LOYOLA
UNIVERSITY CHICAGO

SCHOOL of LAW

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Tax Law Program

Index

Welcome to the Tax Law Program

LOYOLA UNIVERSITY CHICAGO SCHOOL *of* LAW

Loyola University Chicago School of Law offers students a unique opportunity to receive an outstanding education in tax law. The tax curriculum we offer JD students is among the deepest and most comprehensive of any U.S. law school. We have three full-time faculty members devoted to teaching tax law to JD students along with a number of accomplished adjunct professors and a preeminent Federal Tax Clinic.

Almost all Loyola law students take at least one course in Federal Income Tax. A majority of our JD students pursue further education in the tax law field, yielding strong enrollments in all of our intermediate and advanced tax courses.

In light of the solid tax education we offer and the high student interest in tax law, Loyola offers a Tax Certificate to JD students who complete five designated tax courses. In recent years, more than 15% of our JD graduating class has earned the Tax Certificate. We also offer an accelerated LLM in Tax to graduates with a Tax Certificate. Tax Certificate holders can attain an LLM by completing only 12 additional hours of post-JD study.

Loyola is also extremely proud of its Federal Tax Clinic. The clinic represents low-income clients engaged in income tax controversies with the Internal Revenue Service. It was created to help taxpayer clients who otherwise might go without representation. The clinic helps students gain practical experience in the area of tax law.

Helping our students to learn, grow, and succeed has always been a tradition at Loyola University Chicago School of Law. We invite you to learn more about our Tax Law Program from this summary. If you have any questions, please contact us, at 312.915.7120 or jkwall@luc.edu.

Sincerely,

Jeffrey L. Kwall
Kathleen and Bernard Beazley Professor of Law
Director of the Tax LLM Program

Frequently Asked Questions

1. What distinguishes Loyola's Tax Program from other law schools' programs?

- Unlike other law schools with strong reputations in tax law, Loyola's tax resources are concentrated on its JD Program. Loyola has three full-time professors, two clinical professors, and several adjunct professors devoted to strengthening the JD Tax Program. In recent years, more than 15% of Loyola JDs have earned the Tax Certificate.

2. What are the benefits of earning a Certificate in Taxation or an LLM in Taxation?

- The Certificate in Taxation enables Loyola JD students to convey the depth of their education to the tax, estate planning, business litigation, and corporate law departments of firms of all sizes. By completing the certificate, a student will also be able to receive an LLM in Taxation from Loyola on an accelerated basis (only 12 additional hours).
- The LLM offers qualified JDs the opportunity to develop specialized knowledge and practice skills in tax law.

3. Are there certain required courses that I must complete?

- To earn a Certificate in Taxation, the student must complete a required set of five "core courses" with a 3.0 average: Federal Income Taxation, Corporate & Partnership Tax, Advanced Corporate Tax, Estate & Gift Tax, and Tax Audits, Procedure & Ethics.
- To earn an LLM, a student must complete the certificate courses as well as Tax Research and an LLM Seminar. LLM students must also choose from a list of elective courses to complete the hours required for graduation.

4. How do I apply?

- For information on admission to Loyola's JD Program or to download an application, visit LUC.edu/law
- For information on Loyola's Tax Certificate Program, visit LUC.edu/law/certificate/tax.html
- For information on Loyola's LLM Program in Tax or to download an application, visit LUC.edu/law/academics/graduate/tax.html

5. Who can I contact for additional information?

- For more information, visit the Loyola University School of Law website at LUC.edu/law or contact:
  Professor Jeffrey Kwall
  jkwall@luc.edu
  312.915.7120

Tax Certificate Curriculum

Loyola University Chicago has developed a rich, structured tax curriculum that provides a valuable education for students who ultimately enter a tax law, corporate law, or general business practice. The tax faculty has identified a core curriculum that provides deep study of the fundamentals in the major areas of taxation. Students who complete the core curriculum with a GPA of 3.0 or better will be awarded a Certificate in Taxation with their JD degree. The certificate enables students to convey the depth of their education to tax, estate planning, business litigation, and corporate law departments of law firms of all sizes. In recent years, more than 15% of Loyola JDs have earned the Tax Certificate. The following core tax curriculum must be completed to earn a Certificate in Taxation.

FEDERAL INCOME TAX *(3 credits)*

This course introduces and analyzes the basic concepts underlying the law of federal income taxation. Topics include gross income, identification of the taxpayer, deductions, timing of income, characterization, and recognition. These concepts are developed through the study of the Internal Revenue Code, Treasury Regulations, and case law.

CORPORATE & PARTNERSHIP TAX *(3 credits)*

This course is intended to follow Federal Income Tax. It focuses on the income tax consequences associated with the three principal business forms: the corporation, the partnership, and the limited liability company. The tax issues confronted at the start-up, operating, and winding-down phases are examined for each business form.

ADVANCED CORPORATE TAX *(3 credits)*

This course focuses on taxable and non-taxable acquisitions of a corporate business. The course discusses taxable assets sales and stock sales and explores the detailed statutory and common law requirements with respect to non-taxable acquisitive reorganizations, non-taxable divisive reorganizations, and other non-taxable corporate adjustments.

ESTATE & GIFT TAX *(3 credits)*

This course examines the basic components of the federal transfer tax system: estate tax, gift tax, and generation skipping tax, as well as their interrelationship. The course emphasizes the current structure of the federal transfer tax system and includes suggestions for revisions.

TAX AUDITS, PROCEDURE & ETHICS *(2 credits)*

This course covers procedures and strategies for representing clients and resolving Federal civil tax controversies arising from Internal Revenue Service audits and appeals, including litigation. The course also includes a discussion of tax penalty provisions and the ethical issues faced by advisors in structuring tax motivated transactions and resolving tax controversies.

LLM in Tax Law

Loyola University Chicago School of Law offers a 26-credit Master of Laws (LLM) in Taxation. Applicants to the LLM Tax Program must hold a JD degree or its equivalent. The LLM offers qualified JDs the opportunity to develop specialized knowledge and practice skills in the area of tax law.

The LLM can be earned on an accelerated basis by any Loyola School of Law graduate with a Certificate in Taxation by completing 12 hours of post-JD study with a grade point average of 3.0 or better. Any Loyola School of Law graduate who does not earn a Certificate in Taxation during his or her JD study would be required to complete the tax courses required for the Certificate and 12 additional credits of post-JD study with a grade point average of 3.0 or better.

In addition to the classes required for the Tax Certificate, the following courses are also required to earn an LLM in Taxation:

TAX RESEARCH *(1 credit)*

This course is intended to sharpen tax legal research skills. In addition to reviewing basic tax research, the course covers federal legislative history, administrative research, tax looseleaf services, and other specialized tax research sources, using both traditional materials and on-line resources.

LLM SEMINAR *(2 credits)*

This seminar is intended to develop federal tax research skills, refine analytical abilities previously developed in earlier federal tax and other law courses, and improve legal writing skills. The primary goal is to prepare a manuscript of publishable quality with respect to a particular substantive issue in the tax field.

Students must also choose from the following elective courses to meet the required hours:

INTERNATIONAL TAX *(3 credits)*

This course focuses on U.S. income tax issues with respect to foreign activities of U.S. taxpayers and U.S. activities of foreign taxpayers. Foreign tax systems are not specifically addressed. Specific topics include the foreign tax credit, sourcing rules, the “effectively connected” doctrine, the concept of trade or business in the U.S., subpart F income, and tax treaties.

ESTATE PLANNING *(3 credits)*

This seminar attempts to simulate the day-to-day practice of an estate planner. Topics range from the initial client interview to the formulation of sophisticated estate plans for those with substantial property, such as a successful business. The goal is to provide exposure to a broad range of client situations with supervised formulation and implementation of estate plans.

EMPLOYEE BENEFITS LAW *(2 credits)*

This course examines pension and profit sharing plans, executive compensation arrangements, and health and medical plans. It analyzes the tax, corporate, labor, bankruptcy, and securities consequences to both the employee and the employer. It also focuses upon various considerations of which the attorney should be aware when designing plans, as well as when advising clients in the context of employee benefits litigation and corporate acquisitions and divestitures.

ADVANCED PARTNERSHIP TAX *(1 credit)*

This course examines a variety of advanced partnership taxation topics confronted by an attorney providing tax advice including entity classification, drafting and understanding income allocations under §704, allocation of partnership liabilities, disguised sales, the sale and acquisition of partnership interests, and distressed partnerships.

STATE AND LOCAL TAXATION *(2 credits)*

This course introduces the constitutional and statutory framework of state and local taxation in the U.S. Beginning with an examination of the current constitutional issues involved in the taxation of multistate taxpayers, the course explores the legal issues arising from the various methods of dividing corporate income among the states. The principles surrounding sales and use taxes are examined in detail. The course also explores other principal types of taxes imposed by states and localities: franchise taxes, value added taxes, real property taxes, personal income taxes, and death taxes.

FEDERAL TAX CLINIC *(4 credits)*

The purpose of the clinic is to educate students in the practice of federal tax law and dispute resolution before the Internal Revenue Service and the U.S. Tax Court. The clinic is neither exclusively a skills center nor a theory center. Instead, all the numerous components of tax law practice are integrated in the curriculum of both classroom study and legal practice with actual clients. Some of the subjects include client interviewing and counseling, negotiations, and tax litigation. Students handle cases at the IRS and Tax Court level on a clinical basis and, with clinic attorneys, prepare all appropriate written responses to the IRS, prepare Tax Court petitions, and litigate tax cases.

Certain other courses offered by Loyola University Chicago School of Law and Graduate School of Business may also qualify as electives.

Gaining Practical Experience

FEDERAL TAX CLINIC

The Federal Tax Clinic represents low-income clients who are engaged in income tax controversies with the Internal Revenue Service. The students seek ethical solutions to the clients' tax problems while working in the environment of a small law firm. The Federal Tax Clinic was created to help taxpayer clients who otherwise might go without representation in dealing with matters concerning the Internal Revenue Service.

Clients come to the Federal Tax Clinic through referrals from private attorneys, the Bar Association, social service agencies, and previous clients. The clinic's students take a team-work approach, presenting the facts and suggesting possible solutions. In examining possible outcomes, students come to understand and learn the process of arriving at the solution.

Along with learning practical matters such as how to open a file, how to meet with the IRS, and how to draft basic legal documents, students learn that helping clients does not always mean receiving a decision in the client's favor. Helping does, however, always mean identifying the problem, suggesting potential solutions, and counseling the client about the pros and cons of each potential solution.

The Federal Tax Clinic is directed by Mike Novy, former appeals team chief with the IRS. The clinic is staffed by law students who are supervised and trained by the director and assistant director. The director secures a special order from the director of practice authorizing students to practice before the IRS and enters into an agreement with the chief judge of the U.S. Tax Court authorizing students to practice in the Tax Court.

The clinic class meets for two hours each week. The class is composed of lectures, simulations, and class projects that emphasize the understanding of various Internal Revenue Service documents, forms, and correspondence.

This course also covers interview skills and negotiation techniques, and stresses the absolute necessity of taxpayer confidentiality when representing a taxpayer before the Internal Revenue Service and the U.S. Tax Court.

TAX EXTERNSHIPS

Recognizing the value of practical, on-site experience, the School of Law offers an extensive program of externships. The program seeks to provide students with practical experience under the supervision of tax professionals, practicing attorneys, and judges. The program offers an opportunity for students to develop and improve lawyering skills, incorporate the values of the professional, and establish good work habits in a professional and academic environment.

Loyola Tax Law Faculty: Expert Leadership

The tax faculty at Loyola University Chicago School of Law brings high energy and enthusiasm to the study of tax law. All of our full-time faculty members have been educated at the nation's top law schools and have practiced with prominent law firms. Our tax faculty has published many books and articles, and is respected by both the academic community and the practicing bar. Members of the tax faculty play leadership roles in the tax community and are frequently recognized for their accomplishments. We enjoy working closely with students and take pride in our accessibility. By virtue of the efforts of our tax faculty, Loyola School of Law enjoys an environment conducive to the study of tax law in which our students thrive.

PROFESSOR JEFFREY L. KWALL

Professor Kwall, the Kathleen and Bernard Beazley Professor of Law and director of the Tax LLM Program, received his law degree from the University of Pennsylvania Law School and his MBA degree from the Wharton School. Professor Kwall is the author of a leading casebook in corporate and partnership taxation and has published many tax articles. He has practiced law with Schwartz & Freeman and Michael Best & Friedrich, concentrating in federal income taxation. Professor Kwall has chaired the Chicago Bar Association's Federal Tax Committee and remains on the Executive Committee. Professor Kwall teaches Federal Income Tax, Corporate & Partnership Tax, Advanced Corporate Tax, and the LLM Seminar.

PROFESSOR ANNE-MARIE E. RHODES

Professor Rhodes received her law degree from Harvard Law School. She was elected as an academic fellow of the American College of Trust and Estate Counsel. Professor Rhodes writes in the estate planning area and has made presentations to many audiences, including the Internal Revenue Service. She has practiced with Schiff, Hardin and Waite in Chicago and Washington, D.C., and is currently of counsel with the Chicago office of Reed Smith, concentrating in estate planning. She has been on the executive team of the Loyola Family Business Center at the Graduate School of Business and on the Advisory Board of the Martin D'Arcy Gallery. Professor Rhodes teaches Federal Income Tax, Estate & Gift Tax, Estate Planning, and the LLM Seminar.

PROFESSOR SAMUEL D. BRUNSON

Professor Brunson received his law degree from Columbia Law School. At Columbia, he was senior editor of the *Columbia Law Review* and a Harlan Fisk Stone Scholar. After graduation, he clerked for the Honorable George W. Miller on the U.S. Court of Federal Claims and practiced tax law with Willkie Farr & Gallagher LLP in New York. Professor Brunson's research focuses on the taxation of investments and investors. He teaches Federal Income Tax, International Tax, and the LLM Seminar.

Loyola Tax Law Faculty

STUART DUHL
Mr. Duhl is a partner with the law firm of Harrison & Held, LLP and practices in the areas of federal income tax, estate planning, and corporate law. He received his law degree from Northwestern University School of Law and is also a certified public accountant. Mr. Duhl served on the Illinois Board of Admissions to the Bar for more than 20 years. He teaches Federal Income Tax and Tax Audits, Procedure & Ethics.

JONATHAN M. CESARETTI
Mr. Cesaretti is a director at WTAS in Chicago. He earned his law degree at Loyola, where he was the lead articles editor of the *Consumer Law Reporter*. Mr. Cesaretti teaches State & Local Taxation.

JEFFREY L. LONDON
Mr. London is a partner at the law firm of Kaye Scholer LLC. He assists both public and private companies in all areas of executive compensation. Mr. London also represents clients in all aspects of ERISA litigation. He teaches Employee Benefits.

CRAIG R. BOYER
Mr. Boyer is a tax principal with Deloitte Tax LLP. He is Deloitte's Midwest competency leader in partnership taxation and a frequent lecturer on real estate and partnership tax issues. Mr. Boyer is a member of the Illinois Bar and a certified public accountant. He received his law degree from Loyola University Chicago, where he was recognized with an award for outstanding performance in taxation. He teaches Advanced Partnership Tax.

MICHAEL D. NOVY
Mr. Novy was formerly employed by the Internal Revenue Service as a revenue agent, appeals officer, appeals manager, and appeals team chief. While at the IRS, Mr. Novy was a member of the instructor cadre, where he taught basic and advanced income, trust, and exempt organization tax law. He is director of the Federal Tax Clinic.

DANIEL P. PAVLIK
Prior to joining the Loyola University Chicago faculty, Mr. Pavlik worked at the Internal Revenue Service as a revenue agent, an appeals officer, and an appeals team chief. He joined the Loyola law faculty in 2000 and serves as the assistant director of the Federal Tax Clinic.

SHARON M. BUCCINO
Ms. Buccino is of counsel to Hoogendoorn & Talbot. Her practice focuses on estate planning. She received her law degree from Loyola University Chicago, where she was recognized with an award for her outstanding performance in taxation. She teaches Estate Planning.

ANTHONY E. ANTOGNOLI
Mr. Antognoli is a partner at Hinshaw & Culbertson LLP. His business practice focuses on federal taxation, employee benefits, ERISA, and general corporate matters. He received his law degree from Loyola University Chicago, where he earned a Tax Certificate. He teaches Federal Tax Research.

Take Your Next Step

TAKE YOUR NEXT STEP
- Certificate in Taxation for JD students
- Master of Laws (LLM) degree in tax law

SUPERIOR EDUCATION
Learn with accomplished full-time and part-time faculty who are recognized experts in the tax field.

CHOOSE LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW
For additional information on Loyola University Chicago School of Law's Tax Certificate Program or LLM in Taxation Program, contact:

Professor Jeffrey Kwall
jkwall@luc.edu

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