



William D. Lipkind

Partner

william.lipkind@wilsonelser.com

Madison, NJ – 973.735.5749

William Lipkind, chair of Wilson Elser's Tax Planning & Controversies practice, concentrates his practice in the areas of wealth preservation, asset protection, and state and federal income taxation. He is experienced in the laws, regulations and nuances surrounding gift and estate taxation and tax controversies, and he counsels closely held businesses and their owners on optimal tax structures, internal governance, and mergers and acquisitions. Bill is valued for his sensitivity to estate planning issues, counseling corporate entities as well as high-net-worth individuals on asset protection, wealth preservation, asset protection and intergenerational issues. Bill served as law secretary to Justice Nathan Jacobs, Supreme Court of New Jersey.

Bill has contributed, as author or co-author, a number of articles to the authoritative literature in his field:

- **"The State Income Tax Conundrum Upon the Sale of a Business"** *Tax Notes – State*, (August 8, 2022);
- **"IRS Will Not Rule on Certain Provisions of Non-Grantor Trusts,"** *Leimberg Information Services*, (February 4, 2020);
- **"Debt-Financed Distributions from QOF Partnerships"**, *Tax Notes Federal*, (June 2019);
- **"How ING Trusts Can Offset Adverse Effects of Tax Law,"** *Trusts & Estates Magazine*, (September 2018 and December 2018);
- **"An ING Bar or an ING Hurdle?,"** *Steve Leimberg's Asset Protection Planning Newsletter*, (November 2016);
- **"New South Dakota Special Spousal Trust,"** *Leimberg's Estate Planning Newsletter*

Services

- Accountants
- Financial Services
- Mergers & Acquisitions
- Tax Planning & Controversies
- Trusts & Estates
- Wealth Preservation

#2433 (July 2016);

- **“Tax Planning with Self-Settled Non-Grantor Trusts,”** Trusts & Estates Magazine (June 2016);
- **“Attacking Beneficial Interests in Spendthrift Trusts with Ownership Equivalence,”** New Jersey Law Journal (February 29, 2016);
- **“Bill Lipkind’s 2016 ING Update,”** Leimberg Information Services, Inc., *LISI Estate Planner Newsletter #2373* (January 8, 2016);
- **“Income Tax Aspects of Variable Life Insurance Policies,”** *Journal of Taxation, Estates, Trusts & Gifts* (February 2015);
- **“What If Perpetual Trusts Are Unconstitutional?”** Leimberg Information Services, Inc., *LISI Estate Planner Newsletter #2263* (December 18, 2014);
- **“Fundamentals of DING Type Trusts: No Gift Not a Grantor Trust,”** *Probate Practice Reporter*, Volume 26, Number 4 (April 2014);
- **“PLR 201310002:DING Redux,”** Leimberg Information Services, Inc., *LISI Estate Planner Newsletter #2076* (March 12, 2013);
- **“Protecting Assets from Creditors,”** *The CPA Journal* (September 1993);
- **“On the Road Offshore: The Struggle Between Protection of Assets and Fraudulent Conveyances,”** *NJ Lawyer* (July/August 1992);
- **“Gallagher Revisited: The Functionally Unrelated Corporate Reorganization,”** *Villanova Law Review*, Volume 12, Issue 3 (January 1968).

Tax Planning & Tax Controversies

Bill performs a number of services for various corporate, partnership and LLC business entities, including advising on business matters, state and local taxation, succession planning, tax audits and litigation, tax-free mergers and acquisitions, sales and use tax, executive compensation, employee benefits and international tax issues. Bill is well known for his innovative use of private placement variable life insurance policies and other income and estate planning techniques involving life insurance.

Foreign nationals entering the United States to work and U.S. citizens living abroad are faced with complex income and estate tax issues as a result of being subject to the laws of multiple countries. Bill, in conjunction with relevant tax specialists in foreign countries, provides counsel and structure for such persons that fully integrate asset ownership with the tax laws of both jurisdictions.

Wills, Trusts & Estates

Bill handles contested wills, estate planning, living wills, probate, inheritance and successions. He helps clients faced with difficult choices, such as providing for children with special needs and arrangements for the disabled, and advises on the special circumstances of the elderly and unmarried couples.

Bill is widely known for his strategies involving the use of non-grantor trusts to eliminate

state income taxation. Having obtained the pioneering PLR 201310002 from the Internal Revenue Service approving his structure, Bill subsequently obtained numerous private letter rulings and lectured widely before professional and lay organizations on the structure.

Bill also obtained the landmark PLR 9332006, wherein the Internal Revenue Service ruled that an offshore trust of which the settlor was a beneficiary would be excluded from the settlor's federal gross estate upon his death.

Wealth Preservation

Protecting a client's wealth from unforeseen creditors, matrimonial issues, and income, gift and death taxation is a guiding principle of Bill's counseling and the foundation of everything he does. This includes establishing trusts and other structures that not only protect the client but also protect the client's descendants.

Education

- New York University School of Law (LL.M., 1972)
 - in Taxation
- Harvard Law School (J.D., 1967)
- Cornell University (A.B., 1964)

Bar Admissions

- New Jersey

Court Admissions

- U.S. Court of Federal Claims
- U.S. Tax Court
- U.S. District Court, District of New Jersey

Professional Affiliations

- Essex County Bar Association
- New Jersey State Bar Association
- American Bar Association
- Offshore Institute
- The Society of Trust and Estate Practitioners (STEP)

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026
- Selected for inclusion in *The Best Lawyers in America®* in the area of Trusts and Estates, 2021-2023

- Selected by *The National Law Journal* as a Divorce, Trusts & Estates Trailblazer
- Selected for inclusion in New Jersey *Super Lawyers*, 2010–2013

Publications

August 8, 2022

The State Income Tax Conundrum Upon the Sale of a Business

Tax Notes – State

October 26, 2020

Benefits for U.S. Retirement Plan Participants in the Malta-U.S. Tax Treaty

Tax Notes International / Commentary & Analysis

February 4, 2020

Leimberg Information Services Article by Lipkind and Meyer on IRS Stipulations on PLRs for Non-Grantor Trusts

Leimberg Information Services

June 24, 2019

Debt-Financed Distributions from QOF Partnerships

Tax Notes Federal

April 25, 2019

Beating Bernie's Bill in 2019

March 13, 2019

Recommended Review of Estate Plan Due to Tax Law Changes