LAW OFFICES OF
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Professional Biography

Jeffrey A. Asher concentrates primarily in the areas of sophisticated estate planning for high net worth individuals and family businesses, asset protection planning (domestic and foreign) to safeguard assets against creditors, estate and trust litigation, estate and trust administration, long-term care planning, and special needs planning.

Through planning, Mr. Asher assists high net worth individuals in creating plans that safeguard their assets against creditors and from loss by reason of some future fiscal calamity. Mr. Asher gives his clients the peace of mind knowing that their plans will protect their loved ones, preserve and secure their wealth, and minimize estate and gift tax exposure. Mr. Asher counsels family business owners in the proper succession of their business ownership through the use of trusts and/or other succession planning techniques. Mr. Asher counsels executors, trustees, and other fiduciaries in connection with their probate, tax, financial and other obligations. Mr. Asher counsels his clients in connection with planning for their special needs child, as well as their own disability issues and need for long-term care.

Mr. Asher is a frequent lecturer for various financial institutions, civic groups, and community organizations, has been featured on radio shows across the country, and is often presented by the New York State Bar Association as a community educator on various topics. Mr. Asher was featured in the HBO Documentary “Bobby Fischer Against the World: Fight for the Fischer Estate.” Mr. Asher also is a legal commentator on trusts and estates matters for TruTV, Court TV, CNN Headline News and The CBS Early Show. Mr. Asher is a frequent speaker at, contributor to, and a member of the faculty at, National Business Institute, Inc. In addition, he is approved as a continuing education credit provider by the Certified Financial Planner Board of Standards, Inc. and the Connecticut Department of Insurance.

Mr. Asher is designated a Top Rated Attorney by Super Lawyers® in the New York Metro Area in the fields of Estate & Trust Litigation, Trusts, Wills, Estate Planning & Probate, and Elder Law.

Mr. Asher is admitted to practice in New York and Connecticut and is a member of the New York State Bar Association, where he serves on the Executive Committee of the Trusts and Estates Law Section, the Executive Committee of the Elder Law and Special Needs Section, and is Co-Chair of the Legislation Committee of the NYSBA Elder Law and Special Needs Section.

Representative matters in which Mr. Asher is involved include:

- Preparation of advanced asset protection techniques, including, but not limited to, domestic and foreign asset protection trusts, limited liability entities, and family limited partnerships.

- Represent high net worth clients in connection with their desire to transfer assets, during life and/or at death, while minimizing exposure to estate and gift taxes.

- Preparation of wills, living trusts, irrevocable life insurance trusts, and other trust agreements, stockholders' agreements, buy-sell agreements, and all other documents necessary to implement an overall estate plan, as well as living wills, health care proxies and powers of attorney.

- Represent large estates and charitable-minded estates in connection with charitable gift transactions, bequests, and creation of trust arrangements including, but not limited to, charitable lead trusts, charitable remainder trusts, private foundations, public charities and other tax-exempt organizations.

- Represent clients in various aspects of estate and trust litigation, including, but not limited to, actions against trustees and other fiduciaries for breach of fiduciary duty, breach of trust, and breach of the duty of loyalty.

- Represent executors, trustees, officers, agents, administrators, and other fiduciaries in connection with their tax, accounting, probate, legal, and other obligations, and assist them in carrying out their duties.

- Represent families and fiduciaries in the probate process, preparation of estate tax returns, fiduciary income tax returns and accountings, as well as coordinate and prepare post-mortem tax planning techniques.

- Successfully represent clients before the Internal Revenue Service and other taxing and governmental authorities in connection with the creation of tax-exempt entities and public charities.

- Has represented several well-known artists in the creation of their estate plans, which included creation of private foundations, a public museum created as a NYS education corporation chartered as a public museum by the Board of Regents for and on behalf of the NYS Education Department.

- Represent individuals in connection with their long-term healthcare decisions, disability protections, and need for advanced medical directives.

- Represent individuals and assist them in obtaining benefits from the Medicare and Medicaid systems to pay for long-term home care and nursing home care.

Select matters in which Mr. Asher has been involved include:

- *Estate of Rosemarie Beck Phelps* (N.Y. Co. Surrogate's Court): Represented the son of a well-known artist in funding a NYS education corporation chartered as a public museum by the Board of Regents for and on behalf of the NYS Education Department; as a result, a substantial taxable estate was rendered non-taxable.

- *Estate of Juanita Joy Jackson* (N.Y. Co. Surrogate's Court): Successfully defended the estate against claims for legal fees filed by outgoing attorneys on basis that such outgoing attorneys failed to prove that they provided worthwhile services to the executor.

- *Estate of Jane Doe* (Westchester Co. Surrogate's Court): Successfully represented income beneficiary and several remainder beneficiaries of a testamentary trust in connection with their demand that a very large and prominent, but ultimately hostile and negligent, national bank resign as trustee of a testamentary trust.

- *Estate of John Doe* (Queens Co. Surrogate's Court and Charlotte Co. Probate Court, Florida): Successfully represented the sole distributee/fiduciary in connection with the probate of decedent's estate in New York and Florida and defended the sole distributee/fiduciary against claims filed by brothers of decedent and uncles to the sole distributee/fiduciary.

Previous Positions

- Robinson Brog Leinwand Greene Genovese & Gluck P.C., Partner (2012 – 2015)
- Eaton & Van Winkle LLP, Partner (2009 – 2012)
- Pryor Cashman LLP, Partner (2008 – 2009)
- Rahmanan Asher, PLLC, Managing Partner (2004-2008)
- Law Offices of Jeffrey A. Asher, PLLC, Founding Member (2002-2004)
- Law Offices of Moshe Katlowitz, Associate (1999-2002)
- Horowitz, Mencher, Klosowski & Nestler, P.C., Associate (1996-1999)

Education

- J.D., Touro Law School, 1996
- B.A., Clark University, 1993

Bar Admissions

- New York
- Connecticut

Appearances

- Featured in the HBO Documentary "Bobby Fischer Against the World: Fight for the Fischer Estate."

- Legal commentator on trusts and estates and elder law matters for TruTV, Court TV, CNN Headline News and The CBS Early Show.

Publications

- Quoted in The Balance (part of the Dotdash Meredith publishing family), *What Happens When a CD Owner Dies?*, Jessica Walrack, May 31, 2022.

- Quoted in Insure.com, *Insurance after death of a policyholder: How to change names on policies*, Barbara Marquand, July 28, 2021.

- Quoted in Realtor.com (National Association of REALTORS®), *7 Things Your Estate Planner Wants You to Know Before You Die*, Jamie Wiebe, September 16, 2019.

- Quoted in Financial Advisor Magazine, *Reverse Mortgages Seen By Advisors As Option Of Last Resort*, George Yacik, December 11, 2018.

- Author, *What to Know Before Adding a Reverse Mortgage to Your Retirement Plan*, American Bar Association, October 1, 2016.

- Quoted in New York Times, *Small Residences for the Elderly Provide More Personal, Homelike Care*, Constance Gustke, November 21, 2015.

- Quoted in HGTV.com, *5 Things You Need to Know Before You Do a Reverse Mortgage*, Geoff Williams, May 2015.

- Author, *Estate Planning for Same-Sex Married Couples After the Demise of DOMA*, Elder and Special Needs Law Journal, Winter 2014, Vol. 24, No. 1.

- Quoted in NBC News.com, Health News, *Last will and contempt? The pain of being disinherited*, Diane Mapes, March 15, 2012.

- Author, *Using Long-Term Care Insurance as Part of the Elder Care Plan*, The Senior Lawyer, Fall 2011, Vol. 3, No. 1.

- Quoted in HousingForSeniors.com, *Probate Court 101: What You Need to Know*, Jennifer Grey, November 2011.

- Quoted in Business Traveler Magazine, *Being There*, Irene S. Levine, November 2010.

- Quoted in CNN.com, *At Thanksgiving, the Hardest Conversation*, Elizabeth Landau, November 2010.

- Author, *Using Long-Term Care Insurance as Part of the Elder Care Plan*, Elder Law Attorney, Summer 2010, Vol. 20, No. 3.

- Quoted in Northern Trust's Wealth Magazine, *Planning for the Unexpected*, Spring 2010 Issue.

- Quoted in The Jewish Week, *Online Wills – A Do Or A Don't?*, Tamar Snyder, December 9, 2009.

- Quoted in Financial Advisor Magazine, *Family Bonds: Clients Face Both Financial and Emotional Traps When They Loan Money To Family*, Caren Chessler, November 2009.

- Quoted in American Express Open Forum, *Family-Owned Businesses: The Challenge of Succession Planning*, Polly Schneider Traylor, November 2009.

- Quoted in FrontDoor.com, presented by HGTV, 5 *Things You Need to Know Before You Do a Reverse Mortgage*, Geoff Williams, July 2009.

- Quoted in Financial Advisor Magazine, *No Do Overs?*, Caren Chessler, March 2009.

- Quoted in Consumers Digest Magazine, *Survival Guide: Keys to Successful Estate Planning*, Stacie Zoe Berg, September 2008.

- Co-author, *New York Law Amended to Broaden Revocatory Effect of Divorce on Dispositions to Former Spouse and Nomination of Former Spouse as Fiduciary*, Pryor Cashman Legal Update, September 2008

Speaking Engagements

- Speaker, *Digital Assets in Estate Planning,* HalfMoon Education, Inc., Webinar (August 30, 2022)

- Speaker, *Digital Assets in Estate Administration,* National Business Institute, Webinar (October 2021)

- Speaker, *Probate Boot Camp: A 2-Day Practical Course,* National Business Institute, Webinar (March 24, 2020)

- Speaker, *Digital Assets in Estate Administration,* National Business Institute, Webinar (July 24, 2018)

- Speaker, *Starting an Elder Law Practice,* NYS Bar Association, New York City (February 2018)

- Speaker, *Do This, Not That! A Practical Guide to Estate Planning Attorneys and Elder Law Attorneys,* NYS Bar Association Annual Meeting, New York City (January 2018)

- Speaker, *Probate: Everything You Need to Know – A 2-Day Practical Course,* National Business Institute, Long Island (November 2017)

- Speaker, *Medicaid Trusts: Everything You Need to Know,* NYC Bar Association, New York City (October 2017)

- Speaker, *Digital Assets in Estate Administration,* National Business Institute, Webinar (September 2017)

- Speaker, *Advanced Trusts and Estates: A "How-to" Guide – A 2-Day Practical Course,* National Business Institute, Long Island (April 2017)

- Speaker, *Crisis Planning for Institutional Medicaid,* NYS Bar Association, New York City (December 2015)
- Speaker, *Elder Law and Medicaid Planning: Everything You Need to Know,* National Business Institute, Long Island (October 2015)
- Speaker, *Top Estate Planning Techniques,* National Business Institute, Long Island (May 2015)
- Speaker, *Revocable Living Trusts From Start to Finish,* National Business Institute, Long Island (June 2014)
- Speaker, *The Probate Process From Start to Finish*, National Business Institute, Long Island (August 2013)
- Speaker, *MAGI (Modified Adjusted Gross Income) Calculation and Use Under the ACA (Affordable Care Act)*, National Business Institute, Webinar (June 2013)
- Speaker, *New Medicaid Eligibility Requirements under the ACA*, National Business Institute, Webinar (April 2013)
- Speaker, *Ethical Challenges in Estate Administration*, National Business Institute, Long Island (August 2012)
- Speaker, *Estate Administration Procedures: Why Each Step Is Important*, National Business Institute, Long Island (August 2012)
- Speaker, *Elder Law and Medicaid Planning: Everything You Need to Know*, National Business Institute, Long Island (May 2012)
- Speaker, *Essential Asset Protection Techniques and Strategies*, National Business Institute, Long Island (December 2011)
- Speaker, *Qualifying for Medicaid Paid-For Home Care and Nursing Home Care; Probate; and Understanding the New NYS Power of Attorney and NYS Family Health Care Decisions Act of 2010*, New York Public Library, New York, New York (August/September 2011)
- Speaker, *Trust Administration: Preventing and Litigating Fiduciary Liability*, National Business Institute, Long Island (June 2011)
- Speaker, *In Your Client's Best Interest - Ethical Considerations*, National Business Institute, Long Island (January 2011)
- Speaker, *Advanced Asset Protection Strategies*, National Business Institute, Long Island (October 2010)
- Speaker, *LTC Insurance and Elder Care Planning*, Northwestern Mutual Financial Network, Manhattan (February 2010)
- Speaker, *Medicaid: Beyond the Basics,* National Business Institute, Long Island (September 2009)

- Speaker, *Top 10 Estate Planning Techniques*, National Business Institute, Long Island (July 2009)
- Speaker, *Estate Planning and Recovery for Elderly Clients,* National Business Institute, Long Island (March 2009)
- Speaker, *The Probate Process From Start To Finish,* National Business Institute, Manhattan (December 2008)
- Speaker, *Fundamentals of Elder Law,* National Business Institute, Long Island, New York (November 2008)
- Speaker, *The Probate Process From Start to Finish,* National Business Institute, Manhattan (October 2008)
- Speaker, *Advanced Asset Protection Strategies*, National Business Institute, Long Island (August 2008)
- Speaker, *Estate Planning Basics*, National Business Institute, Manhattan (July 2008)
- Presenter, *Pooled Income Trusts: Stay At Home and Keep Your Income While Under Medicaid*, "Teleseminar" hosted by AgeWiseLiving, (May 2008)
- Speaker, *An Attorney's Guide to Asset Protection*, National Business Institute, Manhattan (January 2008)

Teaching Positions

- Faculty Member, National Business Institute, Inc. (2005 – present).
- Approved Continuing Education Credit Sponsor by the Certified Financial Planner Board of Standards, Inc. and Connecticut Department of Insurance.
- Instructor, Non-Resident Alien Income Tax Assistance Program, Massachusetts Institute of Technology (1993).

Professional Affiliations

- New York State Bar Association, Member, Elder Law and Special Needs Section.
- New York State Bar Association, Member, Trusts and Estates Law Section.
- New York State Bar Association, Member, Executive Committee of the Elder Law and Special Needs Section.
- New York State Bar Association, Member, Executive Committee of the Trusts and Estates Law Section.
- Connecticut Bar Association.

Other Activities

- Former Member of the Board of Trustees, Alzheimer’s Association New York City Chapter (n/k/a CaringKind - The Heart of Alzheimer's Caregiving).

Links

- www.AsherLawFirm.com
- www.Facebook.com/AsherLawFirm
- www.LinkedIn.com/in/JeffreyAsher