

USC Leventhal

School of Accounting

ACCT 584 – Family Wealth Preservation Spring 2022 Jan 10 – May 13, 2022

| | | | |
|------------------|-----------|-----------------------|--------------------------------|
| Section # 14308R | Wednesday | 6:30 p.m. – 9:30 p.m. | HOH 1 |
| Section # 14310R | Wednesday | 6:30 p.m. – 9:30 p.m. | HOH 1 |
| Section # 14309D | Thursday | 5:30 p.m. – 7:00 p.m. | Online – as indicated on chart |

Syllabus

The goal of this course is to provide a course in family wealth preservation such that students become proficient in the area and are able to spot issues, provide solutions and citations, and explain their reasoning in excellent English prose.

RECOMMENDED PREPARATION: See Charts

COURSE STRUCTURE:

This course is being offered simultaneously as both an on-campus lecture-based course and as an online course. Thursday online students will view the lecture recorded during Wednesday lecture with Lecture recording posted on Thursday in Blackboard. Thursday Online students will have Zoom meetings on dates and times indicated. Both courses will have access to the same materials, class recordings, exercises, and lectures. Students are asked not to switch sections after the semester has started so that each section may function as a cohesive unit.

INSTRUCTOR:

John J. Barcal, J.D., (CPA Certificate from Illinois)
California State Bar
-Certified Specialist – Taxation;
-Certified Specialist – Estate Planning, Probate and Trust
Associate Professor of Accounting
Leventhal School of Accounting
University of Southern California
3660 Trousdale Parkway, Room 207
Los Angeles, CA 90089-0441

CONTACT:

Email: jbarcal@marshall.usc.edu**
Phone: 213-740-4874 or 213-740-4838
Office Hours: By appointment or as posted on Blackboard

INSTRUCTOR:

Cynthia A. Gensler, J.D.,
California State Bar
-Certified Specialist – Estate Planning, Probate and Trust

CONTACT:

Email: cgensler@marshall.usc.edu**
Phone: 213-740-4874 or 213-740-4838
Office Hours: By appointment or as posted on Blackboard

****Use these emails when communicating with the professors and include 584 Wed or Thurs in the subject line.**

COURSE MATERIALS:

REQUIRED 3-ring 2” Notebook to hold materials and sample documents. Materials and sample documents will be provided by Professor after the first week of class. For the first class, Professors will post the needed items in Blackboard

OPTIONAL BOOK Every Californian’s Guide to Estate Planning (Wills, Trusts, and Everything Else) 2nd Edition January 2020, by Attorney Liza W. Hanks NOLO Press - order online

OPTIONAL (Excellent Reference): The Tools & Techniques of Estate Planning 20th Edition, by Stephan R. Leimberg, Martin M. Shenkman, Jay Katz, Stephen N. Kandell, Ralph Gano Miller

TECHNOLOGY REQUIREMENTS:

For Thursday online students, lecture recordings will be available through links in Blackboard. Online meetings through Zoom will be provided in Blackboard as indicated. Therefore, you must have access to the Internet to view/hear lectures. No special software is required.

The lecture presentations, links to articles, assignments, quizzes, and rubrics are located on Blackboard. To participate in learning activities and complete assignments, you will need:

- Access to a working computer that has a current operating system with updates installed, plus speakers or headphones to hear lecture presentations;
- Reliable Internet access and a USC email account;
- A current Internet browser that is compatible with Blackboard (Google Chrome is the recommended browser for Blackboard);
- A working video camera with microphone for use on Zoom;
- Microsoft Word as your word processing program; and
- Reliable data storage for your work, such as a USB drive or Office365 OneDrive cloud storage.

If your computer does not have Microsoft Word, Office 365 package is available to you free of charge and allows you to install Word, Excel, PowerPoint, Outlook, OneNote, Publisher, and Access on up to 5 PCs or Macs and Office apps on other mobile devices including tablets. Office 365 also includes unlimited cloud storage on OneDrive. To download Office 365 log into your student (University) email through a web browser, choose Settings (top right corner), and select software. If you have further questions or need help with the software, please contact the USC ITS service portal.

IMPORTANT DATES—Spring Semester 2022

| | |
|-------------------------------------|--|
| Monday, January 10 | First day of Classes |
| Monday, January 17 | USC Holiday—Martin Luther King, Jr. |
| Friday, January 28 | Last Day to drop class without a “W” |
| Monday February 21 | USC Holiday—Presidents’ Day |
| Friday February 25 | Last Day to drop a class with a “W” |
| Sunday - Sunday, March 13 - 20 | Spring Recess |
| Friday, April 29 | Classes End |
| Saturday – Tuesday, April 30 -May 3 | Study Days |
| Wednesday – Wednesday, May 4-11 | Finals Week (See syllabus for exact date/time for this course) |
| 13 May | COMMENCEMENT |

Graduate Program Student Learning Outcomes

Below are the five Student Learning Outcomes developed for this program by the USC Leventhal faculty and administration and filed with the AACSB, the accrediting body for accounting and business schools. This course will deal primarily with Outcomes #1 and #2. To a lesser extent, this course will help you meet Learning Outcomes #3, #4 and #5.

1. Technical, Conceptual, Problem-Solving

Students will be competent in and be able to apply discipline-specific knowledge and skills in the fields of accounting or taxation. This learning outcome includes the development of critical thinking and problem-solving skills, as well as an understanding of the strategic role of accounting and taxation in business organizations and society.

- MBT specific—Apply critical thinking and problem-solving skills related to taxation of individuals, flow-through entities, and corporations. Recognize potential opportunities for tax savings and tax planning.

2. Professional Development

Students will be able to communicate clearly and strategically, after considering the relevant audience, situation, and purpose of the communication. Students will demonstrate the ability to work productively with others to accomplish established goals.

- MBT specific—Convert complex and technical tax terminology into language that translates to non-technical audiences. Demonstrate strong interpersonal communication skills that build relationships with clients over time. Document exchanges with careful attention to word choice, tone, and accuracy.

3. Research/Life-Long Learning

Students will be able to use relevant research databases and academic/professional literature to gain new knowledge and analyze business situations.

- MBT specific—Use computer-based and paper-based systems to thoroughly research tax codes, tax law, rulings and interpretations. Use knowledge to be able to adjust to changes in tax law over time.

4. Ethical Principles and Professional Standards

Students will be able to apply ethical principles and professional standards in analyzing situations and making informed decisions.

- MBT specific—Demonstrate understanding of and apply consistently the ethical principles and professional standards related to the profession. Show the ability to express and follow rules of independence and the highest sense of professional ethics.

5. Globalization and Diversity

Students will be able to demonstrate an international perspective and appreciation for diversity and cultural differences, along with their significance in global business.

- MBT specific—Explain key differences in taxing policies related to expatriates and the countries they live and work in. Reflect on cultural and ethnic differences in approaches to business and taxation policies.

GRADES:

| | | |
|---|---------|------|
| Quizzes/Assigned Problems/Written Assignments | 200pts | 20% |
| Exams | 600pts | 60% |
| Participation | 100pts | 10% |
| Professionalism* | 100pts | 10% |
| ----- | | |
| Total | 1000pts | 100% |

- Course is taught with the recognition that a tax season does exist which affects a tax practitioner's work load
- No mid-term is planned - only a final
- Actual documents - Will, Living Trust, Insurance Trust - will be used in class for discussion
- Class will consist of lectures and class discussion on the assigned documents

*Professionalism = 1. Arriving on time; 2. Staying the duration of the class; 3. Eating only during breaks; 4. Attentiveness and courtesy to professor and fellow students

CLASS CONDUCT/NETIQUETTE

Professionalism will be expected at all times. Because the university classroom is a place designed for the free exchange of ideas, we must show respect for one another in all circumstances. We will show respect for one another by exhibiting patience and courtesy in our exchanges. Appropriate language and restraint from verbal attacks upon those whose perspectives differ from your own is a minimum requirement. Courtesy and kindness is the norm for those who participate in my class.

Some Netiquette Rules:

- Dress respectfully. Video conference business meetings are and will be the norm, so practice your professional telepresence.
- Virtual background respectfully professional
- Display both your first and last name during video conferencing and synchronous class meetings.
- Respectfully minimize distractions with muting and video off when moving around
- Disagree respectfully
- Respectfully pay attention to classmates
- Do not use all CAPITAL LETTERS in emails or discussion board postings. This is considered "shouting" and is seen as impolite or aggressive.
- Do not use more than one punctuation mark, this is also considered aggressive!!!!
- Begin emails with a professional salutation (Examples: Dr. Name; Ms. Name; Hello Professor Name; Good afternoon Mr. Name). Starting an email without a salutation or a simple "Hey" is not appropriate.
- When sending an email, please include a detailed subject line. Additionally, make sure you reference the course number (Ex. 584 Wed or Thurs) in the message and sign the mail with your name.
- Use proper grammar, spelling, punctuation, and capitalization. Text messaging language is not acceptable. You are practicing for your role as a business leader.
- Re-Read, think, and edit your message before you click "Send/Submit/Post.". As a check, consider whether you would be comfortable with your email or post or text being widely distributed on the Internet.

Final grades represent how you perform in the class relative to other students. The average grade for this class is expected to average about 3.4-3.5 (i.e. between B+ and A-). Three items are considered when assigning final grades:

1. Your average weighted score as a percentage of the available points for all assignments (the points you receive divided by the number of points possible).
2. The overall average percentage score within the class.
3. Your ranking among all students in the class.

GRADING POLICIES:

This course adheres to the USC Leventhal School of Accounting and Marshall School of Business grading Standards for graduate programs. In general, final course grades at the graduate level in a core course average approximately B+ (3.3) but may vary based on class performance. For elective courses, the class average is usually higher -- approximating 3.4 to 3.5, which is between a B+ and an A-. You must receive a C or better to pass a required class, and you must have an *overall* B average (3.0 minimum) from all your courses in order to graduate from USC. The graded elements of this course are listed in this syllabus along with information about how they will be evaluated.

1. Participation in class is expected, and students should be present and prepared to engage with the class at the date and time indicated each week in order to earn participation credit for this activity.
2. Exams/quizzes are to be determined. Make up exams/quizzes will be given only if a student has received pre-approval from the instructor or has a doctor's excuse.

RETENTION OF GRADED PAPERS:

Final exams and other graded work that affected the course grade will be kept for one year. Other papers or work that are handed back but that students fail to pick up will be held for one month. Discussion forums and other online work, if any, will be deleted at the end of the course.

USC STATEMENT ON ACADEMIC CONDUCT AND SUPPORT SYSTEMS

Academic Conduct:

Students are expected to make themselves aware of and abide by the University community's standards of behavior as articulated in the Student Conduct Code. Plagiarism – presenting some-one else's ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Part B, Section 11, "Behavior Violating University Standards" <https://policy.usc.edu/scampus-part-b/>. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct>.

Support Systems:

Counseling and Mental Health - (213) 740-9355– 24/7 on call

<https://studenthealth.usc.edu/counseling/>

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call

suicidepreventionlifeline.org

Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-9355(WELL), press "0" after hours – 24/7 on call

<https://studenthealth.usc.edu/sexual-assault/>

Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office of Equity and Diversity (OED)- (213) 740-5086 / Title IX – (213) 821-8298

equity.usc.edu, titleix.usc.edu

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants. The university prohibits discrimination or harassment based on the following *protected characteristics*: race, color, national origin, ancestry, religion, sex, gender, gender identity, gender expression, sexual orientation, age, physical disability, medical condition, mental disability, marital status, pregnancy, veteran status, genetic information, and any other characteristic which may be specified in applicable laws and governmental regulations. The university also prohibits sexual assault, non-consensual sexual contact, sexual misconduct, intimate partner violence, stalking, malicious dissuasion, retaliation, and violation of interim measures.

Reporting Incidents of Bias or Harassment - (213) 740-5086 or (213) 821-8298

https://usc-advocate.symplcity.com/care_report/

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office of Equity and Diversity |Title IX for appropriate investigation, supportive measures, and response.

Office of Student Accessibility Services - (213) 740-0776 <https://osas.usc.edu>. SASfrntd@usc.edu

Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.

USC Support and Advocacy - (213) 821-4710

uscsa.usc.edu

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity at USC - (213) 740-2101

diversity.usc.edu

Information on events, programs and training, the Provost's Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call

dps.usc.edu, emergency.usc.edu

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call

dps.usc.edu Non-emergency assistance or information.

NO RECORDING AND COPYRIGHT NOTICE:

No student may record any lecture, class discussion or meeting with me without my prior express written

permission. The word “record” or the act of recording includes, but is not limited to, any and all means by which sound or visual images can be stored, duplicated or retransmitted whether by an electro-mechanical, analog, digital, wire, electronic or other device or any other means of signal encoding. I reserve all rights, including copyright, to my lectures, course syllabi and related materials, including summaries, PowerPoints, prior exams, answer keys, and all supplementary course materials available to the students enrolled in my class whether posted on Blackboard or otherwise. They may not be reproduced, distributed, copied, or disseminated in any media or in any form, including but not limited to all course note-sharing websites. *Exceptions are made for students who have made prior arrangements with DSP and me.*

ACCOUNTING 584 FAMILY WEALTH PRESERVATION**SPRING 2022**

JOHN J. BARCAL, JD, (CPA Certificate from Illinois)

Campus Wed _____

CYNTHIA GENSLER, J.D.

Online Thur _____

STUDENT INFORMATION SHEET **

LAST NAME: _____ OFFICE PHONE: _____

FIRST NAME: _____ HOME PHONE: _____

CELL PHONE: _____

email: _____

TIME ZONE/LOCATION ATTENDING CLASS FROM: _____

EXPERIENCE

POSITION: _____

FIRM NAME: _____

FIRM ADDRESS: _____

MAILING ADDRESS: _____

PRIOR TAX COURSES:

| UNIVERSITY | CLASS TITLE | INSTRUCTOR | GRADE |
|------------|-------------|------------|-------|
|------------|-------------|------------|-------|

UNDERGRAD UNIVERSITY AND MAJOR: _____

**Student must print form, fill in, and hand in for 1st class

584T FAMILY WEALTH PRESERVATION**SPRING 2022**

JOHN J. BARCAL, J.D., (CPA Certificate from Illinois)

CALIF. BAR - CERTIFIED SPECIALIST - TAXATION

- CERTIFIED SPECIALIST - ESTATE PLANNING, PROBATE AND TRUST

THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

CYNTHIA GENSLER, J.D. CALIF. BAR - CERTIFIED SPECIALIST - ESTATE PLANNING,
PROBATE AND TRUST THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

| CLASS | DATE FOR CAMPUS CLASS <u>WEDNESDAY</u> | TOPIC | CASE | <u>REQUIRED READING:</u> DOCUMENTS IN NOTEBOOK OR BLACKBOARD | <u>HELPFUL? READING:</u> CA GUIDE TO ESTATE PLANNING | ASSIGNMENTS; QUIZZES; EXAMS |
|--------------|---|--|-------------|---|---|--|
| 1 | 1/12/22 | Introduction to Estate Planning; Holding title to Assets | 1 | TAB 13 Intro Example Skim: TAB 1 Business Entities; FDIC Insurance | p. 16-20 p. 32-37 p. 45-47 p. 122-129 p. 167-171 p. 178-190 p. 224-234 p. 309-312 Note: Property tax changes (Prop 19) as of 2/16/21 | |
| 2 | 1/19/22 | Overview of Tax Principles; Paraphrased Rules Intestate Succession | 2 | TAB 15 Skim: Terminology, History TAB 16 Skim: Paraphrased Rules TAB 2 Intestate Succession | p. 9-10 p. 61-63 Nolo Article re intestate succession in Blackboard | |
| 3 | 1/26/22 | Small Family Estate | 3 | TAB 3 Simple Will; Statutory Will | p. 20-24 CH. 2 CH. 4 p 129-150 | QUIZ 1 ONLINE- Due by 5p.m. 1/26/22 |
| 4 | 2/2/22 | Marital Deduction | 4 | TAB 4 Marital Deduction Clauses p.13-15 | p. 173-175 p. 188-190 p. 242-246 | |
| 5 | 2/9/22 | Bypassing the Second Tax | 5 | TAB 5 Lotus 123 computations | p.193-197 p.230-233 | |
| 6 | 2/16/22 | Avoiding Probate Always? Never? Most of the time? | 6 | TAB 6 Pour Over Will | Probate p. 11-23; 30;49; 51- 52;66-68; 87-89 | QUIZ 2 ONLINE- Due by 5p.m. 2/16/22 |

| CLASS | DATE FOR CAMPUS CLASS <u>WEDNESDAY</u> | TOPIC | CASE | <u>REQUIRED READING:</u> DOCUMENTS IN NOTEBOOK OR BLACKBOARD | <u>HELPFUL? READING:</u> CA GUIDE TO ESTATE PLANNING | ASSIGNMENTS; QUIZZES; EXAMS |
|-------|---|---|------|--|---|---|
| 7 | 2/23/22 | Revocable Living Trust | 7 | TAB 7 Living Trust | p.22-24 p. 54-56 CH. 3 CH 7 | |
| | | Durable Power of Atty - General and Health Care; Living Will | 7A | TAB 7 DPAHC - AHCD POLST; DPAP CP Agreement; Dec of Ownership | CH.11 | |
| 8 | 3/2/22 | Gifts and GST | 8 | TAB 8 Property taxes TAB 14 Form 706 and Form 709 Sample pages | CH. 8 p. 167-168 p. 224-229 p. 235-242 | |
| 9 | 3/9/22 | Lifetime Transfer Devices | 9 | TAB 9 QPRT; GRAT | | |
| | 3/13-20 | NO CLASS | | SPRING BREAK | | |
| 10 | 3/23/22 | Life Insurance | 10 | TAB 10 Insurance Trust; Tax Facts; General Summary | p. 150-159 p. 247-250 p. 272-276 | QUIZ 3 ONLINE - Due by 5p.m. 3/23/22 |
| 11 | 3/30/22 | Asset Protection | 11 | TAB 11 FLP; LLC | | |
| 12 | 4/6/22 | Business Interests | 12 | TAB 12 Buy Sell Agreements | | QUIZ 4 ONLINE - Due by 5p.m. 4/6/22 |
| 13 | 4/13/22 | Employee Benefits | 13 | TAB 13 | CH 10 p. 233-234 p. 248-276 | |
| 14 | 4/20/22 | Gifts to Charity; | 14 | TAB 8 CRT Forms; Types of Charitable Trusts | p. 228 p. 234 p. 246 p. 255-258, p. 266-268 , | |
| 15 | 4/27/22 | Residency & Review | 15 | TAB 15 | CH 6 | |
| | 5/4/22 | FINAL EXAM | | FINAL EXAM | FINAL EXAM | FINAL EXAM ONLINE - Details later* |

**Please note: The date/time of the Final Exam is determined by the University. For spring 2022, the last day of class is Friday, April 29th. Study days will be April 30-May 3. Final exams will be held during your scheduled class time May 4-11. Consult the USC Schedule of Classes at <https://classes.usc.edu/term-20221/finals/>.*

WARNING! ANY FORMS PROVIDED ARE PRESENTED ONLY FOR DISCUSSION PURPOSES IN CONJUNCTION WITH THE CLASS IN WHICH THEY ARE INCLUDED AND WILL NOT BE APPROPRIATE OR APPLICABLE FOR ANY SPECIFIC SITUATION. DO NOT USE FOR PERSONAL OR CLIENT USE.

584T FAMILY WEALTH PRESERVATION**SPRING 2022**

JOHN J. BARCAL, J.D., (CPA Certificate from Illinois)

CALIF. BAR - CERTIFIED SPECIALIST - TAXATION

- CERTIFIED SPECIALIST - ESTATE PLANNING, PROBATE AND TRUST

THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

CYNTHIA GENSLER, J.D. CALIF. BAR - CERTIFIED SPECIALIST - ESTATE PLANNING,
PROBATE AND TRUST THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION**SECTION #14309R****- ONLINE, Zoom Meetings****- START time: 5:30 p.m. PT****- END time: as needed**

| ZOOM MEETING | DATE FOR ZOOM MEETINGS <u>THURSDAY</u> | COVERS | ASSIGNMENTS; QUIZZES; EXAMS |
|---------------------|---|---------------------|---|
| 1 | 1/13/22 | Introduction | |
| 2 | 1/20/22 | Recorded Lecture 1 | |
| 3 | 1/27/22 | Recorded Lecture 2 | |
| 4 | 2/3/22 | Recorded Lecture 3 | QUIZ 1 ONLINE- Due by 5p.m. 2/3/22 |
| 5 | 2/10/22 | Recorded Lecture 4 | |
| 6 | 2/17/22 | Recorded Lecture 5 | |
| 7 | 2/24/22 | Recorded Lecture 6 | QUIZ 2 ONLINE- Due by 5p.m. 2/24/22 |
| 8 | 3/3/22 | Recorded Lecture 7 | |
| 9 | 3/10/22 | Recorded Lecture 8 | |
| NO CLASS | 3/17/22 | BREAK | |
| 10 | 3/24/22 | Recorded Lecture 9 | |
| 11 | 3/31/22 | Recorded Lecture 10 | QUIZ 3 ONLINE - Due by 5p.m. 3/31/22 |
| 12 | 4/7/22 | Recorded Lecture 11 | |
| 13 | 4/14/22 | Recorded Lecture 12 | QUIZ 4 ONLINE - Due by 5p.m. 4/14/22 |

| ZOOM MEETING | DATE FOR ZOOM MEETINGS <u>THURSDAY</u> | COVERS | ASSIGNMENTS; QUIZZES; EXAMS |
|---------------------|---|---------------------------------|--|
| 14 | 4/21/22 | Recorded Lectures 13 & 14 | |
| 15 | 4/28/22 | Recorded Lecture 15 & Review | |
| FINAL EXAM | 5/4/22 | FINAL EXAM | FINAL EXAM ONLINE Details later |

Please note that a Zoom meeting invitation should be generated for every Thursday during the Spring 2022 term for a 5:30 pm meeting.

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