

UNIVERSITY OF HAWAII AT MANOA
ACCOUNTING 638:
ESTATE & GIFT TAXATION AND PLANNING
FALL – 2020

COURSE MEETS: Thursdays, 6:00 p.m. – 8:30 p.m., BusAd D-101
August 27, 2020 through December 17, 2020

INSTRUCTOR: **Kurt Kawafuchi, J.D., C.P.A., Masters of Laws in Taxation**

OFFICE HOURS: Available immediately after the class, or please call Kurt at 688-8986 or e-mail at kkawafuchi@aol.com to schedule an appointment.

TEXTS: **FEDERAL ESTATE & GIFT TAXATION & Supplement (Abridged Edition For Student Use Only) (2018 or later Edition); (2020 ISBN: 978-07913-8652-1). Authors: Richard B. Stephens, Stephen A. Lind, Guy B. Maxfield, Dennis A. Calfee; Publisher: Thomson Reuters CheckPoint.**

(Optional) **FEDERAL ESTATE & GIFT TAXES: Code & Regulations Including Related Income Tax Provisions (As of December 31, 2017 or later); Publisher: Commerce Clearing House (CCH)**

COURSE PREREQUISITES Accounting 401: Federal Individual Income Taxation with C- or better, or consent.

TENTATIVE **This Syllabus is tentative and subject to change.**

ALTERNATIVE LOCATIONS In the case of a fire drill, bomb threat or other disturbance, please meet at the grassy area on the south side of George Hall.

STUDENTS WITH DISABILITIES Students with disabilities are encouraged to contact the Kokua Program for information and services. Services are confidential and students are not charged for them. Contact KOKUA at 956-7511, kokua@hawaii.edu, or Student Services Center, Room 13.

GRADING: There will be homework assignments, exams, class participation and attendance weighted as follows:

Homework Assignments,	25%
Attendance and Class Participation	
Mid-Term Examination	25%*
Final Examination	40%*
Tax Return Problems	<u>10%</u>
TOTAL	100%*

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* - The instructor reserves the right to curve any exam and the final grade to reflect a fair

distribution of grades.

- COURSE GOALS:**
- (1) Acquire an understanding of federal estate & gift taxation;
 - (2) Learn how to read and analyze the Internal Revenue Code;
 - (3) Strengthen the ability to research and analyze Treasury Regulations, court cases, treatises, and articles relating to a particular code section;
 - (4) Strengthen communication skills;
 - (5) Identify estate & gift tax issues and planning opportunities;
 - (6) Apply estate & gift tax principles to real life problems; and
 - (7) Encourage independent thinking about economic and social implications of the estate and gift tax provisions.

- CLASSROOM APPROACH**
- (1) Please attend classes;
 - (2) Please be on time; and
 - (3) Please participate.

(1) **Assignments, Attendance, and Participation.** 20% of each student's grade will be based on homework assignments, attendance, and class participation. Each student shall prepare solutions to the assigned problems. Written solutions will be graded, "Credit", "Late" (1/2 credit), or "No Credit". Each student is entitled to one pass where the student will receive full credit for missing 1 assignments.

(2) **Mid-Term Examination.** The Mid-Term Examination comprises 25% of each student's grade. It is currently scheduled to be ninety (90) minutes on **Thursday, September 24, 2020**. The Mid-Term Examination will likely contain certain short answer questions including multiple choice, fill-in the blanks, and true-false questions and might contain one or more problem-solving and essay questions. The Mid-Term Examination is open book and notes *but no internet access*.

(3) **Final Examination.** The Final Examination comprises 40% of each student's grade. It is scheduled for the one hundred fifty (150) minutes on **Thursday, December 17, 2020**. The Final Examination will likely contain certain short answer questions including multiple choice, fill-in the blanks, and true-false questions and might contain one or more problem-solving and essay questions. The Final Examination is open book and notes *but no internet access*.

(4) **Handout Problems.** There will be homework problems, tax return problems, and writing assignments of webinars/guest speakers. These assignments will comprise 25% of each student's grade. The first gift tax return problem will be due on Thursday, September 10, 2020. The second tax return problem will be due on November 19, 2020. Each student shall prepare solutions to the assigned handout problems. Written solutions will be graded, "Credit", "Late" (1/2 credit), or "No Credit".

<u>Date</u>	<u>Topic, IRC Secs. And Homework</u>	<u>Text and Problem Assignments</u>
August 27	Introduction: Overview of Federal Transfer Taxation and Federal Gift Taxation: IRC Sections 2501, 2502, 2504(c)/2001(f), 2505, 1015, 102;	1.01 – 1.03 9.01 – 9.03; 9.04-9.04[2], [4],[6],[9] - [11]; 9.05[1]; 9.06; 10.01[1],[2],[3](a);
September 3	Overview of U.S. Gift Taxation IRC §§ 2503, 2504, 2511, 2512, 2513, 2518, 2522, 2523, 6019, 6075(b), 6081 and 6151; Problems: 17 21, 44 (Gift Tax Q.), 45(a), 46(a); Federal Gift Taxation & Computation of Gift Taxation; Nonresident Gift Taxation Review Form 709 and IRC Sections above Problems: Chapter 17: 4-5 , 35, 38	10.01[4], [5](a); 10.02(1)(a); 10.03[1], 10.07[1], [2], 11.01, 11.02[1], 11.03[1]-[3],[5], 11.04 2.01[1]-[3], 2.02[1] – [2], 2.02[3] 3.01 –3.03[1], 3.04[1], 3.05[1],
September 10	Overview of Federal Estate Taxation Federal Estate Taxation 20IRC Sections 2001, 2002, 2010, 2011, 2013, 2051, 2031, 2032, 2032A, 2033, 2203, 2204, 1014, 6075(a), 6081, 6161, 6166 Problems: Chapter 17: 41(a), 43(a), 21, 44-46 Gift Tax Problem	
September 17	NO CLASS	
September 24	MIDTERM EXAMINATION	
October 1	Review Midterm Examination OVERVEIW OF ESTATE TAX IRC Sections 2031, 2032, 2032A, 2033, 2035, 2036, 2037, 2038, 2039, 2040 2041, 2042, and 2044.	4.01 - 4.02[3], 4.03-4.03[1],[3], 4.04 –4.04[2], 4.05 – 4.05[2], 4.08 –4.08[[5][a], [5][a],[7][a] 10-4.10[2], 4.07-4.07[2][a],[3]
October 8	Gross Estate and Inclusions IRC §§ 2031, 2032, 2032A, 2033 2035, 2036, 2037, 2038. 2039, 2040, 2041, 2042, and 2044 Problems: Chapter 17: 32, 34, 37-39, 41(b), 42, 44, 48	4.01 - 4.02[3], 4.03-4.03[1],[3], 4.04 –4.04[2], 4.05 – 4.05[2], 4.08 –4.08[[5][a], [5][a],[7][a] 4.10-4.10[2], 4.07-4.07[2][a],[3]
October 15	Gross Estate and Inclusions (Cont'd)	
October 22	Deductions from Gross Estate,	4.09-4.09[2]; 4.11-4.11[2][a],

	Deductions from the Gross Estate and Credits: IRC §§ 2056, 2056A, 2057, 2053, 2054, 2055, 2058, 2010, 2011, 2013, 6161, and 6166; <u>Wells</u> case (handout);	4.12-4.12[8], [10] 4.13-4.13[4][a], 4.14-4.14[2], [5] 4.16, Suppl.: S5-42-43, S47-48 1.04, 19.01-19.02[1];
October 29	Deductions (Cont'd); Post-Death Elections: QTIP, Portability, 2032A; QDOT; 303, 6161, 6166, etc.	
November 5	(1) Generation Skipping Transfer Tax; Including GST" Election; (2) Chapter 14; (3) Hawaii estate tax & inheritance taxes; International Estate Planning & Int'l Forms; Handout (IRC §§2501(a), 2511, 2101 2108);	3.01 –3.03[1], 3.04[1], 3.05[1], 5.01-5.03[1], 5.05-5.05[1] 5.06-5.06[3][a], [d],[h], [9]
November 12	IRS Audits, Appeals, Litigation; and Collections; and Statute of Limitations (IRC §§6501, 6503(a)(1); 6511, 6321, 6323(a) and (f), 6324, 6901; and 31 U.S.C. §3713; Form 706 Problem	Handout
November 19	Income Taxation of Trusts & Estates	Handout
November 26	HAPPY THANKSGIVING	
December 3	Advanced Estate Planning (POSSIBLE NO CLASS)	
December 10	Special Topics: Advanced Estate Planning Review for Final Examination	
December 17	FINAL EXAMINATION	