This is your new Thirteenth Edition (November 2012)

Stocker and Rikoon on Drawing Wills and Trusts

13th Edition

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Since the Twelfth Edition of this book was published in 1999, developments in the field of drafting testamentary instruments—and, more generally, in the law of trusts, estates and estate planning—have been substantial. Along the way, we have published annual supplements to try to alert the reader to the most pertinent and important developments. However, the cumulative and frequent changes to the estate, gift, and generation-skipping taxes, decanting of trusts, same-sex marriages, new reproductive technologies and developments in the laws governing trusts and estates demand a comprehensive treatment in a new edition. Moreover, a new edition affords us the opportunity to update the entire book thoroughly and to add various new sections pertinent to anyone drafting wills and trusts.

As the reader will notice, it is not only the content that has changed since the Twelfth Edition. This book has now been separated into two volumes for ease of handling with improved binders, and this new edition has been thoroughly reviewed and revised, with updated case law and references. The revisions to this edition incorporate and supersede all intervening supplements.

Another major change is in the roster of authors. Jule E. Stocker was one of the four original authors of this book, which was first published in 1946 as *Drawing Wills*. Jule asked me to help him with an update almost a quarter-century ago, by which time he was the sole survivor of the original authors. Until his death in 2000, just after the Twelfth Edition was published, Jule was Of Counsel to the New York City law firm, Gruber & Gruber, and the retired Vice President and General Attorney of the Equitable Life Assurance Society of the United States. Jule's input has been substantial over the half a century that he worked on the book, and much of the text and examples remain his. Pamela R. Champine, a professor at New York Law School, joined Jule, Janine Racanelli and myself in the Twelfth Edition, and Pam's death at a young age in 2009 prevented her from taking part in this latest edition. Both Jule and Pam are dearly missed.

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Louise D. Yang, an associate at Debevoise & Plimpton LLP, has worked on recent annual updates, and I drafted her into a major editorial role in the preparation of this Thirteenth Edition. Lauren Anderson, a Wealth Advisor at JPMorgan Private Bank, has also been instrumental in the updates for this new edition, authoring several of the new sections with Janine. I am delighted that both Louise and Lauren join Janine and me as co-authors.

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About the Authors

Jonathan Rikoon is Chair of the Trusts and Estates Group of Debevoise & Plimpton LLP. Jonathan has substantial experience in all aspects of trusts and estates work, including planning, administration and litigation. Jonathan is a Fellow of the American College of Trust and Estate Counsel and a member of its Business Planning Committee. He is a member of the Association of the Bar of the City of New York and has served several times on its Committee on Estate and Gift Taxation and its Committee on Trusts, Estates and Surrogate's Courts. He is also a member of the New York State Bar Association's Trusts and Estates Section and has served on its Executive Committee for many years. He has been Chair of the Section's Committee on Estate Litigation and is Vice-Chair of its Committee on Taxation, and in those capacities has drafted several items of proposed and enacted New York legislation.

In addition, Jonathan has presented at the University of Miami Heckerling Institute on Estate Planning and the NYU Institute on Federal Taxation. His writings have appeared in a number of journals, and he has lectured for the Practising Law Institute, the American Corporate Counsel Association, the American College of Trust and Estate Counsel, the New York State, City and County bar associations and other groups.

In 2008, Jonathan was nominated by the Senate and appointed by the President to serve as a member of the U.S. Commission for the Preservation of America's Heritage Abroad. He was appointed in 2009 to the New York EPTL-SCPA Legislative Advisory Committee as a liaison to the New York City Bar Association. In 2011, Jonathan was appointed a member of the Surrogate's Court Advisory Committee to the Chief Administrative Judge of the State of New York.

Jonathan joined Debevoise & Plimpton LLP as Counsel in 1995 and became a Partner in 2000. Prior to joining Debevoise, he was an associate and a principal attorney at the firm of Paul, Weiss, Rifkind, Wharton & Garrison, and Of Counsel at the firm of Mudge Rose Guthrie Alexander & Ferdon.

Janine Racanelli is global head of J.P. Morgan Private Bank's Advice Lab and Wealth Advisory practice. Janine's expertise encompasses U.S. and cross-border tax, wealth transfer and charitable-giving strategies. In 2005, she assumed responsibility for Advice Lab, the Private Banks' think tank, staffed with a multidisciplinary team of experts responsible for developing innovative strategies in the areas of taxation, executive compensation, philanthropy, analytical techniques and global ownership structures.

Janine is an attorney admitted to practice law in New York and before the U.S. Tax Court. Before joining J.P. Morgan in 1993, she practiced law at Paul, Weiss, Rifkind, Wharton and Garrison, specializing in tax, estate planning and administration and representation of fiduciaries.

Janine is a frequent author and speaker on investment and wealth planning topics. She has been featured in national publications such as Barron's, BusinessWeek, The Wall Street Journal and Forbes and has appeared on CNBC's Power Lunch. She is an adjunct professor of law at Fordham University School of Law and also serves on the Memorial Sloan-Kettering Cancer Center Trust and Estate Advisory Committee, the New York-Presbyterian Hospital Planned Giving Advisory Council and the Metropolitan Museum of Art Professional Advisory Council. Janine received her B.A. from St. John's University and her J.D. from St. John's University of Law.

Louise D. Yang is a trusts and estates associate at Debevoise & Plimpton LLP. Since joining Debevoise in 2010 (and also as a Summer Associate in 2009), Louise has contributed extensively to the updating of the book. Louise received her B.A. and M.S. in 2006 from Cambridge University, United Kingdom, in Natural Sciences (Physics), with honors, and her J.D. in 2010 from Columbia Law School, where she was a Harlan Fiske Stone Scholar.

Louise is an attorney admitted to practice in New York and a member of the New York State Bar Association.

Lauren Anderson is a Wealth Advisor at J.P. Morgan Private Bank in San Francisco. Lauren's expertise encompasses U.S. wealth transfer and charitable giving strategies. She has been with the Private Bank since 2006. Prior to assuming her Wealth Advisor role, Lauren was a member of the Private Bank's Advice Lab, a multidisciplinary team of experts that develops innovative strategies for the Private Bank's clients in the areas of taxation, executive compensation, analytical techniques and ownership structures.

Lauren is an attorney admitted to practice in New York and a member of the American Bar Association, New York State Bar Association and New York City Bar Association. Before coming to J.P. Morgan, Lauren practiced law at Barry, McTiernan, Moore.

Lauren received her B.A. from Boston College and her J.D. from St. John's University School of Law.