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BOOK REVIEW

An Estate Planner's Handbook, 3d ed. By James F. Farr. Boston: Little, Brown and Company. 1966. Pp. 663. \$15.00.

The author properly disclaims the character of this work as a treatise for exploration in depth into intricate and fine points of estate planning. He also disclaims it as a handbook on taxation. As a handbook it is, however, a rapid reference manual with footnotes replete with references to source material for further study.

As this reviewer has never made the difficult attempt to determine what should be emphasized and what should not be in such a tool of the profession, the comments here are only to outline the scope thereof without criticizing its usefulness.

Estate planning requires a thorough basic legal training in such fields as property law, future interests, wills, trusts, and all phases of income, estate and gift taxes. Furthermore, the estate planner must have a working business knowledge including corporate and partnership accounting, life insurance, trust administration and investments. All this knowledge must be kept up to date so that plans which have been previously executed may be reviewed from time to time in light of developments. Too often, however, the principal objective of estate planning is somewhat neglected because of emphasis on tax gimmicks used to sell a particular service. This objective, as the author emphasizes, is to plan the economic protection and welfare of a family, and this should be foremost in the minds of any person projecting an estate plan.

To begin with, the author properly stresses the elementary but important factor of gathering all of the significant facts about the family, business and property of the person for whom the plan is designed. He then discusses the role of life insurance and the options available under life insurance policies, family life insurance trusts, business insurance trusts, revocable and irrevocable trusts and the general structure of the last will and testament. The estate, gift and income tax matters are summarized with footnotes to lead the reader into more comprehensive study. Although benefits from pension and profit sharing plans are a major portion of estates of employed persons these days, the uninitiated would find it difficult

to benefit from the thumbnail discussion thereof; but the footnote references are helpful.

The discussion of the marital deduction for United States estate tax purposes is an accurate review of the general background of principles involved. To be able to use this tax tool, however, the estate planner must have an understanding of the reason why a capital gain is realized in some formula clauses and knowledge of how a particular clause setting up the marital deduction will work in the actual mechanics of allocating assets to the bequest. Blindly using this device without understanding these problems may result in undue tax burdens.

An appendix, comprising almost one half of the book, is a collection of forms for drafting wills and trusts including provisions for specific bequests and testamentary trusts, revocable trusts, stock purchase trusts, irrevocable trusts and charitable trusts. The author cautions against the use of any form without detail study thereof in light of local law and the facts of the particular situation for which it is used and then accompanies each form by some comment on the appropriate use of the same. This reviewer is in hardy accord with the author's statement that "there is no virtue, and there may be a great danger, in consciously planned brevity." Certainly, succinctness is required; but for want of a few typewritten pages, more lawsuits are born.

Life insurance advisors and trust officers must have some working knowledge of estate planning; and this volume will give them a panoramic view thereof. A handbook has its own function as a ready-reference tool; and as such, this work is a useful addition to the library of such advisors and that of the lawyer whose training and experience in the field is limited. In order that the lawyer may captain the estate planning team as recommended by the author, he should pursue his study in depth beyond this volume.

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