review and implement business and wealth succession strategies. You can access content via email blasts, blog postings, social media, trade and industry publications, and video. [Our website](#) will provide regular notices of content published through these various sources. We welcome your feedback and suggestions.

According to the Small Business Administration, 70% of all privately held businesses will change hands in the next ten years. This represents the largest intergenerational wealth exchange in US history. And this comes at a historically favorable time to shelter wealth from the 40% US gift and estate tax. Beginning January 1, 2023, the federal gift, estate, and generation-skipping tax exemption amounts will increase from \$12.6 million to \$12.92 million, and the annual exclusion for gifts will increase from \$16,000 to \$17,000 per donor/recipient. Under current law, the tax exemption drops off a cliff to \$5 million (adjusted for inflation) beginning January 1, 2026. Politics guarantees change and uncertainty in the tax and trust rules for generational wealth transfer. To create certainty for your family and other business stakeholders, the time to act is now.

This *Asset Protection* newsletter will touch upon a wide range of wealth and business succession and asset protection topics. These topics include:

- Integrated approach to business succession and estate planning
- Protecting equity from creditor, marital, and estate tax claims
- The DAPT/Dynasty Trust – advantages of using asset protection jurisdictions in generational wealth (Dynasty) planning
- Succession planning for voting control
- The role of adult children and “qualified heirs” in business and wealth succession planning
- The important role of the Independent Trustee and how to find one
- Beneficiaries’ access to wealth – support trust and withdrawal rights
- Business/Management Continuity Plans – aligning key management to the business succession vision
- Blended families and the role of surviving spouses
- The role of family limited liability companies – privacy, protection, and control
- Pre-liquidity planning – coordinating the work of the investment banking and M&A team with the tax and estate planning professionals
- Breaking law updates
- Sheltering income from state income tax.
- One size does not fit all – different rules for different beneficiaries
- Restricting in-kind distribution of business interests assets – avoid accidental partnerships
- How third-party consents may affect your business succession plan

- Protection of the legacy property – the gift that keeps on giving
- To “buy-sell” or not to “buy-sell”

We also encourage you to contact us with suggestions for additional topics of discussion.

### KEY CONTACTS



**Michael J. Beals** is a Member in Dickinson Wright's Troy office. He can be reached at 248.433.7537 or [mbeals@dickinsonwright.com](mailto:mbeals@dickinsonwright.com)



**Erick W. Hosner** is a Member in Dickinson Wright's Troy office. He can be reached at 248.205.5629 or [ehosner@dickinsonwright.com](mailto:ehosner@dickinsonwright.com)



**Joseph R. Owens** is a Member in Dickinson Wright's Troy office. He can be reached at 248.433.7515 or [jowens@dickinsonwright.com](mailto:jowens@dickinsonwright.com)



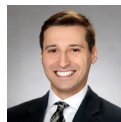
**Elliot Vilders** is a Member in Dickinson Wright's Troy office. He can be reached at 248.433.7670 or [evilders@dickinsonwright.com](mailto:evilders@dickinsonwright.com)



**Will C. Sanford** is an Associate in Dickinson Wright's Troy office. He can be reached at 248.433.7266 or [wsanford@dickinsonwright.com](mailto:wsanford@dickinsonwright.com)



**Leslie W. Rosenberg** is an Associate in Dickinson Wright's Troy office. He can be reached at 248.433.7668 or [lrosenberg@dickinsonwright.com](mailto:lrosenberg@dickinsonwright.com)



**Joshua P. Trosch** is an Associate in Dickinson Wright's Chicago office. He can be reached at 312.236.4111 or [jtrosch@dickinsonwright.com](mailto:jtrosch@dickinsonwright.com)



**Janet K. Norgrove** is a Paralegal in Dickinson Wright's Troy office. She can be reached at 248.433.7239 or [jnorgrove@dickinsonwright.com](mailto:jnorgrove@dickinsonwright.com)



**Rose Fagan** is a Practice Group Administrator in Dickinson Wright's Troy office. She can be reached at 248.205.1147 or [rfagan@dickinsonwright.com](mailto:rfagan@dickinsonwright.com)

[DICKINSONWRIGHT.COM](http://DICKINSONWRIGHT.COM)

DICKINSON WRIGHT

ARIZONA CALIFORNIA FLORIDA ILLINOIS KENTUCKY MICHIGAN NEVADA OHIO TENNESSEE TEXAS WASHINGTON DC TORONTO