

ELIZABETH LYNN MORGAN

(Formerly Elizabeth Morgan Schurig)

Elizabeth Morgan represents a wide array of clients faced with multi-jurisdictional tax, estate, and business planning issues. She is experienced in the design of complex estate and business plans for U.S., non-U.S., and dual-citizen clients, and in assisting such clients with their pre-immigration and expatriation tax planning. Ms. Morgan frequently advises clients on the resolution of international tax and treaty issues in connection with their estate and business planning, and serves as outside counsel to several high net worth family offices. She has formulated and administered estate and business plans for individuals and entities with ties to Australia, the Bahamas, Canada, the Channel Islands of Jersey and Guernsey, China, Costa Rica, the Czech Republic, Dubai, France, Germany, India, the Isle of Man, Israel, Italy, Liechtenstein, Mexico, Nepal, the Netherlands, New Zealand, Oman, Panama, Portugal, Spain, Switzerland, and the United Kingdom. In addition to her expertise in the design, administration, and tax compliance of both inbound and outbound foreign trust and business structures, she has an extensive background in traditional probate, trust, and estate administration. A frequent author and speaker in the areas of domestic and international estate planning, asset protection, and foreign trust planning and tax compliance, Ms. Morgan has been quoted in various publications, including *The Wallstreet Journal*, *Practical Accountant*, *Investments & Wealth Monitor*, and *Bloomberg Wealth Manager*. She is a contributing author (since 1995) and co-editor (since 2000) of the four-volume treatise, *Asset Protection: Domestic and International Law and Tactics* (Thomson/West Group, updated quarterly). Her 2003 article, "A Charging Order is the Exclusive Remedy Against a Partnership Interest: Fact or Fiction?" was quoted in the Florida Supreme Court dissenting opinion in *Olmstead v F.T.C.*, 44 So. 3d 76, Fla., 2010.

Education

The University of Texas School of Law (J.D., 1988)

Baylor University (B.A., English, 1984)

Professional Affiliations and Honors

Board Certified, Estate Planning and Probate Law (Texas Board of Legal Specialization)

Society of Trust and Estate Practitioners (STEP)

American Bar Association

- Real Property, Probate and Trust Law Section

- Asset Protection Committee

- Co-Chair, 2009 - 2011

- Vice-Chair, 2006 - 2007

- International Law and Practice Section

- International Private Client Committee

State Bar of Texas

- Real Estate, Probate and Trust Law Section

Austin Bar Association

- Estate Planning and Probate Law Section

- Director, 1995-1996

College of the State Bar of Texas

Texas Bar Foundation, Fellow

Texas Academy of Probate and Trust Lawyers, Fellow

Travis County Bar Foundation, Founding Fellow
Estate Planning Council of Central Texas
Investment Management Consultants Association Wealth Management Program (IMCA),
Faculty Member
AV® Preeminent™ Peer Review Rated (Martindale-Hubbell)
Named in *Worth* magazine's Top 100 Attorneys list (every year since 2006)
Listed in *The Best Lawyers in America*
Texas Super Lawyer (every year since 2003),
Texas Monthly and *Law & Politics* magazines

Books and Treatises

"Foreign Trusts," PPC's 1041 Deskbook, Thompson Reuters (updated annually)
Asset Protection: Domestic and International Law and Tactics, Thomson/West Group
(four volumes, updated quarterly)
"A Closer Look at U.S. Asset Protection Trusts," *Asset Protection Strategies Vol. II*,
Ed. Alexander A. Bove, Jr. (2005)
"Family Limited Partnerships," Solutions Handbook, Dearborn Financial Publishing
(1995)

Professional Publications (Selected)

"*Changes to FBAR Regs Finalized, Finally*," Steve Leimberg's Asset Protection Planning
Newsletter #169, <http://www.leimbergservices.com> (March 7, 2011)
"Federal Attempts to Close Offshore Tax 'Loopholes': Necessity or Nuisance?"
Investments and Wealth Monitor (July/August 2009)
"Tax Haven Abuse Act – Do we Really Need It?" Steve Leimberg's Asset Protection
Planning Newsletter #100, <http://www.leimbergservices.com> (November 19,
2008)
"Evseroff - Transfers to Irrevocable Trust Not Fraudulent," Steve Leimberg's Asset
Protection Planning Newsletter #100, <http://www.leimbergservices.com> (April 2,
2007)
"Foreign Reporting: Get It Right," Trusts and Estates (July 2006)
"The Alarming Potential for LLC Dissolution by a Member's Personal Creditors," Probate
& Property (May/June 2006)
"A Charging Order is the Exclusive Remedy Against a Partnership Interest: Fact or
Fiction?" Probate & Property (November/December 2003) *Article quoted in the
Florida Supreme Court dissenting opinion in *Olmstead v F.T.C.*, 44 So. 3d 76, Fla.,
2010.
"Demystifying Taxation of the Foreign Trust-The Workings of Internal Revenue Code
Sections 679 and 684," Asset Protection Journal (Summer 2002)
"Domestic Venues for Asset Protection Trusts," Papers of the International Academy of
Estate and Trust Law (Rosalind F. Atherton ed., Kluwer Law International, 2000)
"What ACTEC Fellows Should Know About Asset Protection," ACTEC Notes (Spring 2000)

- “Asset Protection Trusts: Impact of Recent Case Law,” Journal of Asset Protection (November/December 1999)
- “Asset Protection Using Offshore Trusts,” Texas Society of CPAs Annual Tax Conference (Austin, Texas; December 1996)
- “Texas Elder Law: Taking Control of the Planning Process,” National Business Institute Series (April 1994)
- “Family Solutions to Family Concerns - Non-Tax Estate Planning and Administration” and “A Walk Through Form 706,” Texas Society of Certified Public Accountants; Presented to various Chapters of the Texas Society of CPAs between 1991 and 1994; Presented to Lane, Gorman & Trubitt as in-house presentation for the Texas Society of CPAs, October 1992 and in El Paso, November 1991
- “IRC Section 2701, 2703, and 2704 - The Continuing Saga -Status of Corporate and Partnership Freezes Involving Family Members in Light of Final Regulations Under Chapter 14; Taxwise Use of Buy-Sell Agreements in Estate Planning; Effects of Certain Lapsing Rights and Liquidation Restrictions,” Austin Chapter of the Texas Society of CPAs (January 1993)
- “But They Told Us We Could Give It Away -- Recent Developments in the Gift Tax Area,” Annual Conferment Luncheon and Advanced Underwriting Seminar of the American Society of CLU and ChFC (Dallas, Texas; October 1991)
- “Estate Planning for Subchapter S Corporations,” Advanced Estate Planning Institute (San Antonio, Texas; June 1990); Dallas Bar Association (June 1990); Advanced Estate and Gift Tax Planning, Texas Society of Certified Public Accountants (August 1990); Jenkens & Gilchrist (Houston) Tax Seminar (August 1990) and Jenkens & Gilchrist (Dallas) Tax Seminar (October 1990)
- “Community Property in Texas: A Primer,” The Texas Independent Banker (October/November 1989)
- “It All Begins With a Will,” Jenkens & Gilchrist (Houston) Life Insurance Seminar (August 1989); Jenkens & Gilchrist (Dallas) Estate Planning and Life Insurance Seminar (October 1989)
- “Incapacity and the Power of Attorney,” Park Cities People (August 1989)
- “The Nonparticipant Spouse's Community Property Interest in a Qualified Plan or IRA as a Probate Asset,” Will Drafting Institute Series, State Bar of Texas (March 1989)
- “The Accidental Freeze -- Traps for the Unwary in 2036(c),” Will Drafting Institute Series, State Bar of Texas (March 1989)

Professional Presentations (Selected)

- “Asset Protection in the Estate Planning Context,” the New York Life Advisor Symposium: Issues of Interest to Advisors Today (Webinar; November 2011)
- “Asset Protection Trust Options” and “Drafting Protection Trusts,” the Indiana Continuing Legal Education Forum (Indianapolis, Indiana; November 2011)

- “The Tools of Domestic and International Asset Protection,” the New York Life Insurance Company University Network (Webinar; October 2011)
- “The Tools of Domestic and International Asset Protection,” 2011 Certified Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; October 2011)
- “Overview of International Estate Planning Issues Affecting U.S. Persons and Non-U.S. Persons with U.S. Sitused Assets” and “The Tools of Domestic and International Asset Protection,” 2011 AICPA Advanced Estate Planning Conference (Boston, Massachusetts; July 2011)
- “Asset Protection Planning in the Estate Planning Context,” 20th Annual ALI-ABA Advanced Course of Study, Estate Planning for the Family Business Owner (Boston, Massachusetts; July 2011)
- “Adding Protective Measures to Commonly Utilized Estate and Business Planning Vehicles,” 30th Annual Kansas City Estate Planning Symposium (Kansas City, Missouri; May 2011)
- “The Tools of Domestic and International Asset Protection,” 2011 AICPA Conference on Tax Strategies for the High-Income Individual (Las Vegas, Nevada; May 2011)
- “The Old Grey Mule Ain’t What He Used to Be – Can Decanting Turn that Mule Into a Racehorse?” 2011 ALI-ABA Advanced Estate Planning Techniques Course (San Francisco, California; March 2011)
- “The Tools of Domestic and International Asset Protection,” Investment Management Consultants Association’s Wealth Management Conference (San Francisco, California; November 2010)
- “Overview of International Estate Planning Issues Affecting U.S. Persons or Non-U.S. Persons with U.S. Sitused Assets,” Maryland Association of CPAs Advanced Tax Institute (Baltimore, Maryland; November 2010)
- “The Background, Tools, and Structures of Domestic and International Asset Protection,” 32nd Annual Duke University Estate Planning Conference (Durham, North Carolina; October 2010)
- “The Tools of Domestic and International Asset Protection,” 2010 Certified Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; September 2010)
- “The Tools of Domestic and International Asset Protection,” 2010 Morgan Stanley Smith Barney Mastery Institute (Huntington Beach, California; July 2010)
- “U.S. Tax and Information Reporting for Foreign Trust and Entity Structures” and New and Proposed Legislative Changes Affecting Taxation and Reporting of Foreign Income, Assets, Trusts, and Entities,” AICPA Advanced Estate Planning Conference (Washington, D.C.; July 2010)

- "Estate Planning Aspects of Asset Protection Planning," ALI-ABA Estate Planning for the Family Business Owner Course (Chicago, Illinois; July 2010)
- "The Tools of Domestic and International Asset Protection," 2010 Morgan Stanley Smith Barney Advanced Institute (Orlando, Florida; May 2010)
- "The Tools of Domestic and International Asset Protection with Special Emphasis on the Missouri and Kansas Statutes," 29th Annual Kansas City Estate Planning Symposium (Overland Park, Kansas; April 2010)
- "The Tools of Domestic and International Asset Protection – A Practical Study," 2010 Morgan Stanley Smith Barney Advanced Institute (Phoenix, Arizona; March 2010)
- "The Tools of Domestic and International Asset Protection - A Practical Study," Certified Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; March 2010)
- "The Tools of Domestic and International Asset Protection - A Practical Study," Chartered Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; October 2009)
- "Asset Protection for the Family Business Owner," ALI-ABA Estate Planning for the Family Business Owner Course (Santa Fe, New Mexico; July 2009)
- "U.S. Tax and Information Reporting for Foreign Trust and Entity Structures," and "Overview of International Estate Planning Issues Affecting U.S. Persons or Non-U.S. Persons with U.S. Sitused Assets," AICPA Advanced Estate Planning Conference (San Diego, California; July 2009)
- "The Tools of Domestic and International Asset Protection, A Practical Study," North Carolina Bar Association's 30th Annual Estate Planning and Fiduciary Law Program (Kiawah Island, South Carolina; July 2009)
- "Sophisticated Asset Protection Tools and Techniques Including Offshore Trusts," 2009 Kansas City Estate Planning Symposium (Kansas City, Missouri; May 2009)
- "The Tools of Domestic and International Asset Protection - A Practical Study," Chartered Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; March 2009)
- "Asset Protection Tools and Techniques," 2008 McGehee Group Annual Advisors Conference (Las Vegas, Nevada; October 2008)
- "Tools of Domestic and International Asset Protection – A Practical Study," Chartered Private Wealth Advisor Program, sponsored by a partnership of the University of Chicago Graduate School of Business and the Investment Management Consultants Association (Chicago, Illinois; September 2008)
- "Foreign Asset Structures – A Primer," Texas Bar CLE Advanced Family Law Course 2008 (San Antonio, Texas; August 2008)

- “Tools of Domestic and International Asset Protection – A Practical Study,” “Overview of International Estate Planning Issues Affecting U.S. Persons and Non-U.S. Persons with U.S. Sitused Assets,” and “International Estate Planning and Asset Protection Q&A,” AICPA Advanced Estate Planning Conference (Chicago, Illinois; July 2008)
- “Asset Protection for the Family Business Owner,” ALI-ABA Estate Planning for the Family Business Owner Course (Boston, Massachusetts; July 2008)
- “Sophisticated Asset Protection Planning Tools and Techniques,” and “Creating a Family Legacy,” AICPA Advance Estate Planning Conference (Las Vegas, Nevada; May 2008) (Speaker and Panelist)
- “Offshore Trusts,” Massachusetts Continuing Legal Education Program’s Asset Protection Strategies Seminar (Boston, Massachusetts; March 2008)
- “The Tools of Domestic and International Asset Protection – A Practical Study,” Investment Management Consultants Association’s Chartered Wealth Advisor Education Program, Part I (Chicago, Illinois; March 2008)
- “Primer: Asset Protection Tools in the PPLI Context,” IIR 6th Annual Event: Alternative Investing Through Life Insurance and Annuities (Miami, Florida; February 2008)
- “The Tools of Domestic and International Asset Protection,” The Eighth Annual Ultimate Estate, Retirement, & Financial Planning Conference (Las Vegas, Nevada; October 2007)
- “The Tools of Domestic and International Asset Protection – a Practical Study,” Investment Management Consultants Association, 2007 Wealth Management Certificate Program, Part II: Wealth Preservation and Protection (Greenwood Village, Colorado; September 2007)
- “Asset Protection” and “Domestic and International Wealth Protection Trusts – A Practical Implementation Study,” AICPA Advance Estate Planning Conference (Boston, Massachusetts; July 2007)
- “The Tools of Domestic and International Asset Protection – A Practical Study,” East Bay Estate Planning Council (Oakland, California; May 2007)
- “The Tools of Domestic and International Asset Protection,” Association for Advanced Life Underwriting 2007 Annual Meeting (Washington, D.C.; April 2007)
- “Current Trends in Offshore Planning,” American Bar Association 2007 Spring Symposia (Washington, D.C.; April 2007)
- “The Tools of Domestic and International Asset Protection,” Queen’s College Annual Estate Planners Day Conference (Charlotte, North Carolina; March 2007)
- “The Tools of Domestic and International Asset Protection – a Practical Study,” Investment Management Consultants Association, 2007 Wealth Management Certificate Program, Part II: Wealth Preservation and Protection (Greenwood Village, Colorado; March 2007)
- “The Tools of Domestic and International Asset Protection,” Investment Management Consultants Association, 2006 Wealth Management Certificate Program, Part II:

- Wealth Preservation and Protection (Greenwood Village, Colorado; September 2006)
- "Asset Protection for Professionals," and "Current Trends in Offshore Planning," The 29th Annual AICPA Advanced Estate Planning Conference (San Diego, California; July 2006)
- "Tools of the Asset Protection Trade: A Necessary Component of the Estate Planner's Toolbox," Texas Bar Continuing Legal Education Conference Advanced Estate Planning and Probate Course (Houston, Texas; June 2006)
- "Legal Protection of Assets," Investment Management Consultants Association, 2006 Wealth Management Certificate Program, Part II: Wealth Preservation and Protection (Greenwood Village, Colorado; March 2006)
- "Asset Protection: Dead or Alive under the Bankruptcy Abuse Protection and Consumer Protection Act of 2005?" Massachusetts Continuing Legal Education (Boston, Massachusetts; March 2006)
- "The Tools of Domestic and International Asset Protection," Investment Management Consultants Association, 2005 Wealth Management Certificate Program, Part III: Wealth Preservation and Protection (Greenwood Village, Colorado; October 2005)
- "Legal Protection of Assets," Investment Management Consultants Association, 2005 Wealth Management Certificate Program, Part II: Wealth Preservation and Protection (Greenwood Village, Colorado; September 2005)
- "Asset Protection for Professionals" and "Current Trends in Offshore Planning," AICPA Advanced Estate Planning Conference (Toronto, Canada; July 2005)
- "The Tools of Domestic and International Asset Protection," Investment Management Consultants Association Spring Professional Development Conference (Palm Desert, California; April 2005)
- "Legal Protection of Assets," Investment Management Consultants Association, 2005 Wealth Management Certificate Program, Part II: Wealth Preservation and Protection (Greenwood Village, Colorado; March 2005)
- "Legal Protection of Assets," Dallas Chapter of the Texas Society of CPAs (Dallas, Texas; December 2004)
- "The Tools of Domestic and International Asset Protection," Investment Management Consultants Association's Consultants Conference (Denver, Colorado; October 2004)
- "Legal Protection of Assets," Investment Management Consultants Association's Consultants Conference (Chicago, Illinois; September 2004)
- "Trusts as Protective Tools," Advanced Collection Law in Texas (Austin, Texas; September 2004)
- "Choosing an Entity or Establishing a Trust with Asset Protection in Mind – A Multijurisdictional Analysis," Eugene Estate Planning Council (Eugene, Oregon; August 2004)

- “Choosing an Entity or Establishing a Trust with Asset Protection in Mind – A Multijurisdictional Analysis,” AICPA Advanced Estate Planning Conference (Philadelphia, Pennsylvania; July 2004)
- “Special Drafting Considerations for Asset Protection Trusts,” American Bar Association, 15th Annual Symposia, Real Property, Probate & Trust Law Section Meeting (Seattle, Washington; May 2004) (Co-Chair and Speaker)
- “Choosing an Entity with Asset Protection in Mind,” Travis County Bar Association Estate Planning and Probate Section Meeting (Austin, Texas; January 2004)
- “Jurisdictional Considerations in Establishing a Protective Trust,” International Bar Association, 9th Annual International Wealth Transfer Practice Conference (New York, New York; December 2003)
- “Asset Protection for Professionals” and “Current Trends in Offshore Planning,” The 2003 AICPA Advanced Estate Planning Conference (Scottsdale, Arizona; July 2003)
- “Current Trends and Strategies in Asset Protection Planning,” presented in connection with Oxford Financial Group (Austin, Texas; May 2003)
- “Jurisdictional Considerations in Establishing a Protective Trust,” American Bar Association, 14th Annual Symposia, Real Property, Probate & Trust Law Section (New York, New York; April 2003)
- “Current Trends in Asset Protection and Offshore Planning,” Travis County Bar Association Estate Planning and Probate Section Meeting (Austin, Texas; November 2002)
- “Current Trends in Offshore Planning,” The 2002 AICPA Advanced Estate Planning Conference (Portland, Oregon; August 2002)
- “Asset Protection Planning,” Insurance Distributors International (Bermuda) Ltd. 2002 Conference (Paget, Bermuda; July 2002)
- “Complex Estate Planning Techniques for the Ultra High Net Worth Client,” APIC 12th Annual Educational Conference (San Antonio, Texas; May 2002)
- “Internal Revenue Code Sections 679 and 684,” American Bar Association Section of Taxation 2002 Midyear Meeting (New Orleans, Louisiana; January 2002)
- “Asset Protection: Domestic and Foreign Planning Alternatives,” The 23rd Annual AICPA Advanced Estate Planning Conference (Boston, Massachusetts; July 2000)
- “Asset Protection: Domestic and Foreign Planning Alternatives,” American Bar Association Section of Real Property, Probate and Trust Law Annual Meeting 2000 (New York, New York; July 2000)
- “Asset Protection Planning,” Investment Management Consultants Association's Consultants Conference (Dallas, Texas; February 2000)
- “Wealth Preservation: Domestic and Foreign Planning Alternatives,” North Texas Estate Planning Council (Plano, Texas; 1999)

“Offshore Trusts - Asset Protection,” The 11th Annual Probate and Estate Planning Seminar, Travis County Bar Association Probate and Estate Planning Section (Austin, Texas; February 1997)

Contact Information

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