BERRY ◆ MOORMAN
Professional Corporation | Attorneys At Law

Law Notes
February 25, 2009 - Vol. 21, Issue 1

2008 RECOVERY ACT: REQUIRED MINIMUM DISTRIBUTIONS SUSPENDED FOR 2009; ROLLOVER RULES MODIFIED

By **Richard R. Zmijewski**

On December 23, 2008, the Worker, Retiree, and Employer Recovery Act of 2008 ("the Act") was signed into law. The Act is an attempt by Congress to ease financial burdens resulting from the current economic crisis. The most notable provisions affecting individuals involve distributions from retirement plans, rollovers from Roth retirement accounts, and direct rollovers to non-spouse beneficiaries.

Required Minimum Distributions Suspended for 2009

Ordinarily, owners of individual retirement accounts ("IRAs") and other retirement accounts must begin taking minimum distributions from the accounts no later than April 1 of the year after reaching age 70 1/2 or, in some cases, on or before April 1 following the year of retirement, if later ("the required beginning date"). In most cases, the required minimum distribution amount ("RMD") is based upon the balance in the account and the account owner's life expectancy.

The Act temporarily suspends the minimum distribution requirement and the 50% penalty applied if the RMD is not taken. As a result, account owners may choose to forego all or part of their required distribution for 2009. This suspension will not only reduce taxable income for that year, but will also avoid the necessity of selling investments in a down market.

The one year suspension applies to tax-qualified plans such as §401(k) plans, §403(a) annuity contracts and §403(b) plans, §457 plans maintained by a governmental employer, and IRAs.

If an account owner dies before his required beginning date, in some cases, the owner's entire account must be distributed to its beneficiary no later than December 31 of the calendar year of the fifth anniversary of death. If the 5-year distribution period applies, that period will be determined without including calendar year 2009. For example, the distribution period will be extended from 2012 to 2013 for an individual who died in 2007 before attaining his required beginning date.

The suspension only applies to distributions for 2009. It does not apply to a 2008 RMD due on or before April 1, 2009. Therefore, an individual who reached age 70 1/2 (or retired) in 2008 still has to take the 2008 RMD by the April 1, 2009 deadline. However, the RMD for 2009, ordinarily due by December 31, 2009 is waived. If an individual reaches 70 1/2 (or retires) during 2009, the 2009 RMD, ordinarily due by April 1, 2010, is waived. Thus, the first required RMD for 2010 would

continued on page 3

Contents:

CONGRESS ADDS "GENETICS" TO THE LIST OF ACTIONABLE EMPLOYMENT DISCRIMINATION

By **Robert W. Morgan**

On November 21, 2009, the Genetic Information Nondiscrimination Act ("GINA") will become effective – eighteen months after its enactment by Congress in May of 2008. GINA prohibits employers, employment agencies, labor organizations, and health insurance providers from discriminating against individuals based on their own or their family members' genetic information.

Citing the rapid advances in genetic research and past governmental abuses, such as the eugenics laws forcing sterilization on individuals with certain "undesirable conditions," GINA was enacted to forestall genetic discrimination in the workplace. GINA is also intended to correct inconsistencies in existing laws regarding genetic information in insurance and employment contexts. Within the employment context, Congress has given the Equal Employment Opportunity Commission ("EEOC") the tasks of preparing GINA's final regulations within the next 12 months and overseeing GINA's enforcement.

Under GINA, "genetic information" means information about an individual or the individual's family members' genetic tests or the occurrence of a disease or disorder in the individual's family members. A "genetic test" is "an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes." However, the analysis of proteins or metabolites that do not detect this type of information are not "genetic tests" within the meaning of GINA.

In the employment context, GINA prohibits discrimination against applicants or employees based on their own genetic information or the genetic information of their family members. Family members are defined as an individual's spouse, dependent child (including adopted child), and all other individuals related by blood to the individual or spouse or child. It is also unlawful to "limit, segregate, or classify" employees on the basis of their or their family members' genetic information.

GINA also prohibits employers from requesting or requiring genetic information from employees or from their family members except where:

– The employer has "inadvertently" requested or required a family medical history; or

– The information is requested in connection with a wellness program and

- the employee has provided "prior, knowing, voluntary, and written authorization,"
- any individually identifiable genetic information is disclosed only to the employee/applicant/family member and the health care professional or genetic counselor involved, and
- any information provided to the employer is provided only in aggregated form;

or

– The employer requests or requires a family history from an employee to comply with the medical certification provisions of the Family and Medical Leave Act ("FMLA") or state law equivalent; or

– The employer obtains a family medical history through documents that are "commercially and publicly available" (such as newspapers or magazines, but not medical databases or court records).

GINA does permit an employer to conduct "genetic monitoring of the biological effects of toxic substances in the workplace," but only if the monitoring meets all of the following conditions:

– The employer must provide written notice to the employee;

– Either the employee must have provided "prior, knowing, voluntary, and written authorization," or the monitoring must have been required by federal or state law;

– The employee must be informed of the individual monitoring results;

– The monitoring must be in compliance with applicable federal or state genetic monitoring regulations; and

– The employer receives the information only in aggregated form.

Genetic information in the possession of an employer must be kept on separate forms and in separate medical files and must be treated as a confidential medical record. The employer will be deemed to be in compliance with GINA's confidentiality provisions if it maintains the records in accordance with the confidentiality provisions of the Americans with Disabilities Act ("ADA"). Disclosing genetic information is prohibited except under the following circumstances:

– To the employee or a family member, if applicable, pursuant to a written request from the employee;

– To an occupational or health researcher under certain circumstances;

– In response to a court order, provided that the disclosure is limited to the information expressly authorized in the order. If the court order was issued without the knowledge of the affected individual, then the disclosing party must inform the individual of both the order and the genetic information that was disclosed;

– To government officials investigating compliance with GINA if the information is relevant to the investigation;

– To the extent necessary to allow an employee to comply with the medical certification requirements of the FMLA; or

– To a federal, state, or local public health agency if the information is about the manifestation of a contagious disease in a family member of the employee "that presents an imminent hazard of death or life-threatening illness" provided that the employee is notified of the disclosure.

GINA expressly states that there can be no cause of action for "disparate impact." Disparate impact is a facially neutral policy or practice that disproportionately affects a certain legally protected group. Further, GINA does not limit the rights of individuals under more generous state or federal laws including the ADA and the Rehabilitation Act of 1973.

BAILOUT EXTENDS TAX BREAKS WHEN USING YOUR IRA FOR CHARITABLE CONTRIBUTIONS

By **Louise L. Labadie**

The recent financial bailout by the government extended certain popular tax breaks that otherwise were set to expire at the end of 2007. One of those extended tax breaks is the income tax-free distributions to charities directly from individual retirement accounts ("IRAs"). So, if you are thinking about making a charitable contribution in 2009, consider using funds from your IRA.

Taxpayers age 70 1/2 or older can exclude up to $100,000 from gross income if the IRA withdrawal is paid directly to a qualified charity (excluding private foundations and charitable remainder trusts). This exclusion also applies to the taxpayer's required minimum distribution which is the annual IRA payment that account owners are required to take once they have reached age 70 1/2. For example, the taxpayer can direct that the required minimum distribution for 2009 (up to a maximum of $100,000) be paid directly to a charity and the income will not be included in the taxpayer's gross income.

Under normal circumstances, a taxpayer can only deduct up to 50% of adjusted gross income for charitable contributions made from the taxpayer's regular assets in any given tax year. This deduction is taken on Schedule A of the income tax return as an itemized deduction. The deduction for additional contributions over the 50% limit are carried over to subsequent tax years for up to 5 years. However, gifts made directly from an IRA are "over and above" gifts and will be excluded from adjusted gross income.

Although the taxpayer does not get a charitable deduction on Schedule A for this contribution, it is a great tool to minimize gross income and to help a favorite charity. Below are a few examples of how a contribution from an IRA can be beneficial to a taxpayer –

1. Contributions from an IRA can be used to accelerate an existing charitable pledge already made by the taxpayer.

2. Contributions from an IRA can be used to balance the taxpayer's assets in order to minimize future income tax problems. Instead of donating appreciated stock (which if sold is only taxed at the 15% capital gains rate), a taxpayer can minimize income taxes by donating IRA funds which are taxed at ordinary income rates.

3. Many senior taxpayers do not have a mortgage and their medical deductions may be less than 7.5% of their adjusted gross income. Therefore, they may not have a sufficient level of deductions to itemize. Charitable contributions are only tax deductible if the taxpayer itemizes. A contribution directly from an IRA is excluded from income in its entirety (up to $100,000 per year), and thus lowers taxable income on a dollar for dollar basis.

4. Social security income is subject to two levels of taxation depending on the taxpayer's gross income. An exclusion of IRA income from gross income may result in a lower tax on social security income.

In short, if you are planning on making charitable contributions for 2009, consider using funds from your IRA. The $100,000 IRA charitable gift exclusion opens up many new gift opportunities and may give you other tax-related benefits not otherwise available.

Rollover Rules - *from page 1*

have to be taken by December 31, 2010.

Rollovers from Roth §401(k) Accounts to Roth IRAs

The Act also modifies rules affecting rollovers from a Roth §401(k) account to a Roth IRA. Prior to the Act, contributions to a Roth IRA were subject to adjusted gross income limits. For example, a married couple with an adjusted 2008 gross income of $169,000 or more could not make a Roth IRA contribution. Under the Act, contribution limits are removed in 2009 (formerly the limits were to be repealed in 2010). Individuals now may make a tax-free rollover from a "designated Roth account" to a Roth IRA without regard to any income limit. A designated Roth account is a separate account under a §401(k) plan or §403(b) plan receiving designated contributions. Separate accountings must also be maintained for the account.

Nonspouse Beneficiary Rollovers from Retirement Plans

The last notable provision in the Act affecting individuals requires retirement plans to offer a direct rollover option to nonspouse beneficiaries beginning in 2010. This allows plan proceeds to be directly transferred to a nonspouse beneficiary's IRA that is established for the purpose of receiving the distribution. Before the Act, a plan could offer the option of allowing a nonspouse beneficiary to make a direct rollover, but was not required to. Prior to 2007, a direct rollover was available only to an account owner's surviving spouse. For a nonspouse beneficiary, the advantage of the direct rollover is that the recipient IRA will be treated as an inherited IRA. An inherited IRA offers more opportunity to "stretch-out" distributions over the beneficiary's life expectancy – allowing the account to continue to grow in value and income tax to be deferred.

ESTATE PLANNING FOR PARENTS OF A DISABLED CHILD: A BASIC EXPLANATION OF SPECIAL NEEDS TRUSTS

By **Patrice M. Ticknor**

Parents of a disabled child who is unable to provide his or her own support face the task of ensuring that the child's needs will continue to be met after their deaths. How can parents make their assets available to their disabled child without disqualifying that child from receiving needs based government benefits such as Medicaid and Supplemental Security Income ("SSI")?

Private resources often are not sufficient to meet a disabled child's basic needs over his or her lifetime. Therefore, government benefits may be crucial in providing needed long-term support and medical care. However, these programs provide no more than necessities.

Trust Purposes

If properly set up and administered, a special needs trust arrangement may allow the parents' assets to be available to enhance the child's quality of life while not disqualifying the child from receiving government benefits. As the trust's creators, the parents transfer assets to a trustee or to co-trustees to use for the disabled child's benefit. The transfers can take place during the parents' lifetimes or at death.

The trustee or co-trustees manage the assets transferred to the trust and use them to provide the care and amenities not supplied by government programs. These may include medical care and therapy not covered by Medicaid as well as clothing and educational, travel, and recreational opportunities and items. The trust is intended to supplement, not replace, public benefits. The trust arrangement may also provide the child (the trust's "beneficiary") with needed financial management and decision-making assistance.

Trust Provisions

Qualification for needs based government benefits requires that an individual "own" only property with a minimal total value – currently $2,000 for a single person. However, certain exemptions apply in calculating this amount. Minimal income limits also apply – again, with exemptions and special rules.

In order to allow the trust beneficiary to meet these resource and income requirements, the trust agreement setting out the terms of the trust cannot be written in a way that could be interpreted to impose an obligation on the trustee to distribute trust funds for the child's support. Otherwise, trust assets will be deemed to be available to support the child – with the effect of disqualifying the child from receiving government benefits or reducing those benefits. In addition, if the trustee makes distributions directly to the beneficiary or provides shelter or food to the beneficiary, government benefits could be reduced or eliminated.

Therefore, the special needs trust should give the trustee total discretion in deciding whether or not to make distributions. That is, the trust agreement should be written in a way that places no obligation on the trustee to distribute funds to or for the benefit of the child for any reason. However, the trustee is authorized to use the assets of the trust to enhance the child's quality of life when the trustee believes that it would be consistent with the parents' intent. Thus, the trustee can make trust distributions that benefit the child without disqualifying the child from receiving government benefits.

Trust Administration

The selection of suitable trustees is important. If the trust has significant funds, often a family member or trusted friend and a professional trustee, such as an attorney or accountant, act as co-trustees. The professional trustee prepares tax returns and accountings and ensures that distributions will not disqualify the child from receiving government benefits. The professional trustee or an investment advisor may handle investing the funds. The family member or friend keeps personal contact with the beneficiary to ensure that his or her needs are met.

If the trust's value is small, a professional co-trustee may be too costly. In that case, the trustee should seek professional assistance from accountants, investment advisors, and attorneys in carrying out his or her duties.

Disadvantages

Planning within the confines of Medicaid and SSI requirements does have disadvantages. The beneficiary of the special needs trust has no direct control over the trust assets – even though he or she may be capable of making sound financial and other decisions. There is no assurance that these government programs will continue into the future and their rules and requirements are subject to change at any time.

Protecting the Disabled Child

However, if a disabled child needs or is likely to need government resources and the parents want their child to enjoy a satisfactory quality of life after their deaths, a special needs trust is a good solution. Other alternatives to ensure that a child will not exceed asset and income limits to qualify for government benefits may involve intolerable risks.

For example, completely disinheriting the child may leave the child entirely dependent on government benefits and result in an unacceptable standard of living – especially if those benefits are reduced in the future. Leaving funds to a family member or friend under an informal understanding that the funds will be used for the disabled child could result in the funds being misused or being subject to the claims of the recipient's creditors. In contrast, the trust arrangement provides more certainty that the child's quality of life will be maintained and that the funds will be used for their intended purpose.

2009 TAX NOTES

The dollar amounts for a variety of tax provisions are revised each year. Key changes affecting 2009 returns include the following:

- The personal income tax exemption has been raised to $3,650 (up $150). For taxpayers with adjusted gross income ("AGI") in excess of the maximum phase out amount the exemption is $2,433.

  The personal exemption amount begins to phase out at an AGI of $250,200 and reaches the maximum phase out amount at $372,700 for married taxpayers filing joint returns and surviving spouses. For unmarried individuals, the exemption begins to phase out at an AGI of $166,800 and reaches the maximum phase out at $289,300. For heads of households the phase out begins at an AGI of $208,500 and maximizes at $331,000.

- The standard deduction from income tax is $11,400 for married couples filing a joint return (up $500) and $5,700 for singles and married individuals filing separately (up $250). The standard deduction is $8,350 for heads of households (up $350).

- Income tax bracket thresholds have increased for each filing status. For example, the 25% tax bracket now begins at an AGI of $67,900 (up from $65,100) for married individuals filing jointly. For single individuals, the 25% bracket now begins at at an AGI of $33,950 (up from $32,550) and for heads of households the 25% bracket begins at an AGI of $45,500 (up from $43,650).

- Under the "kiddie tax", the parents' marginal tax rate applies to a child's unearned income over $1,900 (up $100).

- The maximum deduction for a contribution to an IRA remains $5,000 for 2009 with an additional $1,000 catch-up contribution allowed for taxpayers who reach age 50 before the end of the tax year. However, for 2009, the deduction will begin to phase out at an increased modified AGI of $89,000 and will fully phase out at a modified AGI of $109,000 for joint filers. This is an increase of $4,000 at each end of the phase out range. The phase out range for singles and heads of households is a modified AGI of $55,000 to $65,000 – an increase of $2,000.

- The maximum deferral for contributions to a §401(k) or §403(b) plan is now $16,500 (up from $15,500). The dollar limitation for catch-up contributions for individuals age 50 and over is now $5,500 (up from $5,000).

- The annual exclusion from gift tax has been raised to $13,000 (from $12,000).

FIRM NEWS

Dennis M. Mitzel discussed charitable giving techniques at a seminar sponsored by Leave a Legacy at the Michigan Opera Theatre on November 12, 2008. Dennis also spoke at the Planned Giving Roundtable on December 4, 2008 concerning charitable giving with life insurance.

Randolph T. Barker gave a presentation on January 8, 2009 covering ethical considerations for lawyers and agents involved in real estate transactions. Given as part of a seminar entitled "Real Estate Closings A-Z: Handle Your Closings With Confidence," which was sponsored by the National Business Institute, Randy's discussion focused on the Rules of Professional Conduct governing lawyers, conflicts of interest, dual agency issues, maintenance of trust accounts, and seller disclosure of property defects.

Randy is a frequent lecturer regarding real estate, business, and employment matters for organizations such as the Council on Education in Management, Lorman Education Services, and the National Business Institute. He also was recently appointed to the education committee of the Detroit Association of Realtors to serve during 2009. The education committee is responsible for planning and presenting continuing education and pre-licensure courses for real estate professionals in the tri-county area and particularly in Wayne County and Detroit.

Harvey B. Wallace II, a member of the Joint Committee on Employee Benefits ("JCEB"), will chair its Government Invitational program this year. The Invitational will be held in Baltimore, MD on April 1-3, 2009 and is entitled "Employee Benefits Planning in Times of Economic and Political Uncertainty." Participants will include American Bar Association ("ABA") members and representatives of congressional committees, pension and health benefit regulatory agencies, employers, and employee organizations. The JCEB is composed of representatives from the ABA's sections of Business Law, Health Law, Labor and Employment Law, Real Property Trusts & Estates Law, Taxation, and the Tort, Trial and Insurance Practice. Its purpose is to provide continuing legal education in the employee benefits area and to meet with government agencies to clarify the law and to streamline employee benefits administration. Harvey has been a member of the JCEB since 2006.

Louise L. Labadie was elected a shareholder of the firm effective January 1, 2009 by unanimous vote of its Board of Directors. Louise's practice focuses on estate planning, probate and asset protection, estate and trust administration, tax, and business and corporate law.

RECORDKEEPING FOR INDIVIDUAL INCOME TAXES

By **Thomas E. Dew**

There are many reasons for individuals to keep good financial records. Good recordkeeping allows you to keep track of sources of income and expenses and to maintain your household budget. For income tax purposes, it is important to be able to identify sources of income, to substantiate tax-deductible expenses, to track the basis of investment property, and to efficiently prepare tax returns.

The IRS does not require any particular recordkeeping methods nor does it mandate what records a taxpayer is required to keep. However, the IRS does require substantiation for items of income and, probably more importantly to taxpayers, for expenses deducted on a taxpayer's personal tax return. Such records should be maintained in a safe place along with a copy of the tax return relating to the record. Records should be maintained by year and by type (that is, whether they relate to income or expense). If you do not have a copy of a particular tax return, you can obtain one from the IRS for a nominal charge.

For manual recordkeeping systems, you may find it useful to use file folders or envelopes to keep records organized by year. There are several computerized software packages available to assist in recordkeeping. The advantage of a computerized system (such as Quicken© or QuickBooks©) is that the system automatically performs most of the mathematical calculations needed at year-end (for example, "How much did I donate to charity last year?").

In deciding **what records to keep**, refer to the following rules of thumb:

INCOME: Copies of W-2's, 1099's, Schedules K-1, and year-end bank and brokerage statements.

EXPENSES: Sales slips, receipts, cancelled checks, mortgage interest statements, and other proof of payment.

BASIS: Copies of brokerage statements showing the purchase of stock or mutual funds, copies of closing statements for real estate, and receipts or other proof of payment for any capital additions or fix-up expenses.

In response to the question **"How long must I keep records?"** again, there are several general rules to keep in mind:

For Timely Filed Tax Returns:

The IRS generally has three years from the later of the due date or date of filing of a timely filed income tax return to audit the return. For example, if you filed your 2007 income tax return on March 10, 2008, the IRS has until April 15, 2011 to audit the return. This is referred to as the "statute of limitations" for IRS audits. You must maintain records to substantiate the information on the return during the statute of limitations period.

For Tax Returns Filed Late:

As noted above, the IRS can audit a tax return for three years from the due date or date of filing of the return, whichever is later. If you filed your 2007 income tax return on August 1, 2008, the IRS has until August 1, 2011 to audit it. Also, keep in mind that there is no statute of limitations if a tax return is not filed. So, if your records indicate that gross income was not high enough to require filing a tax return, you must keep those records forever.

For Refund Claims:

Claims for a credit or refund must be filed within three years of the due date or within two years of the date the tax is paid, whichever is later. Obviously, you need to keep records to substantiate the information reported with respect to the claim until the claim is settled.

For Worthless Securities:

Finally, claims that a security is worthless have a seven year statute of limitations. Records concerning the worthless security must be maintained during this period.

Special recordkeeping requirements apply to particular situations that are beyond the scope of this article. These include home office expenses, employee business expenses, casualty and theft losses, child care credits, education expenses, and gambling losses. If any of these credits, expenses, or losses apply to you, please feel free to contact us for information applicable to your particular circumstances.

HIGHLIGHTS OF EMERGENCY ECONOMIC STABILIZATION ACT OF 2008

On October 3, 2008, the Emergency Economic Stabilization Act of 2008 ("the Act") was signed into law. In addition to establishing the $700 billion financial industry bailout plan, the Act includes many tax provisions affecting individuals, corporations, and businesses. Some of the key changes affecting individual taxpayers include –

- Boosting the Alternative Minimum Tax ("AMT") exemption amounts for individuals for 2008 tax returns and allowing personal nonrefundable credits to offset AMT and regular tax. Subject to certain income limits, the AMT exemption amounts for 2008 are $69,950 for joint filers, $46,200 for unmarried individuals, and $34,975 for married filing separately.

  These are temporary "fixes" only – absent Congressional action for the 2009 tax year, the AMT exemption amounts will revert to those applicable in 2000. These were $45,000 for joint filers; $33,750 for unmarried individuals; and $22,500 for married filing separately. In addition, the credit offset will be eliminated.

- Allowing taxpayers who claim the standard deduction instead of itemizing to claim an additional standard deduction for state and local property taxes paid. This additional deduction cannot exceed the lesser of property taxes actually paid or $500 ($1,000 for joint return filers).

- Extending for 2008 and 2009 the taxpayer election to claim an itemized deduction for state and local sales taxes instead of the deduction for state and local income taxes.

- Extending for 2008 and 2009 the "above-the-line" deduction for higher education expenses. The maximum deduction is $4,000 for individuals whose adjusted gross income ("AGI") does not exceed $65,000 ($130,000 for joint return filers) and $2,000 for individuals whose AGI does not exceed $80,000 ($160,000 for joint returns).

- Extending mortgage debt relief through 2012. Taxpayers filing jointly may generally exclude from gross income up to $2 million of mortgage debt forgiveness on their qualified principal residence ($1 million for married taxpayers filing separately). The basis of the taxpayer's principal residence is reduced by the excluded amount – but not below zero. Generally, the discharged loan must be directly related to a decline in value of the residence or the taxpayer's financial condition.

- Extending for 2008 and 2009 the $250 above-the-line deduction for educator expenses paid or incurred for supplementary materials used in the classroom such as books, supplies, and computer equipment and software.

ATTORNEY DIRECTORY

535 Griswold, Suite 1900
Detroit, Michigan 48226
(313) 496-1200

255 E. Brown Street, Suite 320
Birmingham, Michigan 48009
(248) 645-9680

900 Victors Way, Suite 300
Ann Arbor, Michigan 48108
(734) 668-4100

RANDOLPH T. BARKER (D)
Labor and Employment Law, Real Estate, Municipal Law, Business Law, and Litigation

DONALD F. CARNEY, Jr. (B)
Estate and Trust Litigation, Administration and Planning, Business Law, and Litigation

THOMAS E. DEW (A)
Tax Law, Estate Planning and Estate Settlement, Business and Corporate Law, and Corporate Financing

SIMON M. EDELSTEIN (B) +
International Business and Trade and Immigration Law

TERESA V. FLEMING (A)
Estate Planning, Probate and Asset Protection, Tax, and Estate and Trust Administration

DAVID M. FOY (D)
Labor and Employment Law, Municipal Law, and Business Litigation

JOHN P. HERRINTON (B)
Tax, Corporate Law, Real Estate, Estate Planning, and Probate

TERRENCE E. KEATING (D) +
Estate Planning, Trusts, and Non-Profit Law

LOUISE L. LABADIE (D)
Estate Planning, Probate and Asset Protection, Estate and Trust Administration, Tax, Business and Corporate Law, and International Law

PETER A. LONG (A) +
Business Law, Securities Law, Real Estate Law, and Non-Profit Law

KRISTIN A. LUSN (B)
Employment and Workers' Compensation Law, Civil Litigation, and Corporate Law

DENNIS M. MITZEL (D & A)
Estate Planning, Probate and Asset Protection, Tax, Charitable Planning, and Estate and Trust Administration

ROBERT W. MORGAN (D)
Labor and Employment Law, Civil Litigation, and Alternative Dispute Resolution

JAMES P. MURPHY (D)
Litigation of Complex Commercial Matters

ALBERT TAYLOR NELSON, Jr. (B) +
Workers' Compensation and Health Care Regulation

LELAND PRINCE (B)
Business Litigation, Commercial Litigation, Business Law, and Labor and Employment Law

GEORGE H. RUNSTADLER, III (B)
Estate and Tax Planning, Business Planning, Corporate Law, Probate, Real Estate, and Litigation

MARK E. STRAETMANS (D)
Civil Litigation and Business and Corporate Law

THOMAS M. SULLIVAN (D)
Business Law, Non-Profit Law, Real Estate, and Employment Law

GEORGE M. THOMAS, Jr. (D) +
Corporate Law, Tax, Real Estate, and Probate

HUGH B. THOMAS (D)
Environmental Law and Litigation

PATRICE M. TICKNOR (D)
Estate Planning, Estate and Trust Administration and Litigation, and Business Law

HARVEY B. WALLACE II (D)
Estate Planning, Estate and Trust Administration, Employee Benefits, and ERISA Matters

RANDOLPH M. WRIGHT (B)
Domestic and International Business Law, Negotiation of Commercial Transactions, Banking and Finance, Real Estate Law, Business and Securities Litigation, and Alternative Dispute Resolution

RICHARD R. ZMIJEWSKI, Sr. (D)
Intellectual Property and Technology Law, Business Law

JOHN L. KING - Retired

FRANCIS J. NEWTON, Jr. - Retired

(D) Detroit office • **(B)** Birmingham office • **(A)** Ann Arbor office • + Of Counsel

berrymoorman.com

BERRY ◆ MOORMAN
Professional Corporation | Attorneys At Law
535 Griswold, Suite 1900
Detroit, MI 48226

Address Service Requested