

The National Conference of CPA Practitioners

Nassau/Suffolk Chapter

Volume 8, Issue 1

January 2011

Date Wednesday, January 12, 2011

Topic Now What? Estate Tax Planning Considerations

and Healthcare Concerns

Speakers Robert Barnett, CPA, Esq. of Capell Barnett Matalon & Schoenfeld

Gregg Matalon, Esq. of Capell Barnett Matalon & Schoenfeld Lois Quartararo of Long Island Employee Benefits Group

Credits 2 CPE/TAX

Location On Parade Diner, Woodbury

Time Registration: 7:45 AM, Program: 8:00 - 10:00 AM

Cost On or before Friday, Jan. 7 - \$25.00, After Friday, Jan. 7 - \$35.00

Topic Thursday, January, 20, 2011 - Chapter Mtg
Issues of the Rich and Famous: When IRS &
NYS Collection, & NYS Residency Matters Hit

the Headlines

Speakers Karen Tenenbaum, CPA, Esq. of Karen J. Tenenbaum, P.C.

Yvonne R. Cort, Esq. of Karen J. Tenenbaum, P.C. Christopher Bourell of Karen J. Tenenbaum, P.C.

Credits 2 CPE/TAX

Location | Holiday Inn @ Plainview

Time Registration: 5:30 PM, Program: 7:00 - 9:00 PM

Cost Members On or before Friday, Jan. 14 - \$50.00, After Friday, Jan. 14 - \$75.00 Non Members On or before Friday, Jan. 14 - \$75.00, After Friday, Jan. 14 - \$85.00

Date | Wednesday, January 26, 2011

Topic Become More Proficient With Tax Research

Moderators Sandra G. Johnson, CPA of Sandra G. Johnson CPA

Douglas Sinetar of Douglas Sinetar CPA PC

Credits 2 CPE/MAP/ADVISORY SERVICES

Location On Parade Diner, Woodbury

Time Registration: 7:45 AM, Program: 8:00 - 10:00 AM

Cost On or before Friday, Jan. 21- \$25.00, After Friday, Jan. 21 - \$35.00

Date Thursday, February 3, 2011

Topic | Federal Tax Season Roundtable

Speakers | Robert L. Goldfarb of Schoenfeld Mendelsohn Goldfarb LLP &

Steven Greenberg of Greenberg & Company, CPAs, PC

Credits 4 CPE/TAX

Location Holiday Inn Plainview

Time Registration: 3:45 PM, Program: 4:00 - 9:00 PM

Cost Members On or before Friday, Jan. 28 - \$85.00, After Friday, Jan. 28 - \$100.00 On or before Friday, Jan. 28 - \$100.00, After Friday, Jan. 28 - \$115.00

N/S NCCPAP - ALWAYS STRIVING TO MEET THE NEEDS OF OUR MEMBERS

To register for any of our meetings, please visit

http://www.ns-nccpap.org/index.php/Register-Online.html

GOOD & WELFARE

Our condolences to

Mark Stone on the passing of his father

Our Good & Welfare Chairman is Stephen Sternlieb ssternliebcpa@attg.net

Bring a Fellow CPA to any Chapter Meeting and you will receive a Free \$25 gas card

The only requirements are that he/she be a Partner or an Owner of a CPA practice, and not be a current NCCPAP Member!!!

It is a win-win all round. "You will enable your friend to learn, first hand, about the tremendous benefits that NCCPAP membership can bring to his/her practice."

In addition, he/she gets a Free Dinner and Free CPE Credits!!!

You get a \$25.00 gas card and the satisfaction of knowing that you may have helped improve his/her practice.

The Chapter may gain a new member!!!!

Call in advance so that we can welcome your guest.

Help us to grow our Chapter.

DON'T HAVE AN OPINION?

Do you have an opinion, criticism, gripe or praise that you'd like to share about NCCPAP or the accounting profession? Think something's not being covered in the newsletter, MAP or chapter meetings and you think we all would benefit? Let us know! Think our focus is misguided or on track? Let us know! Have a great idea for what we need to do, but figure we'll think of it on our own? LET US KNOW! We can't fix it if no one tells us it's broken. We can't address it if we don't know you need it. We'd like to know.

We want to be the organization that you WANT to belong to and participate in and we need to hear it! We're starting a "Members' Feedback" column and it obviously needs you and your ideas.

Please submit by email to egelbien@ns-nccpap.org.

Keep it short, keep it professional. Every attempt will be made to keep all submissions intact, subject to space limitations. Please state if you wish to remain anonymous.

Disclaimer

IRS Circular 230 Legend: Any advice contained herein was not intended or written to be used, and cannot be used, for the purpose of avoiding U.S. federal, state, or local tax penalties. Unless otherwise specifically indicated above, you should assume that any statement in this newsletter relating to any U. S. federal, state, or local tax matter was written in connection with the promotion or marketing by other parties of the transaction(s) or matter(s) addressed in this newsletter. Each taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor. Any opinion is solely that of the author and is not necessarily the opinion of NCCPAP.

POLICY

THE FEES FOR REGISTRATIONS ARE:

CHAPTER MEETING: \$50.00 WITH *PRE-REGISTRATION AND \$60.00 REGULAR REGISTRATION, OR AT THE DOOR REGISTRATION.

MAP MEETING: \$25.00 WITH *PRE-REGISTRATION AND \$35.00 REGULAR REGISTRATION, OR AT THE DOOR REGISTRATION.

SEMINARS: TRD

*PRE-REGISTRATION MEANS: A COMPLETED REGISTRATION FORM WITH PAYMENT AND POSTMARKED, FAXED OR E-MAILED TO THE N/S CHAPTER OFFICE THE FRIDAY PROCEEDING (Unless otherwise noted) THE CHAPTER MEETING, MAP MEETING AND/OR SEMINAR WHICH YOU ARE PLANNING TO ATTEND.

CANCELLATION AND REFUND POLICY

A PRE-PAID REGISTRANT WHO CANNOT ATTEND THE CHAPTER MEETING, MAP MEETING AND/OR SEMINAR WILL BE ISSUED A CREDIT TO BE USED BY THE REGISTRANT ONLY FOR A FUTURE MEETING (OF EQUAL VALUE) HELD WITHIN ONE YEAR OF THE MISSED MEETING. CANCELLATION NOTICE MUST BE GIVEN TO N/S NCCPAP CHAPTER OFFICE BY THE END OF THE CHAPTER MEETING, MAP MEETING AND/OR SEMINAR DAY.

MEETING SCHEDULE 2011

Holiday Inn @ Plainview 215 Sunnyside Blvd Plainview, NY 11803 On Parade Diner 7980 Jericho Turnpike Woodbury, NY 11797

January 12, 2011	Now What? Estate Tax Planning	ng Considerations 2 CPE/Tax	On Parade Diner
January 20, 2011*	Issues of the Rich and Famou NYS Residency Matters Hit the	s: When IRS & NYS Collection, e Headlines 2 CPE/Tax	and Holiday Inn
January 26, 2011	Become More Proficient With	Tax Research 2 CPE/MAP/ADVISORY SERVIC	ES On Parade Diner
February 3, 2011*	Federal Tax Update	4 CPE/Tax	Holiday Inn
February 23, 2011	Tax Season Round Table	2 CPE/MAP/ADVISORY SERVI	CES On Parade Diner
March 3, 2011*	Federal Tax Roundtable	2 CPE/Tax	Holiday Inn
April 27, 2011	Post Tax Season Round Table	2 CPE/MAP/ADVISORY SERVICE	CES On Parade Diner
May 5, 2011*	How to Close a Deal	3 CPE/Tax	Holiday Inn
May 25, 2011	Protect Your CPA Practice from	n Fraud in your Client's Busines 2 CPE/MAP/ADVISORY SERVI	
June 2, 2011*	Where's the Money?	3 CPE/A&A	Holiday Inn
June 23, 2011	ALL DAY - Accounting & Audit	ing Update 8 CPE/A&A	Holiday Inn
June 29, 2011	How to Survive Your Client's S	ales Tax Audit 2 CPE/MAP/ADVISORY SERVI	CES On Parade Diner
July 7, 2011*	New York State Update	2 CPE/Tax	Holiday Inn
July 27, 2011	Technology for CPA's – Don't (Get Left Behind 2 CPE/MAP/ADVISORY SERVI	CES On Parade Diner
August 11, 2011*	Big GAAP/Small GAAP	3 CPE/A&A	Holiday Inn
August 18, 2011	Ethics 7:30 -12:00 Noon	4 CPE/Ethics	Holiday Inn
September 8, 2011*	Workers' Comp Update	2 CPE/Tax	Holiday Inn
October 6, 2011*	Compilations and Review	2 CPE/A&A	Holiday Inn
November 16, 17 & 18	8, 2011 2011 Long Island Tax Profess	ionals Symposium	Crest Hollow Country Club
December 1, 2011*	Estate Topic	2 CPE/Tax	Holiday Inn
* Chapter Meeting	All Meeting Sub	ject to Change	



WHAT CAN THE MAP COMMITTEE DO FOR YOU?

Competition, according to Wikipedia, is the foundation

upon which capitalism is justified. Competition keeps prices low and quality high. It encourages the development of new products, services and technology.

I am often asked, "Why would I want to network with my competition? What am I going to get out of it?" My answer? Far more than you give! I am but one mind by myself but I have the wealth of many when I attend a MAP meeting.

Each month the MAP committee gathers together to network, educate, share information, brainstorm and yes, sometimes even commiserate together. We share many similar experiences and issues in our practices but each of us brings something different to the table. We talk the same language and understand the similar needs we each have.

Is your practice struggling in the current economic climate? Come to a MAP meeting to evaluate and improve your practice. Look around the room. Why does one practice appear more successful than another? What services do others offer that may be a good fit for your practice? Does a fellow member's website pop off the page while yours gets lost on it? Are others state of the art in technology while you still use an abacus? Evaluate what you see and use it to improve and grow your practice.

How often do you wish you had more hours in the day? As hard as we try, we cannot do everything. Try referring business that you cannot or do not want to handle to a fellow member. Perhaps some day they will refer business back to you.

Do you have enough time to stay current on all the changes or updates taking place in our industry? Probably not! The MAP committee is a great place to learn what is changing in our field. The next time you learn something new, email that information to one or all of our members. Maybe one day they will email a valuable piece of information back to you. Stumped with a tax issue? Email your question out to the members. I guarantee you will get many responses.

Try to remember the last time you took a vacation without answering twenty phone calls or emails. Wouldn't it be great if you had someone to rely on so you could take a day off or a weekend or thank you Lord, a whole week without answering the Blackberry? Become friends with one of our members and they could cover emergency situations while you take a vacation far away from that Blackberry.

Have you thought about retiring? Have you thought about what might happen to your practice if you became ill for an extended period of time? The MAP committee can help you there, too! There are many members willing and able to help out in a time of crisis. There are many more looking to partner or purchase in the future.

The MAP Committee. We have all the answers! (Or at least most of them.) Join us the last Wednesday of the month at 8:00 AM at the On Parade Diner in Woodbury. You won't regret it.

Doug Sinetar, CPA & Sandy Johnson, CPA

ESTATE TAX UPDATE

The moment we have all been waiting for has arrived. On December 17, 2010, President Obama signed into law the 2010 Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010 ("Tax Relief Act") which provides for numerous changes to the tax law. The Tax Relief Act specifically reinstates the estate and generation skipping transfer taxes for people who died after December 31, 2009 and for transfers made after December 31, 2009.

The most talked-about change is the amount that can pass free of federal estate and generation skipping transfer tax for decedents who died after December 31, 2009. The new applicable exclusion amount ("Exemption") is \$5,000,000 per individual. For married couples, the Exemption totals \$10,000,000. At first glance, this seems no different than prior law whereby each individual received their own Exemption. However, the Tax Relief Act makes the Exemption amount portable between the spouses, so that when the first spouse dies, he/she can leave everything to his wife/her husband (without utilizing any of his/her \$5,000,000 Exemption) and upon the second spouse's death, the estate maintains the full \$10,000,000 Exemption. For the surviving spouse to utilize a predeceased spouse's unused Exemption, the executor of the first spouse to die must make an election to do so on a properly filed Federal estate tax return (Form 706). If the election is made, the surviving spouse may also utilize the unused Exemption during his/her lifetime via gifting.

The generation skipping transfer tax's ("GST") Exemption is not portable between spouses. For 2010, the GST Exemption is \$5,000,000 but with a GST tax rate of 0%. In 2011, the GST tax rate is 35% with an Exemption of \$5,000,000. After 2011, the estate, gift and generation skipping transfer tax Exemption amounts will be indexed for inflation in increments of \$10,000.

Furthermore, for decedents who died after December 31, 2009, the maximum estate tax rate is decreased to 35% and the estate beneficiaries can avail themselves of the full step-up in basis to date-of-death fair market value. The gift tax is again unified with the estate tax and, as such, has a maximum gift tax rate of 35%. The gift tax exemption for gifts made after December 31, 2010 increases to \$5,000,000. For 2010, the gift tax exemption amount remains at \$1,000,000.

Though many feared the retroactive application of the estate tax, the Tax Relief Act provides flexibility for families of wealthy individuals who died in 2010. In fact, the Tax Relief Act provides that the executor of an estate of a decedent who died in 2010 has the option to be taxed: (1) in accordance with the Economic Growth Tax Relief Reconciliation Act ("EGTRRA"), under which there would be no estate tax and modified carry-over basis rules would apply (step-up in basis depends on the beneficiary's relationship to the decedent, i.e. allocation of \$1,300,000 of basis for beneficiaries other than the surviving spouse and an additional \$3,000,000 of basis for assets passing to the surviving spouse) or (2) in accordance with the Tax Relief Act, under which there would be a \$5,000,000 Exemption and a full step-up in basis. If the executor of an estate of a decedent who died in 2010 elects to be taxed under EGTRRA, there is a requirement that the executor file an informational return with the IRS. This return should report the basis increase allocated to the decedent's assets and be filed simultaneously with the income tax returns for decedent's final tax year.

In order to allow all of the fiduciaries and professionals to have the necessary time to properly administer and file estate tax returns, the Tax Relief Act provides for generous extensions of time. For deaths in 2010 before the passage of the Tax Relief Act, the filing date for submitting an estate tax return, paying the estate tax and disclaiming an interest in an estate is extended up to nine months after the passage of the Tax Relief Act (September 17, 2011). The same extension is afforded to generation skipping transfer tax returns for transfers in 2010 before the passage of the Tax Relief Act.

It is important to remember and to advise our clients that the Tax Relief Act is temporary and is only effective for 2010, 2011 and 2012. As such, estate planning remains dynamic and nuanced. Additionally, New York State's estate tax remains unchanged, with an exclusion amount of only \$1,000,000.

Article submitted by: Gregory L. Matalon, Esq., a Partner at Capell Barnett Matalon & Schoenfeld LLP in Jericho, New York, where he heads the Estate Administration Department and Brian G. Chirichigno, Esq., an associate of the firm active in the Estate Administration and Estate Planning Departments. They can be reached at (516) 931-8100.

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THE 2010 LONG ISLAND TAX PROFESSIONAL SYMPOSIUM By Robert L. Goldfarb, CPA Symposium Chair

November, 2010 was an extremely eventful month for our Chapter. While the actual Symposium started on November 17th at 8am with Dave Williams, head of the IRS PTIN initiative and Jack Trachtenberg, the NYS Taxpayer Advocate, the actual planning for the Symposium had started 13 months EARLIER! The 2010 Symposium was blessed with its greatest number of participants EVER! We saw an 8.8% increase in the number of participants – from 625 in 2009 to 680 in 2010. We also were able to present more than 85 sessions which included tax, accounting, auditing, practice management, and special knowledge sessions. The review of the evaluations indicates that there was a great deal of satisfaction with the Symposium as well as

with the breadth of programs offered. Additionally, the pre-registration for the 2011

Symposium is also up from 2010's pre-registration.

The 2010 Symposium also unveiled several new innovations. The first, and possibly the most notable, was the decision not to print the course materials. Although we were somewhat concerned with what the reaction would be to this decision, the vast majority were very much in favor of the decision. I wish to point out that this decision was not made lightly. We debated the issue at length and determined that the effort to print the materials had grown too great. In the previous years, we actually printed and distributed in excess of 245,000 sheets of paper (49 cases of 10 reams each). By not printing the course materials this past year, we were able to save a great deal in printing costs – which we passed on to the participants. We also did not have to waste more that 20,000 sheets of paper due to excessive printing – which we always did to cover potential contingencies. To mitigate the effect of not printing the materials, we informed all of the participants many times prior to and during the Symposium. We also offered for sale (at below our cost), the Barnes & Noble e-reader, the NOOK. Through the efforts of Ruthanne Corazzini, Megan Kass, Kathy Casey and many Girl Scouts, we were able to load the NOOKS with most of the course material in advance of the Symposium. Additionally, all materials were made available for download from our websites in the days prior to the Symposium.

Also new this past year, through the efforts of past Symposium Chair Ross Kass, we developed a specialized TECHNOLOGY DAY on Day 3 of the Symposium. Everyone thoroughly enjoyed the day and the selectively invited vendors provided an extremely productive day. We would like to thank those seven vendors: ADP, CMIT Computer Solutions, Thomson – RIA, Best Buy Stores, BISK Educational Materials, INTUIT and NCCPAP for their participation in the Technology Day festivities. We anticipate a more expansive list of technology vendors for the 2011 Symposium – plans of which began more than 4 months ago and are currently ongoing.

On behalf of the Board of Directors of the Nassau/Suffolk Chapter of NCCPAP and on a personal note, I would like to thank my "Executive Committee" for their time and effort in making the 2010 Symposium as great as it was and for making it the best Symposium ever. My personal thanks go to Ross Kass, Karen Giunta, Harold Ogulnick, Steven Sternlieb, Paula Sheppard, Ruthanne Corazzini, Kathy Casey, Callie Bubb (Girl Scout), Payge Corazzini (Girl Scout) and all of the other Girl Scouts. I would also like to thank Etta Gelbien, Holly Coscetta and Patti Kass for their constant support and assistance through my six years of chairing the Symposium.

In addition, my sincerest gratitude goes to the other participating organizations for their enormous support: NYS Society of CPAs, Nassau Academy of Law, Financial Planning Association-Long Island Chapter, National Association of Tax Professionals-New York Chapter, NYS Society of Enrolled Agents-Long Island Chapter, New York Society of Independent Accountants, Association of Divorce Financial Planners and the American Society of Women Accountants. Additionally, without the support of all of the superb discussion leaders and vendors, the Symposium would never have been as successful as it was.

The plans to make Symposium 2011 even better than 2010's are well underway and we are fortunate to welcome Andrea Parness to the membership of the LITPS Executive Committee. We know she will not only meet but far exceed our expectations.

Towards this effort to surpass 2010's symposium, we ask that if anyone is interested in helping us formulate the 2011 symposium, to please let us know.

Thank you to everyone who was involved in the Symposium – it is because of each of you that the event went off as successfully as it did. THANK YOU! THANK YOU!

IT'S NOT TOO LATE TO MAKE QUALIFIED CHARITABLE DISTRIBUTIONS FOR 2010

Interested taxpayers still have time to take advantage of the Qualified Charitable Distributions (QCD) opportunity for the 2010 tax year. The Tax Relief, Unemployment Insurance Reathorization and Job Creation Act of 2010 extends the deadline to make QCDs to 2010 and 2011. In addition, the Act allows taxpayers to make an election to treat QCDs made during the month of January 2011 as having been made on December 31, 2010. This election permits use of the 2010 \$100,000 QCD limit. Any other QCDs made in 2011 will be treated as 2011 QCDs, and would count as part of the 2011 \$100,000 QCD limit. For married individuals filing a joint return, each spouse may contribute up to \$100,000 in QCDs. Please note that an active election by the taxpayer is required. It is also prudent that the taxpayer obtain an acknowledgement letter from the charity.

Background

IRA owners who have reached age 70 1/2 are allowed to make annual tax-free distributions of up to \$100,000 directly out of their IRAs to charitable organizations. These donations are called qualified charitable distributions or QCDs. Although QCDs generally do not directly affect the IRA owner's federal income tax bill because no deductions are allowed, QCDs are considered IRA required minimum distributions (RMDs). Therefore, seniors wishing to make charitable contributions can benefit from arranging for tax-free QCDs to take the place of taxable RMDs.

QCD Requirements

IRC Section 408(d)(8) provides that a QCD must meet the following requirements:

- Must be made from a traditional or Roth IRA (but not from an ongoing SEP or a SIMPLE-IRA).
- Must occur on or after the IRA owner turns age 70 1/2.
- Must be paid directly by the IRA trustee to an IRC Section 170(b)(1)(A) public charity that is not a private (grant-making) foundation, a supporting organization (as defined in IRC Section 509(a)(3)) or a donor advised fund (as defined in IRC Section 4966(d)(2)).
- Must meet the normal requirements for a 100% deductible charitable donation.
- Must be a distribution that would otherwise be includible in gross income.

Article submitted by: Robert Barnett, Esq., a Partner at Capell Barnett Matalon & Schoenfeld LLP in Jericho, New York, where he heads the Tax and Estate Planning Departments, and by Renato Matos, Esq., an associate of the firm active in the Tax and Corporate Departments.

ACCOUNTANT HUMOR GUARANTEED TO PUT A SMILE ON YOUR FACE

What's an auditor?

Someone who arrives after the battle and bayonets all the wounded.

What's an accountant's idea of trashing his hotel room?

Refusing to fill out the guest comment card.

When does a person decide to become an accountant?

When he realizes he doesn't have the charisma to succeed as an undertaker.

What's the most wicked thing a group of young accountants can do?

Go into town and gang-audit someone.

What's the definition of an accountant?

Someone who solves a problem you didn't know you had in a way you don't understand.

My accountant told me that the only reason why my business is looking up is that it's flat on its back.

An accountant is having a hard time sleeping and goes to see his doctor.

"Doctor, I just can't get to sleep at night."

"Have you tried counting sheep?"

"That's the problem - I make a mistake and then spend three hours trying to find it.

"Old accountants never die.

They just lose their balance.

Why did the auditor cross the road?

Because he looked at last years work papers and that's what they did last year.

National Conference of CPA Practitioners



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