Thomas W. Abendroth

PARTNER

Tom Abendroth combines the precision of a “numbers guy” with the insight and understanding of a trusted confidant.

Industries

Family Office Services
Media & Entertainment
Private Companies
Sports

Practices

Private Clients, Trusts & Estates

Education

Northwestern University Pritzker School of Law, JD, magna cum laude, 1984

Ripon College, BA, summa cum laude, 1981

Offices	Phone	Email
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Deep knowledge of the tax law and estate planning techniques is critical for any private client’s attorney. Tom pairs that knowledge with a strong sense of empathy that allows him to quickly discern the sensitive family issues that a client needs to address in his or her estate plan.

Tom counsels clients on the full range of wealth transfer planning, seamlessly melding the tax implications of estate planning with the unique circumstances of the client’s family and non-tax goals. He has worked extensively with high net worth individuals and families, in particular owners of family businesses, and in the professional sports industry. Tom takes a practical approach to their estate planning. He recognizes that transfer tax savings do not have to come at the undue price of complexity and burdensome administrative costs.

Tom also has extensive trust and estate litigation experience, representing both fiduciaries and beneficiaries. He has worked closely with ArentFox Schiff trial lawyers in litigating issues, including the rights of adopted individuals under a trust, the modernization of trust investment powers, alleged fiduciary self-dealing, and the rights of remainder beneficiaries in a disabled settlor’s revocable trust. He also has counseled fiduciaries on trust construction issues accountings, trust decanting and trust severance and merger.

Client Work

- Tom implemented a corporate reorganization for a family business with rapidly increasing value to keep voting control out of the senior family member’s estate, preserve a preferred stock freeze and facilitate transfers of stock to the next generation. The business will now pass out of the senior generation’s hands with minimal estate tax, and the family has been able to transfer more than 30% of the business to the grandchildren generation.
- A family preparing to take their company public hired Tom for help organizing their assets prior to the company’s public listing. Tom created a series of grantor retained income trusts and grantor retained annuity trusts. The trusts enabled the family to transfer more than $200 million of value out of their estates.
- Tom took advantage of a one-year opportunity to terminate several non-Generation Skipping Tax exempt trusts in favor of lower generation family members, including implementing trust

modifications to facilitate distribution and providing opinion letters. The terminations saved more than $25 million in future taxes.

- A real estate developer and a private venture capital investor were able to transfer more than $50 million of fund interest out of their estates thanks to Tom, who facilitated the transfer by designing limited liability company/irrevocable grantor trust structures.
- Tom has negotiated charitable gifts involving naming opportunities for a hospital, museum, and public venue.
- Multiple families with ownership interests in family real estate and investment entities have turned to Tom have turned to facilitate transfers of control and simplify the future management of the trusts.
- Tom successfully represented a corporate fiduciary in a lawsuit by beneficiaries attempting to terminate a trust early using the rule against perpetuities.

Presentations, Publications & Recognitions

Presentations

- "Recent Developments Affecting Estate Planning," NYSSCPA 2024 Annual Private Wealth Conference, New York (Dec. 12, 2024)
- "Key Building Blocks of an Effective Estate Plan," the Northwestern University Alumni Relations and Development Office, Webinar (Jun. 13, 2024)
- "Highlights of Heckerling," Wealthmanagement.com, Webinar (Jan. 31, 2024)
- "Recent Developments in Estate Planning and Trust Administration," the 45th Annual Duke University Estate Planning Conference, Durham, NC (Oct. 19, 2023)
- "Planning for When the Circle of Life Begins to Close," The Dallas Jewish Community Foundation and Southwest Community Foundation's Professional Advisors Seminar, Conference (Sep. 20, 2023)
- "Planning for Family Members with Special Needs," American Bankers Association, Webinar (Jun. 1, 2023)
- "Love and Marriage and Estate Planning," 2023 Estate, Gift & Trust Conference, Illinois CPA Society, Online Conference (May 23, 2023)
- "Avoiding Traps in Administering GST Trusts (If you don't know, now you'll know)," Kansas City Estate Planning Symposium, Kansas City, MO (May 5, 2023)
- "The ABCs of Funding Education — for this Generation and the Generations to Come," American Bankers Association, Webinar (Apr. 6, 2023)
- "Creating and Managing Discretionary Distribution Standards," American Bankers Association, Webinar (Mar. 2, 2023)
- "The Impact of an Economic Downturn on Tax Planning and Trust Administration," American Bankers Association, Webinar (Feb. 2, 2023)
- "Highlights of Heckerling," Trusts and Estates Magazine/WealthManagement.com, Webinar, (Feb. 1, 2023)
- "Recent Developments in 2022 for Estate and Trust Administration," American Bankers Association, Webinar (Dec. 1, 2022)
- "Love and Marriage and Estate Tax," The Jewish Federation of Chicago – Louis Susman Memorial Tax Seminar, Webinar (Nov. 7, 2022)
- "Planning for When the Circle of Life Begins to Close," American Bankers Association, Webinar (Nov. 3, 2022)
- "The ABC's of Estate Planning," American Bankers Association, Webinar (Oct. 6, 2022)
- "How to be a Good Trustee and a Good Beneficiary," American Bankers Association, Webinar (Sep. 1, 2022)
- "Rolling with the Changes, Part 2: Irrevocable Trust Modification," American Bankers Association, Webinar (Jun. 2, 2022)
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- "Recent Developments in Wealth Transfer Planning," MOKAN Trust & Financial Services Conference, Overland Park, KS (May 13, 2022)
- "Fiduciary Litigation Annual Review (2022)," American Bankers Association, Webinar (May 12, 2022)
- "Portability Revisited," KCEPS Annual Symposium, Overland Park, KS (Apr. 28, 2022)
- "Rolling with the Changes, Part 1: Updating the Estate Plan to Reflect Life's Changes," American Bankers Association, Webinar (Apr. 7, 2022)
- "Tax Legislation 2021: What Happened and What Almost Happened," American Bankers Association, Webinar (Mar. 8, 2022)
- "The Dynamic Nature of Wealth and Estate Plans," American Bankers Association, Webinar (Feb. 3, 2022)
- "Wealth Transfer Strategies: Changes and Opportunities," Family Wealth Alliance 2021 Fall Forum, Chicago, IL (Nov. 3, 2021)
- "Lessons From the Tax Court Decision in the Estate of Michael Jackson," ACTEC Trust & Estate Talk, Podcast (Sep. 14, 2021)
- "Nonprobate Transfers: The Good, the Bad and the Ugly," Duke Estate Planning Conference, Webinar (Oct. 22, 2021)
- "It's a Thriller! Lessons Learned from the Estate of Michael Jackson and the potential impact of New York's new Post-Mortem Right of Publicity," New York City Bar, 2021 Mortimer H. Hess Memorial Lecture, Webinar (Sep. 13, 2021)
- "Full Disclosure: It's a Matter of Trust," 54th Annual Heckerling Institute on Estate Planning (Jan. 15, 2020)
- "The Fiduciary Drake Passage: Navigating to Avoid Common Trustee Liability Issues," (panelist) 54th Annual Heckerling Institute on Estate Planning, Orlando, Fla. (Jan. 15, 2020)
- "Business Succession: Abdicate? Affiliate? Alienate? Bifurcate? Syndicate? Liquidate? Vacillate? Don't Wait. Cogitate and Participate," 52nd Annual Heckerling Institute on Estate Planning: Closing-Held Business Planning, (Jan. 23, 2018)
- "Portability: Now Available in Generic Form," 48th Annual Heckerling Institute on Estate Planning (Jan. 13, 2014)
- "Portability: The New Estate Planning Wonder Drug?," 46th Annual Heckerling Institute on Estate Planning (Jan. 10, 2012)
- "Covering Your Assets: The Illusory Protection of LLCs and the Eroding Protection of Trusts," Louis Sussman Memorial Tax Seminar (Nov. 10, 2011)
- "Planning for the Closely Held Business - Exit Strategies During Life," Heckerling Institute on Estate Planning (Jan. 28, 2010)

Publications

- "The Illusory Asset Protection of LLCs and the Eroding Asset Protection of Trusts," *American Law Institute Continuing Legal Education Estate Planning Course Materials Journal* (Aug. 2013)
- "The Game Changer: Maximizing Use of $5M Gift and GST Exemptions," (co-author) *ABA Trust and Investments* (Jan./Feb. 2012)
- "Drafting Considerations and Trustee Concerns Over Concentrated Stock Holdings," *ABA Trust and Investments* (Sep./Oct. 2011)
- "Ticking Time Bombs in Irrevocable Life Insurance Trusts," (co-author) *ABA Trust & Investments* (Mar./Apr. 2008)

Recognitions

- *NAEPC Estate Planning Hall of Fame*, National Association of Estate Planners & Councils (2022)
- *Chambers High Net Worth* – Private Wealth Law, Illinois (2016, 2018-2024); Private Wealth Law: Central Region, USA (2016-2024)
- The Best Lawyers in America, *Best Lawyers* (2007-2009, 2012-2024)
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Illinois Super Lawyers, Thomson Reuters (2006-2009, 2011-2021)

- *Illinois Leading Lawyer*, *Law Bulletin's* Illinois Leading Lawyers Network (2006-2021)
- "Lawyer of the Year" Litigation – Trusts & Estates – Chicago, *Best Lawyers* (2013, 2018)
- Best of the Best USA – Trusts and Estates, *Expert Guides* (2018)
- Austin Fleming Award, Chicago Estate Planning Council (2017)
- Who's Who Legal – Private Clients, *Law Business Research* (2015-2016)
- *Chambers USA* – Wealth Management: Central Region, Nationwide (2011-2016); Wealth Management, Illinois (2010-2012)
- Illinois Leading Lawyer, *Thomson Reuters* (2006-2009, 2012-2015)
- Top 10 Trust, Will & Estate Lawyers, *Law Bulletin's Illinois Leading Lawyers Network* (2013)
- Top 100 Consumer Lawyers, *Law Bulletin's Illinois Leading Lawyers Network* (2013)
- Top 100 Attorneys, *Worth Magazine* (2007)
- APEX Award for Publication Excellence, Communications Concepts, *Writing That Works* (2007)
- Fellow, The American College of Trust and Estate Counsel (Since 1997)
- *Peer Reviewed AV® Preeminent™, Martindale-Hubbell* (Since 1997)

Professional Activities

Tom is a member of:

- American Bar Association, Section of Real Property, Trust and Estate Law
- The American College of Trust and Estate Counsel (ACTEC), Fellow
- Chicago Bar Association
- Chicago Estate Planning Council
- American Bankers Association
- Faculty, American Bankers Association National Graduate Trust School (1990-present)

Life Beyond the Law

Tom has served on the Ripon College Board of Trustees since 1996 and is currently serving as Chair of the Board. He is an active volunteer at his church, where he serves as Treasurer and a member of the finance and endowment committees. Outside of the office, Tom prioritizes spending time with his family and friends and finds it important to maintain a healthy work/life balance.

FAQs on the Use of the Gift Tax Medical and Tuition Expense Exclusion

Tom Abendroth answers some frequently asked questions.

Bar Admissions

Illinois

Court Admissions

US District Court, Northern District of Illinois