

## IMPORTANT TAX ALERT

February 5, 2010

As of December 31, 2009, Congress had not acted to forestall the total repeal of the federal estate tax for 2010. Congressional leadership has indicated that legislation will be introduced that will reinstate the tax retroactively to January 1, 2010; however, even assuming such legislation is passed, the effectiveness of retroactive application is uncertain. Therefore, it is possible that there would in fact be no estate tax for persons dying in 2010. Unfortunately, the current status quo could have significant unintended consequences for certain clients. If you are married and your estate plan contemplates division of assets at your death for the benefit of your spouse and/or children, you should immediately consult experienced legal counsel for a review of your estate planning documents. While most clients will not need to alter their estate plans, a timely review of the specific document language can avoid unintended results for your spouse and heirs.

For more information, please contact [David M. Watts](mailto:dwatts@mwn.com), Chair of the Asset Planning Practice Group at 717.237.5344 or [dwatts@mwn.com](mailto:dwatts@mwn.com).

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