

**COUNCIL OF TAXATION SECTION
MINUTES OF REGULAR MEETING**

October 6, 2016

A regular meeting of the Council of the State Bar of Michigan Taxation Section was held on October 6, 2016, at 3 p.m. at Tre Monti Ristorante, 1695 East Big Beaver, Troy, Michigan. Michael Antovski, Chairperson of the Taxation Section, presided.

COUNCIL MEMBERS PRESENT

Michael Antovski	Alex Domenicucci	Carolee Kvoriak Smith
Jackie Cook	Marjorie Gell	James Combs
Andrew MacLeod	William Lentine	Paul McCord
Sean Cook		

COUNCIL MEMBERS ABSENT

Tammie Tischler	Joshua Wease	Katie Wilbur
Joe Pia		

COMMITTEE CHAIRPERSONS PRESENT

Michael Monaghan	Brian Gallagher	Andrea Crumback
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COMMITTEE CHAIRPERSONS ABSENT

Thomas E.F. Fabbri	Ryan Peruski	Jack Panitch
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OTHERS PRESENT

George Gregory	Jeff Kirkey	Jano Barney
Jon Baloch		

The Chair called the meeting to order at 3:04 p.m.

MINUTES OF PRIOR COUNCIL MEETING

Jackie Cook presented the Council Meeting Minutes of June 28, 2016. Upon motion by Carolee Smith, seconded by Alex Domenicucci, the aforementioned Minutes, with references to "Mackinaw Island" corrected to "Mackinac Island," were unanimously approved and adopted.

TREASURER'S REPORT

Carolee Smith presented the proposed budget for the eleven months ending August 31, 2016. [Attachment A] There are costs budgeted for this year that will be reflected on next year's budget, such as the invoice for the Annual Dinner and possibly an invoice related to the recent publication of the Michigan Tax Lawyer. The deadline for submitting invoices for the budget ending September 30, 2016, was yesterday, October 5, 2016. Also, there will be approximately \$2,700 left over of the amount budgeted for the program facilitator, and it was discussed that the amount should roll over to the next year as it is anticipated the program facilitator will likely spend more time working on Council business next year.

Upon motion by Alex Domenicucci, seconded by Jackie Cook, the proposed budget was unanimously approved and adopted.

CHAIRPERSON'S REPORT

Michael Antovski announced that Jano Barney is replacing Brian Figot as the Taxation Section's program facilitator, gave Jano a warm welcome, and thanked her for all her hard work thus far. Michael encouraged everyone to support and attend Committee events coming up. He indicated he recently heard from attorneys and law students interested in becoming Section members. He also announced that his twin baby girls arrived last week, to which Council responded with warm congratulations. He encouraged everyone to stay for the Annual Past Chairs Dinner.

COUNCIL ACTIVITIES

1. Strategic Planning – James Combs

James Combs circulated a rough draft of a proposed Strategic Plan. [Attachment B] He asked everyone to review and consider it, with a focus on improving and promoting the Section through the implementation of the Strategic Plan. James requested feedback from everyone before the regular meeting in November. Comments will then be considered and incorporated with the intention of proposing a final draft for the Council's consideration at the regular meeting in January. Sean Cook indicated that the MiCPA has a Strategic Plan that is revisited at every meeting. He suggested giving consideration to how often Council will revisit the Plan. Michael Antovski indicated that the Plan should be posted on the Section's webpage. Alex suggested considering regular communications with Section members, like the Business Law Section does, to keep members informed.

James also reported that he circulated a proposed agenda for a Tax Boot Camp. He indicated that the plan at this time is to roll it out as a break out session in the afternoon at the Annual Tax Conference in May. He indicated we should encourage participation of new attorneys as well as seasoned attorneys who may benefit from a refresher course on tax law basics. By offering it at the Annual Tax Conference, we can also encourage

non-tax business attorneys who may benefit from a tax law refresher course to attend the Conference and Boot Camp. It was suggested that large law firms be given a group rate for sending a certain number of associates to attend the boot camp. Bill Lentine reported that he is still working on planning the afternoon breakout sessions for the Conference and consideration is being given to whether there should be two or three sessions at a given time. There was discussion about having content that would appeal to practitioners from CPA firms, such as an ethics program.

Regarding the provision in the proposed Strategic Plan about the committees hosting one event each year with the purpose of strengthening communication between taxpayer representatives and governmental officials, there was discussion about how this could be implemented and how, specifically, IRS employees could be encouraged to participate.

2. Social Media / Communications – Katie Wilbur

Katie Wilbur was not present and did not provide a report.

3. Michigan Tax Lawyer – Katie Wilbur

Katie Wilbur was not present and did not provide a report. There was discussion about the most recent volume being low in content and suggestions for how to improve future volumes.

4. Michigan Bar Journal Liaison / Tax Court Lunch – Joe Pia

Joe Pia was not present and did not provide a report. Paul McCord reported that a Tax Court Luncheon, held at Varnum's Detroit office on October 3, 2016, was attended by 29, with Tax Court Judge Chiechi presenting. Michael Antovski thanked Paul for his efforts in planning the luncheon.

5. Annual Tax Conference

2016 – Tammie Tischler:

Tammie Tischler was not present and did not provide a report. Jeff Kirkey indicated that a Final Report for the 29th Annual Tax Conference, held May 19, 2016, was distributed with the meeting materials. [Attachment C]

2017 – William Lentine:

Bill Lentine reported that the Annual Tax Conference is set for May 25, 2017 at the Inn of St. Johns in Plymouth. ICLE is retained to assist with the Conference again in 2017. Bill reported that he is in the process of securing sponsors for the Conference.

6. Federal & State Legislative Update and Public Policy Liaison – James Combs

James Combs reported that Treasury's 385 regulations aimed at combating inversions are still being considered. He reported that there is still a possibility that Congress will pass tax extender legislation before the end of the year. Alex Domenicucci reported that final regulations were issued interpreting law changes related to the taxation of partnerships.

7. Annual Meeting – Sean Cook

Sean Cook thanked Carolee Smith, Jackie Cook and Marjorie Gell for their assistance with some of the planning for the Past Chairs Dinner and getting invitations out for it. He reported that the plans are set, and the number of RSVPs is up this year.

8. Program Facilitator Report – Jano Barney

Michael Antovski announced that Jano Barney is the Section's new Program Facilitator and thanked her warmly for her contributions to the Section thus far.

9. ICLE – Jeff Kirkey / Stephanie Stenberg

Jeff Kirkey reported that the planning of the 2016-2017 Tax Law Series is coming along well. The speakers are set for the first seminar, State Tax Controversies: Carolee Smith, Andrea Crumback, and Paul McCord.

10. Grant Program – Paul McCord

Paul McCord reported that he reviewed grant applications and is recommending that grants be awarded as follows: \$2,000 to the University of Michigan Low Income Tax Clinic, \$2,000 to the Michigan State University Low Income Tax Clinic, and \$1,000 to the Accounting Aid Society. A resolution awarding the grants will be considered under "Old Business."

11. Pro Bono Project/Community Service Initiative Coordinator – Paul McCord

Paul McCord was present but did not give a report.

12. IRS Area Counsel Liaison Report – Eric Skinner / Rob Heitmeyer

Eric Skinner and Rob Heitmeyer were not present and did not submit a report.

13. Probate and Estate Planning Section Liaison Report – George Gregory

George Gregory provided an update on pending legislation that the Probate and Estate Planning Section is monitoring regarding reproductive technology and the uncapping of taxable value.

14. State Bar of Michigan Liaison Report – Richard Siriani

Richard Siriani was not present and did not submit a report.

COMMITTEE ACTIVITIES

1. Federal Income Tax – Michael P. Monaghan

Michael Monaghan provided a written report [Attachment D] and reported that a seminar given in June with Carolee Smith presenting on SALT issues that arise in M&A transactions was well attended.

2. Employee Benefits – Brian Gallagher

Brian Gallagher provided a written report [Attachment E] and reported that he is planning an event for October 27, 2016 at the Long Road Distillers in Grand Rapids.

3. Estates and Trusts – Thomas Fabbri

Thomas Fabbri was not present but provided a written report [Attachment F]. Michael Antovski noted that Tom is planning an event on November 3 at 11 a.m. at the DAC in Detroit with Gerard Charette of Miller Canfield presenting on estate plans with international issues.

4. Practice and Procedure – Jack Panitch

Jack Panitch was not present but provided a written report [Attachment G]. It was noted that the next event will be a working session in October or early November 2016 to address the Department of Treasury's new rules for Powers of Attorney forms. Carolee reported that the proposed Tax Tribunal reform Policy Statement was distributed by email and that the requisite number of votes was received from Council members to adopt the Policy Statement but that Council voted down the submission of oral testimony on behalf of the Taxation Section before the House Tax Policy Committee as it considers HB 5765.

5. State and Local Taxation – Andrea Crumback

Andrea Crumback was present and provided a written report [Attachment H]. Andrea reported that the SALT Mixer went well and was well attended by approximately 40 attendees, including Treasury representatives, attorneys from the Attorney General's

office, and four Tax Tribunal judges. Andrea indicated she is working on reimbursing Dykema for providing the venue in Lansing for the mixer.

6. Young Tax Lawyers – Ryan Peruski

Ryan Peruski was not present and did not submit a written report.

OLD BUSINESS

- Andrew MacLeod reported on his research into how to get links posted onto the Section's webpages through SBM Connect and how committees can create their own pages from which communications to committee members can be sent.
- Michael Antovski presented a proposed Resolution to award the grants proposed by Paul McCord (see discussion above) [Attachment I]. Carolee Smith made a motion to make the proposed grants, the motion was seconded by Paul McCord, and the motion passed with ten Council members voting in favor (four voting members were not present and did not vote).

NEW BUSINESS

- Bill Lentine reported that his firm, Dykema, filed an Application for Leave to Appeal in *Menard v Escanaba*, a property tax case, on behalf of Menard and that Schiff Hardin prepared an amicus brief in support of Menard's Application for Leave and is requesting that the Taxation Section consider joining other organizations/companies in signing on to the amicus brief. It was noted that the State Bar's Public Corporation Section filed one in support of Escanaba. Michael indicated an ad hoc committee should be formed to consider whether the Taxation Section should get involved.
- Carolee Smith reported that a new committee chair orientation would be held on October 27, 2016, in Ann Arbor. Alex strongly encouraged all committee chairs and council members to attend. Carolee Smith also reported that she will be working on updating the policy and procedure manual this year.
- Marjorie Gell reported that she started a timeline "to do" list for Jano Barney to assist her in her transition to Program Facilitator and encouraged everyone to provide their input on it.

There being no additional business, a motion to adjourn was made by Paul McCord, seconded by Marjorie Gell. Upon a motion in favor, the meeting was adjourned at approximately 5:01 p.m.

Respectfully submitted,



Jackie J. Cook, Secretary

Attachment A

**TAXATION SECTION BUDGET
FOR THE ELEVEN MONTHS ENDING AUGUST 31, 2016
STATE BAR OF MICHIGAN, TAXATION SECTION**

	Actual as of 8/31/2016	Annual Budget 2015-2016	Difference Budget/Actual
REVENUE:			
DUES	36,762.00	\$37,000.00	\$ (238.00)
LEXIS NEXIS	1,034.27	1,500.00	\$ (465.73)
SUBSCRIPTION TO MICHIGAN TAX LAWYER	60.00	-	\$ 60.00
MISCELLANEOUS AND JOINT COMMITTEE MEETINGS		300.00	\$ 903.46
SEMINAR REVENUE	1,203.46		
TOTAL REVENUE	\$ 39,059.73	\$ 38,800.00	\$ 259.73
EXPENSES			
COMMITTEE MEETINGS			
Federal Income Tax	\$ 486.55	\$ 2,000.00	\$ (1,513.45)
Employee Benefits	\$ 679.42	2,000.00	\$ (1,320.58)
Estates and Trusts	\$ 509.65	\$ 2,000.00	\$ (1,490.35)
Practice and Procedure	\$ 946.44	\$ 2,750.00	\$ (1,803.56)
Young Tax Lawyers	\$ 380.43	\$ 2,000.00	\$ (1,619.57)
State and Local	\$ 946.44	\$ 2,750.00	\$ (1,803.56)
International			
MICHIGAN TAX LAWYER	\$ 4,801.00	12,000.00	\$ (7,199.00)
	\$ -		\$ -
SBM MACKINAC LEADERSHIP CONFERENCE	\$1,515.68	2,500.00	\$ (984.32)
PROFESSIONAL COORDINATOR			
Compensation	\$ 2,270.25	5,000.00	\$ (2,729.75)
Telephone	\$ -		\$ -
Postage and Copying	\$ -		\$ -
Mileage and Other Expense Reimbursements	\$ 139.03	120.00	\$ 19.03
Total professional coordinator expense	\$ 2,409.28	5,120.00	(2,710.72)
TAX LAW SERIES MARKETING EXPENSE	\$ -		\$ -
ANNUAL TAX CONFERENCE			
Registrant revenue	\$ -	(14,500.00)	\$ 14,500.00
Sponsorship revenue	\$ -	(7,500.00)	\$ 7,500.00
Conference expenses	\$ -	34,300.00	\$ (34,300.00)
Net conference expense	-	12,300.00	(12,300.00)
TAX COUNCIL MEETINGS (including Annual Past Presidents' Dinner)	\$ 1,442.82	6,000.00	\$ (4,557.18)
TAX COURT LUNCHEONS			
Expenses	\$ 618.66	2,000.00	\$ (1,381.34)
Sponsorships	\$ -	(500.00)	\$ 500.00
Net expense	\$ 618.66	1,500.00	(881.34)
TAX SECTION DIRECTORY		-	-
PRO BONO AND OUTREACH (including grant program)	\$ -	5,000.00	\$ (5,000.00)
STRATEGIC PLANNING / MEMBERSHIP OUTREACH ACTIVITIES	\$ 183.45	3,000.00	\$ (2,816.55)
COUNCIL ACTIVITIES (including amicus expenses)		1,000.00	\$ (1,000.00)
SEMINARS -- JOINT REVENUE SHARING		-	-
LISTSERV & E-NEWSLETTER	\$440.00	600.00	\$ (160.00)
RESERVE/CONTINGENCY	\$ (88.85)	500.00	\$ (588.85)
TOTAL EXPENSES:	\$ 15,270.97	\$ 63,020.00	\$ (47,749.03)
NET:	\$ 23,788.76	\$ (24,220.00)	\$ 48,008.76

Cash on Hand 9/30/2015

\$ 83,040.34

General Revenue

\$106,829.10

L. Wright Hart Fund

\$ 2,562.04

Cash on Hand 08/30/2016

\$109,391.14

Attachment B

Strategic Planning Initiative: 2017-2018

Taxation Section of the State Bar of Michigan

DRAFT October 6, 2016

Subject to Review/Revision by Tax Council

The Strategic Plan should implement the Mission: "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."

Matters that are relevant to the Mission include the following: (i) education of Tax Section members and other attorneys regarding our current federal, state and local tax systems; (ii) leadership efforts, such as drafting *amicus curiae* briefs, and commenting on proposed and finalized legislation and regulatory guidance; (iii) establishing and implementing *pro bono*, grant, and other public service programs; (iv) offering networking opportunities for Tax Section members, other attorneys, government officials, etc.; and (v) maintaining a strong foundation for the Section by increasing membership, planning ahead for seamless leadership changes, increasing leadership training, and sponsoring substantive programs.

Recommendations for Strategic Plan Framework:

The following recommendations are steps to be implemented in the 2017 and 2018 fiscal years in order to meet the goals that form the mission of the Section.

Mission	Goal	Steps
<p>Communications</p>	<ul style="list-style-type: none"> Improve communications with membership, other attorneys, and other tax practitioners about Section activities, events, and initiatives. <ul style="list-style-type: none"> Target Audience: <p>Section members; other Michigan attorneys, including those working as legislators, in the judiciary, in the executive branch, at accounting firms, at institutions of higher education, and those who are out of state; other tax associations (such as CPA groups and the Michigan Women's Tax Association); non-attorney tax professionals; students who may become members of the Section; tax clinics (non-academic); and members of the public.</p> Continue working with SBM to improve the efficiency of SBM Connect to enhance and expand and improve communications between Council and Section members. Pursue reforms for simplifying communication resources by, for example, improving the effectiveness of email communications and refining the Section's listserv. 	<ul style="list-style-type: none"> Maintain contact with Section members via email communications highlighting important developments and upcoming events. Keeping the Section website updated. Post at least one communication per week on Facebook and LinkedIn. Advocate for SBM Connect to be replaced by a more efficient and simplified system. Each committee will hold one meeting per year that serves the purpose of bringing taxpayer attorneys and government attorneys together in a

	<p>fairness of tax administration and tax litigation in Michigan.</p> <ul style="list-style-type: none"> Promoting a greater role of Section members in the American Bar Association Tax Section. 	<p>neutral forum to discuss ideas for improving procedures related to tax administration and litigation rather than substantive tax issues.</p>
Leadership	<ul style="list-style-type: none"> Performing Public Service in Tax Law. 	<ul style="list-style-type: none"> Expand and improving the pro bono initiative. Improve the grant program.
Communication, Education, and Leadership for a Workable Tax System	<ul style="list-style-type: none"> Promote the passage of legislation the represents sound tax policy by the United States Congress and Michigan Legislature. Assist in enhancing and expanding the knowledge of Michigan legislators about tax law and tax policy. Continue serving as a resource that Michigan legislators can call upon for insight and input when bills impacting tax laws are being drafted and amended. Continue serving as a resource in appellate cases by submitting amicus curiae briefs in cases impacting tax 	<ul style="list-style-type: none"> Monitor activities of legislative tax/revenue house/senate committees and provide regular comments to pending legislation and regulatory projects. Implement annual tax law seminar for Michigan legislators. Serve as needed, and proactively educate legislators about how the Section can be of assistance to the Legislature. Serve as needed.

	<p>policy.</p> <ul style="list-style-type: none"> • Implement and expand programming focused on educating new tax attorneys as well as seasoned practitioners with limited time for continued legal education. • Improve and expand the Michigan Tax Lawyer. 	<ul style="list-style-type: none"> • Offer “Tax Boot Camp” as one break-out track at the Annual Tax Conference. • Implement regular “Brown bag” programs for a “lunch-and learn” approach to education, hosted by the committees. • Partner with other SBM Sections (such as the Business Law Section) to offer joint educational opportunities. • Engage all Council members, as well as the membership at large, in looking for ways to continuously improve the content of the Michigan Tax Lawyer so that the publication is elevated to the status of a “must read” for Michigan tax practitioners.
Maintaining a Strong Foundation	<ul style="list-style-type: none"> • Increase Membership. <ul style="list-style-type: none"> • Continue reaching out for new members through promoting the Tax Section on Facebook and LinkedIn. • Implement organized drives to reach out to past members to encourage them to re-join the Section. • Improve leadership transitions so that new committee chairs and new council members 	<ul style="list-style-type: none"> • Once a year, conduct an online Facebook/LinkedIn membership drive that rewards members with a small incentive for referring a new member. • Recruit 20 former members to join the Section each year. • Add new tax attorney apprentices to each committee to assist the chairs

	<p>are well informed and prepared when they join Council.</p> <ul style="list-style-type: none"> • Increase sponsorship at meetings. • Strengthen relationships with existing sponsors. • Retention of institutional knowledge. 	<p>whose responsibility will be to reach out to new tax attorneys and students to attend committee meetings.</p> <ul style="list-style-type: none"> • The apprentice would also learn how the committee operates in order to plan for a transition of the chair position in the future. • Seek ____ sponsors per year. • Add a dedicated sponsorship person who will maintain contacts, find new sponsors, learn about their sponsorship timelines (<i>e.g.</i>, when they have budgets approved). Collect information, analyze and monitor what the Section can offer to sponsors in terms of potential customers and patronage. • Annual review and updating, as needed, of the Section manual. • Mandatory training session at time of transition to new Council, Committee Chairs and Liaisons.
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Steps toward Finalizing Strategic Plan for 9/2016-9/2018:

October 2016

- Present plan at Annual Section Meeting and seek feedback from Officers, Council, Committee Chairs and Liaisons.

- Seek feedback from Past Chairs Advisory Group.

November 2016

- Incorporate comments and suggestions from Officers, Council, and Past Chairs Advisory Group.
- Present revised draft Strategic Plan to Council.

December 2016

- Receive final comments on draft Strategic Plan.

January 2017

- Vote on Strategic Plan at Council meeting.

Attachment C

Final Report

29th Annual Tax Conference

May 19, 2016

Prepared by: Jeff Kirkey, ICLE

Statistics

2016 Overall Statistics		% registered
Total Registered in 2016	119	
Paid registrants in 2016	96	80.67%
Attended in 2016 (subtracts no-shows)	85	71.43%
Member of the Taxation Section	53	44.54%
Past Numbers		
Total Registered in 2016	119	
Total Registered in 2015	126	
Total Registered in 2014	139	
Total Registered in 2013	155	
Total Registered in 2012	156	
Total Registered in 2011	151	
Total Registered in 2010	135	
2016 Attendance by County		% of all attendance
OAKLAND	28	23.53%
WAYNE	16	13.45%
WASHTENAW	11	9.24%
INGHAM	10	8.40%
KENT	5	4.20%
MACOMB	3	2.52%
GENESEE	2	1.68%
SHIAWASSEE, SAGINAW, MASON, JACKSON, GRAND TRAVERSE, BERRIEN	1 each	0.84%
Fee Categories		Total Revenue
Regular	\$1,655.00	
Tax Section Member	\$6,000.00	
Special pricing - multiple lawyers from same firm	\$3,125.00	
New Lawyer	\$1,125.00	
Partners	\$1,000.00	
Complimentary (sponsors, students, etc.)	\$ -	
Sponsor/Exhibitor	\$4,300.00	
Total Revenue Collected by ICLE	\$17,205.00	

Years in Practice (Registrants)	#
50+	1
40-49	8
30-39	16
20-29	15
10-19	15
4-9	18
0-3	23, compared to 27 last year

Attendance

Pre-Registered PYL: 107 (104 in 2015)
Pre-Registered Webcast: 2 (7 in 2015)

No-Shows: 30 end of day
Walk-ins: 7 end of day
Actual PYL: 86

Plenary and break out session distribution:

9:10 - 10:10	Washington Update: Current Tax Legislative Developments (Robertson replaced Crawford) 67	
10:20 - 11:20	The Affordable Care Act: What Every Tax Lawyer Needs to Know Today (Bianchi) 72	
11:30 - 12:30	Detroit, Entrepreneurism, and Tax Policy (Ford) 77	
12:30 - 1:30	Luncheon Keynote (Levin) 85	
1:30 - 2:30	An Update on the Michigan Economy (Schneider) 40	International Update: FATCA, FBARS, and Streamlined (Marrin/Quinn) 29
2:40 - 3:40	Michigan Tax Update: Policy Developments (Roberts, Schultz, Wilkinson, Buick, Frick) 34	A View from the Tax Court (Buch) 25
3:50 - 4:50	Dissecting GRATs and SCINs (MacFarlane) 25	Life After Determination Letters (Gallagher/Miller) 15

Speakers

Topic	Speaker	Score (presentation/ materials, 7.0 is highest)
Washington Update: Current Tax Legislative Developments	Robertson	6.38/4.69
The Affordable Care Act: What Every Tax Lawyer Needs to Know Today	Bianchi	6.20/6.29
Detroit, Entrepreneurism, and Tax Policy	Ford	6.12/4.00
Luncheon Keynote	Levin	5.81/N/A
An Update on the Michigan Economy	Schneider	6.13/6.14
International Update: FATCA, FBARS, and Streamlined	Marrin	6.60/6.40
	Quinn	6.40/6.20
Michigan Tax Update: Policy Developments	Roberts	5.89/5.63
	Schultz	6.00/5.75
	Wilkinson	6.33/5.75
	Buick	6.33/6.00
	Frick	6.29/5.50
A View from the Tax Court	Buch	6.57/6.17
Dissecting GRATs and SCINs	MacFarlane	5.78/5.33
Life After Determination Letters	Gallagher	6.67/6.67
	Miller	6.67/6.67

Report

Evaluations

The overall conference rating was 5.55 on a 7.0 scale. We received only 14 evaluation forms this year. The evaluations are attached as exhibits.

Division of Labor

This was the seventh year the Section and ICLE worked together and in the agreement responsibilities were assigned. ICLE's fee is \$12,000 in 2016. Per our agreement in 2010, ICLE's fee rose to \$12,000 from \$11,000 in 2015. Tammie was responsible for sponsor recruiting as well as overall planning. Brian, Michael and Tammie were a great help with coordinating the student registrations.

For the \$12,000 fee, ICLE assisted with speaker recruiting, created, printed and mailed the marketing materials, handled registrations, provided customer service, processed seminar materials, handled speaker communication and handled all facility and A/V responsibilities. ICLE sent thank you letters and handled speaker travel & honoraria reimbursements. ICLE also invoiced the sponsors/exhibitors, handled the food ordering, and assisted with the Wednesday night "speaker/council" dinner.

Marketing

The brochure was created by ICLE's marketing staff. The marketing pieces were designed to make it as clear as possible that this was a Section event...in cooperation with ICLE. The brochure mailed three times to Taxation Section members, business law practitioners, estate planners, and new lawyers. The first mailing was February 19. Emails were sent between each mailing of the brochure - 4 total. Tammie created the theme which was "Elections, Entitlements, and Entrepreneurs" and we included it in the brochure.

On a related note, we used the Tax Section's banner at the registration table. The Section engaged a professional photographer again this year to take candid shots. Both the Section and ICLE are keeping copies of the photos. ICLE made Facebook posts for the Carl Levin lunch presentation. See <https://www.facebook.com/LikeICLE>.

Webcasting

Again this year we offered an on-demand webcast. Four lawyers chose the webcast. All the morning plenary sessions were videotaped for the webcast. All other breakout sessions were recorded and the audio is made available to registrants.

Schedule

We started at 9:00AM this year rather than 8:30AM. We always have a late arriving crowd - only had 58 when the first speaker started. It's hard for people to get here by 8:30. Attendees are accustomed to starting at 9:00 for all other ICLE seminars.

Having only two break-out sessions seemed better than three. The rooms looked fuller. As conference attendance has declined, it makes sense to "right size" the program this way. In past years we've had very small attendance in some rooms.

Tom Crawford bailed two days before the conference but sent Patrick Robertson from FTI in his place. Patrick flew in the morning of the conference and left right after his presentation. He enjoyed it and volunteered to come back next year.

Numerous speakers arrived just before their presentations which made all of our blood pressures rise.

No speakers received an honorarium this year.

Materials

Once again we provided a print handbook and online materials to every Plymouth registrant and online materials to every webcaster. The Section comped in 5 students from each law school again this year. We had a list of the student comps from each law school and we pre-registered them. They received a print handbook plus electronic materials, just like every other registrant.

We printed 135 binders. 103 were handed out at the conference. Thirty two came back and were mailed to the paid no-show registrants. Jeff will give Brian an electronic version of the materials and the MP3 files for posting on the Section's web site.

Crawford/Robertson and Ford did not submit any materials. Bianchi, Buch and Schneider were late and ICLE made handouts, but stuffed them into the binders to make it more convenient for attendees. Also handed out to everyone were evaluations, a sponsor/exhibitor thank you page, and a schedule.

Staffing

Barb Concannon, Deanna Vollano, and Jeff staffed the Institute. ICLE handled A/V so Pam Fisher, Rick Garthwaite, and Jack Anderson also attended.

Facility, Lunch & Reception

The Tax Conference was again held at the Inn at St. John's. Our main room was the Grande Ballroom. We put all the food and sponsors/exhibitors next door in the Garden Gallery. Breakouts were in the Samuel Room. Samuel was a good room for the breakout, but it was far away. The second breakout will be in Wisdom next year. All of the sessions were recorded and the MP3s were posted on the ICLE web site.

As usual, the Section ordered terrific food for the breakfast, lunch and reception. Lunch was included in the admission fee and was served in the Atrium. Tammie Tischler served as MC. The annual student awards and grants were not presented at lunch this year.

New this year was a lunch keynote by Carl Levin. He spoke for about 20 minutes on current tax policy. We featured him in the brochure and in emails. Unfortunately his participation didn't positively impact registrations.

The reception from 5pm-6pm featured an open bar and tasty appetizers. It was held in the Garden Gallery. I estimate there were 38 people who stayed for the reception, similar to last year. Many stuck around until 6pm.

Sponsors & Exhibitors

Sponsorships income totaled \$4,300 compared to \$11,300 in 2015 and \$7,000 in 2014. We once again used a Platinum/Gold/Silver sponsorship program. There were no Platinum Sponsors. At the Gold Level, Plante Moran sponsored the tote bags. We featured them prominently on the brochure and web site and made poster-sized signs to thank them. Rehmann and Hylant were paid exhibitors (\$900 each). The Section provided complimentary exhibitor tables to the Citizens Research Council and the MI Women's Tax Section. The Section also had an exhibit hall table and gave away leftover goodies like tote bags and copies of the Michigan Tax Lawyer.

Finances

ICLE handled registrations and collected all registration fees and sponsor income. The revenue collected by ICLE was \$17,205. Total expenses (including the ICLE administrative fee, marketing expenses, and handbooks) are not final yet. We expect to have final expenses from the facility and copy center in late July. ICLE will create an invoice and send it to the Section. Last year we sent the final accounting to the Section in early September.

Recommendations/Requests for 2017 (Thursday, May 25, 2017 is reserved)

- 1) Assign two section planners – a junior and a senior planner. This provides continuity from year to year, plus helps divide the labor for Section planners.
- 2) We need to redouble our efforts to increase sponsorships. Consider lowering the prices for sponsorships to encourage more and different sponsors.

Tax Conference, 29th Annual

Thursday, May 19, 2016

The Inn at St. John's, Plymouth

Evaluation Tabulation

Overall seminar	Poor						Excellent	Average
	ALL							
	1	2	3	4	5	6	7	5.55
	(0)	(0)	(1)	(1)	(2)	(5)	(2)	(11)
	LIVE							5.55
								(11)

Comments

Future topics

LIVE

Less employee benefit planning.

Developments in Detroit income tax enforcement.

Did today's seminar meet your expectations?

Yes	13	No	1
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What did you like best?

Broad topics.

Well done.

Regular breaks after each session were helpful; enjoyed options for breakout sessions.

Washington update.

The Tax Court presentation by the Judge and Federal Income Tax Committee.

Hon. Ronald L. Buch.

GRAT/SCIN

Washington update.

Broad topics. Excellent seminar.

What can we improve?

More technical programs.

Maybe consider an advance track v. an intermediate track. The view from DC is great but too much policy can be trying. Need to have high level developments in major areas of tax practice.

More federal tax options.

The Detroit Entrepreneur -- it was interesting but not relevant. Same regarding Michigan economy. Lots of speakers with no materials.

Visuals were very hard to see. It was mostly not useful in my practice.

More technical programs.

Will you recommend this program to others?

Yes	12	No	3
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Do you plan to attend next year?

Yes	10	No	2
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Tax Conference, 29th Annual

**Thursday, May 19, 2016
The Inn at St. John's, Plymouth**

Evaluation Tabulation

Welcome and Introductions

Michael M. Antovski

Presentation 6.00 (1)

Material Content 6.00 (1)

Washington Update: Current Tax Legislative Developments

Patrick Robertson

Presentation 6.38 (16)

Material Content 4.69 (13)

Interesting, well informed.

No materials. No surprises.

Materials were not available on web. Content was more political than 'update'.

It was unfortunate that the materials were not available.

The Affordable Care Act: What Every Tax Lawyer Needs to Know Today

Alden Bianchi

Presentation 6.20 (15)

Material Content 6.29 (14)

Very basic; presentation was good, though.

But this topic was of a narrow applicability.

Very engaging.

Nice overview and refresher for the larger second group.

Detroit, Entrepreneurism, and Tax Policy - Sponsored by the Young Tax Lawyers Committee

Jill Ford

Presentation 6.12 (17)

Material Content 4.00 (13)

Very good and engaging speaker.

Excellent delivery but value to me was not high.

Interesting, but less relevant in terms of tax.

It was unfortunate that the materials were not available.

Luncheon Keynote and Awards Presentation

Carl Levin

Presentation 5.81 (16)

Fantastic guest! A privilege to hear him speak.

Great perspective on tax policy, and the reality that neither this year, next year, or the following year will there be tax reform.

An Update on the Michigan Economy

Robert J. Schneider

Presentation 6.13 (8)

Material Content 6.14 (7)

International Update: FATCA, FBARS, and Streamlined

Tracy Marrin

Presentation 6.60 (5)

Material Content 6.40 (5)

Very informative.

Nice job, practice and useful.

International Update: FATCA, FBARS, and Streamlined

Thomas Quinn

Presentation 6.40 (5)

Material Content 6.20 (5)

Very informative and funny.

Nice job, practical and useful.

Michigan Tax Update: Policy Developments

David Buick

Presentation 6.33 (3)

Material Content 6.00 (2)

Very good, interesting panel, informative.

Michigan Tax Update: Policy Developments

Heather S. Frick

Presentation 6.29 (7)

Material Content 5.50 (6)

Very good, interesting panel, informative.

Michigan Tax Update: Policy Developments

Wayne D. Roberts

Presentation 5.89 (9)

Material Content 5.63 (8)

Very good, interesting panel, informative.

Michigan Tax Update: Policy Developments

Nichole Shultz

Presentation 6.00 (9)

Material Content 5.75 (8)

Very good, interesting panel, informative.

Michigan Tax Update: Policy Developments

Lance R. Wilkinson

Presentation 6.33 (9)
Material Content 5.75 (8)
Very good, interesting panel, informative.

A View from the Tax Court

Hon. Ronald L. Buch

Presentation 6.57 (7)
Material Content 6.17 (6)

Good speaker; too many handouts not discussed.
Needed more time.

Great presenter. Materials had little relationship to talk. Talk was excellent.

Good speaker.

These materials were the most comprehensive. It shows a great deal of time to gather, and I am grateful for this effort.

Life After Determination Letters

Brian Thomas Gallagher

Presentation 6.67 (3)
Material Content 6.67 (3)

Life After Determination Letters

Robert A. Miller

Presentation 6.67 (3)
Material Content 6.67 (3)

Very knowledgeable.

Dissecting GRATs and SCINs

J. Thomas MacFarlane

Presentation 5.78 (9)
Material Content 5.33 (9)

The nuts and bolts approach was great but should have moved faster and addressed advanced strategies.

Informative, even for people without a background in this area.

Presentation and materials were too basic.

Again, hard to see visual.

Attachment D

To: Michael Antovsky
Chair - Taxation Section – Michigan Bar Association

From: Mike Monaghan
Chair - Federal Income Tax Committee

Subject Report of Activities

Date: October 4, 2016

The Federal Income Tax Committee was active during the past year and welcomed several new members to the Committee.

On December 9, 2015, James Combs and Allison Drutchas from Honigman Miller Schwartz and Cohn LLP presented "Transfers of Goodwill to Foreign Corporations under Recently Proposed Regulations."

The Committee also completed an article for the Michigan Tax Lawyer that was titled, "Streamlined Partnership Audit Legislation – One of the Biggest Changes to Partnership Taxation in More Than Three Decades." This article was authored by Mike Monaghan, Kurt Piwko, and Becky Pugliesi from Plante Moran.

On January 21, 2016, Kurt Piwko from Plante Moran presented "Tax Efficient Acquisitions of S Corporations." The presentation included issues such as planning for retained ownership, achieving a basis step-up in assets, minimizing the implications of the anti-churning limitations on amortizing goodwill, and minimizing holding period implications of structures involving newly formed partnerships as subsidiaries.

On April 12, 2016, Andrew MacLeod from Dickinson Wright presented "New Streamlined Partnership Audit Rules." The presentation covered how the new rules operate, key elections, and potential issues to consider in operating agreements.

On June 22, 2016, Carolee Smith from CMS Energy presented "Top State and Local Tax Traps to Watch for when Acquiring a New Business." The presentation addressed tax structuring, tax due diligence and documentation matters.

The presentations were generally well attended, and networking functions were held after all presentations. The Committee also attempted video-conferencing in order to attempt to improve the participation of members on the west side of the state.

The Committee also has an event tentatively scheduled for November 30, 2016. A topic will be determined as the date approaches.

The Committee is looking for volunteers to speak at future events and write articles.

Attachment E

Report of the Employee Benefits Committee

October 6, 2016

Committee members were invited to hear Craig Hoffman (ASPPA) speak at ABC Detroit's breakfast meeting on August 25, 2016 at Andiamo in Bloomfield Hills. This was not officially a joint event, but Employee Benefits Committee members were invited by ABC Detroit to attend. It was a great event, and it is very likely that we will formally partner with ABC Detroit on another joint event in the upcoming year.

Though I received a great response to my request for benefits articles for the Fall 2016 Michigan Tax Lawyer, only one out of the five potential authors turned in an article by the deadline. I am working with Katie Wilbur to address the situation.

The Committee's next event will be a mixer held at Long Road Distillers in Grand Rapids on Thursday, October 27, 2016. This will be the first event in Grand Rapids in quite a while. The event was previously set to take place at the end of September, but was pushed back due to a scheduling conflict with the host venue. We agreed to the new date in exchange for a cost savings.

I continue to explore other opportunities for events and opportunities to collaborate with other committees.

Attachment F

Trusts and Estates Committee
Report of Activities

On November 3, 2016, the Trusts and Estates Committee will be hosting a morning seminar at the Detroit Athletic Club. The event will begin at 8:00 am and end promptly at 11:00 am. A continental breakfast, juice and coffee will be provided. The presenters will include Gerard P. Charette of Miller Canfield, LLP and Thomas J. Palouski of Bernstein Private Wealth Management. Mr. Charette's presentation will address the integration of the Canadian and US tax systems with respect to gifts and death from the perspective of a US resident or citizen holding Canadian real estate and personal property. Mr. Palouski's presentation will discuss various income tax issues and planning solutions to be considered by professionals, as addressed in his recent publication title "Basis for Comparison: How Income Tax Management Is Changing the Face of Estate Planning".

Tom Fabbri

Attachment G

Practice and Procedure Committee Report and State and Local Tax Committee Report Addendum

The Practice and Procedure Committee's next event will be a working session in October or early November 2016 to address the Department of Treasury's new rules for Powers of Attorney. The Department has not yet issued an impact statement and there is no public hearing scheduled yet. The intent of the meeting is to discuss common issues with the proposed rules to place members in a better, more uniform position to address needed changes before a public hearing is scheduled.

The Ad Hoc Tax Litigation Reform Committee, consisting of Carolee Smith, Paul McCord, Jackie Cook, Andrea Crumback and Jack Panitch finished work on a new Policy Statement to enhance the Section's existing position on tax litigation reform. Carolee Smith brought the new position statement to Tax Council for a vote, and Tax Council has approved it. The statement is intended to place the Tax Section in a better position to affect reform legislation consistent with a set of shared principles.

Currently pending in the House Tax Policy Committee is HB 5765, a bill to reform the Michigan Tax Tribunal. With very little modification, HB 5765 is mostly identical to SB 537, Senator Rick Jones' Tribunal Reform bill. SB 537 has never received a committee hearing. The Tax Policy Committee held a hearing on HB 5765 on October 21, 2016. After hearing mixed testimony, mostly addressing aspects affecting property tax litigation, the Committee has held the bill for further study. Jason Puscas of the Detroit Chamber of Commerce is working with stakeholders to address concerns voiced in the committee hearing. Ad Hoc Tax Litigation Reform Committee members remain in contact with Mr. Puscas and will continue to monitor the development of this bill.

The Ad Hoc Tax Litigation Reform Committee is a joint effort among veteran members of Tax Council and the State and Local Tax and Practice and Procedure Committee Chairs to ensure that the section's views on this topic of critical importance remain relevant and are considered.

Attachment H

Report of the State and Local Taxation Committee
9/29/16

Andrea Crumback, Chair
(616) 632-8051 (o)
(616) 481-4736 (c)
acrumback@mikameyers.com
Mika Meyers, LLP
900 Monroe Ave., NW
Grand Rapids, MI 49341

The State and Local Taxation ("SALT") Committee hosted its annual mixer on Wednesday, September 14, 2016 at Dykema Gossett's Lansing Offices. Approximately 40 people joined us, including leadership from the Michigan House of Representatives, Tax Tribunal Judges, representatives from the Department of Treasury, attorneys from the Office of Attorney General Revenue Division and the State Tax Commission, and SALT practitioners from across the state. SALT will host a spring mixer and will provide more details about this event in the near future.

Attachment I

**CERTIFIED COPY OF RESOLUTION OF
COUNCIL OF THE TAXATION SECTION
OF THE
STATE BAR OF MICHIGAN**

I, Jackie J. Cook, Secretary of the Council of the Taxation Section of the State Bar of Michigan, hereby certify that upon motion of Council member Carolee Smith, seconded by Paul McCord, the following resolution was adopted at a Council meeting held on October 6, 2016:

It is resolved to make the following grants to the following institutions: (1) to the University of Michigan Low Income Tax Clinic, in the amount of \$2,000; (2) to the Michigan State University Low Income Tax Clinic, in the amount of \$2,000; and (3) to the Accounting Aid Society, in the amount of \$1,000.

Of the 14 voting members of the Council, the vote was:

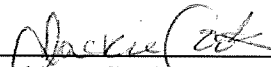
In favor: 10

Opposed: 0

Abstaining: 0

Not voting: 4

IN WITNESS WHEREOF, I have affixed my signature this 6th day of October, 2016.



Jackie J. Cook, Secretary