

**STATE BAR OF MICHIGAN
SECTION ANNUAL REPORT**

Bar Year: 2011-2012

Section Name: Taxation Section

Mission Statement: The Section, as a representative of the legal profession, shall serve its members and the public through education and leadership in efforts to achieve an equitable, efficient, and workable tax system. The purpose of this Section is to improve public understanding of, confidence in, and respect for the federal, state and local tax systems; to provide leadership in simplifying and improving the federal, state and local tax systems; to provide unbiased, thoughtful and timely input into the legislative and administrative process at the national, state and local levels; To promote and maintain an active, vigorous, growing and interested Section membership; To provide programs and services of unique quality which promote professionalism, competence and ethical conduct; to provide a forum for communication among Section members and interchange between the public and private sectors

Officers and Council Members:

Officer	Name	Address	Telephone	Email
Chair	Warren J. Widmayer P35123	538 N. Division Ann Arbor, MI 48104	734-662-0222	warren@fw-pc.com
Chair-Elect	Wayne Roberts P62706	300 Ottawa Ave., NW, Suite 700, Grand Rapids, MI 49503	616-776-7514	wroberts@dykema.com
Secretary	Marjorie Gell P46974	111 Commerce Ave. SW Grand Rapids, MI 49503	616-301-6823	gellm@cooley.edu
Treasurer	Lynn A. Gandhi P60466	660 Woodward Ave 2290 First National Bldg. Detroit, MI 48226	313-465-7646	lgandhi@honigman.com

Member	Term	Member	Term
Paul V. McCord – P61138	2012		
Gary M. Remer – P57230	2012		
Gary Glenn – P31897	2012		
Michael Antovski – P57175	2013		
Marla S. Carew – P58525	2013		
George V. Cassar – P55724	2013		
Alexander Domenicucci – P58898	2014		
Carolee Kvorciak Cameron – P57484	2014		
Daniel M. Houlf – P38527	2014		

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Council Meeting Schedule:

Meeting Type	Date	Location
Council Meeting	November 3, 2011	Honigman, Bloomfield Hills, MI
Officer Meeting	November 18, 2011	Telephone Conference
Officer Meeting	December 15, 2011	Telephone Conference
Council Meeting	January 5, 2012	Dykema, Bloomfield Hills, MI
Officer Meeting	February 9, 2012	Telephone Conference
Council Meeting	March 1, 2012	Maddin Hauser, Southfield, MI
Officer Meeting	March 29, 2012	Telephone Conference
Council Meeting	April 19, 2012	Varnum, Novi, MI
Council Meeting	June 14, 2012	Cooley Law School, Ann Arbor, MI
Officer Meeting	July 19, 2012	Telephone Conference
Council Meeting	September 27, 2012	Novi Chop House, Novi, MI
Annual Meeting	September 27, 2012	Novi Chop House, Novi, MI

General Budget Information:

The Taxation Section started the fiscal year with approximately \$89,000 on hand and budgeted revenue of \$57,600 and expenses of \$70,370. Major budgeted expenses include \$13,000 for Committee Meetings, \$15,000 for the Annual Tax Conference, \$10,000 in grant assistance to low income taxpayer clinics, \$8,500 for the publication of the Section's *Michigan Tax Lawyer* journal, and \$5,000 in compensation for the Program Facilitator.

Events and/or Seminars:

Event or Seminar Title	Date	Location
After Hours Tax Law Series	October 6, 2011	Inn at St. John's, Plymouth, MI
Michigan Tax Conference	November 9, & 10, 2011	Rock Financial Showplace
After Hours Tax Law Series	November 15, 2011	Webcast
After Hours Tax Law Series	January 28, 2012	Webcast
Best Practices Seminar	March 13, 2012	Wayne State University, Detroit, MI
Sal Tripodi/ERISA Seminar	March 22, 2012	Sheraton Detroit-Novi, Novi, MI
Tax Court Luncheon	April 17, 2012	Doubletree Hotel, Detroit, MI
409A Failures – Correcting Within and Outside of the IRS Formal Correction Programs	April 18, 2012	Sheraton Detroit-Novi, Novi, MI
Annual Tax Conference	May 1, 2012	Inn at St. John's, Plymouth, MI
Cross-Border Tax Issues Related to Estate Planning	August 8, 2012	Warner, Norcross & Judd LLP, Southfield, MI
SALT Committee Mixer	August 23, 2012	Dykema, Lansing, MI

Each of the seven substantive committees held or hold two or more meetings consisting of educational seminars or presentations per year. Those involving guest speakers from outside of the Section are listed above.

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Legislative issues:

The Section has taken action or adopted positions regarding the following legislative issues during this year, most of which are available at <http://www.michbar.org/tax/publicpolicy.cfm> :

- **Michigan Corporate Income Tax Apportionment.** The Section commented on issues relating to flow-through entity income sourcing under the new corporate income tax law and urged the adoption of an apportionment approach consistent with unitary group taxation principles.
- **Retroactive Tax Legislation.** The Section urged the Michigan legislature to abandon the practice of retroactively amending tax statutes, particularly as a method to overturn judicial decisions.
- **Third-Party Auditor Contingent Fee Arrangements.** The Section adopted a policy position opposing the current practice of the Michigan Department of Treasury to hire third-party auditors under contingent fee arrangements to examine and assess liability for taxes or unclaimed property.
- **Offer in Compromise.** The Section reiterated its support of efforts to adopt a Michigan offer in compromise program similar to the program administered by the Collection Division of the Internal Revenue Service.
- **Officer Liability.** The Section is studying and developing a position regarding efforts to modify the provisions of Michigan law imposing liability for unpaid entity taxes on the officers of delinquent entities.

Recommendations for next Council: Continue to focus on outreach to law students and young lawyers. Continue to develop sound and well-reasoned positions on tax law and administration at the state level, consistent with the Section's mission statement. Focus on the Committees, as they provide practice-focused service and the first point of access to the Section by many members.

Other Information: Michigan Tax Lawyer published 3 time a year and available on Lexis; co-sponsorship of After Hours Tax Seminars with ICLE; seven standing substantive committees with active programming or membership throughout the year (meetings and other educational programs for Section members); grants made to organizations assisting low-income taxpayers; awards given to law students; outreach meetings with area law students; creation of a "Young Tax Lawyers" Committee in the 2011-2012 year.

Standing Committees:

Business Entities
Employee Benefits
Estates and Trusts
International Taxation
Practice and Procedure
State and Local Taxation
Young Tax Lawyers