Susan T. Bart

PARTNER

Susan helps clients transfer their wealth in meaningful, tax efficient ways.

Practices

Private Clients, Trusts & Estates
— Estate Planning
— Wealth Transfer Strategies

Education

University of Michigan Law School, JD, magna cum laude, Order of the Coif, 1985

Grinnell College, BA, with honors, Phi Beta Kappa, 1982

Offices	Phone	Email
Chicago	312.258.5557	susan.bart@afslaw.com

Susan's practice focuses on estate and gift tax planning, trust and estate administration, charitable planning, and fiduciary counsel. Her clients include wealthy individuals and families, family business owners, corporate executives, banks and trust companies, trustees and executors and private foundations.

Susan is a fellow, former regent and former Illinois state chair of the American College of Trust & Estate Counsel (ACTEC), the leading national association for trust and estate lawyers. She was the Reporter of the Uniform Trust Decanting Act, which has been enacted in many states. She has also been active in Illinois trust law legislation, and co-chaired the drafting committee for the Illinois Trust Code and co-chaired the committee that drafted the Illinois Trust Code (enacted 2020).

Susan is listed in Band 1 by Chambers High Net Worth, Private Wealth Law. Susan has written extensively on trust and estate law topics with more than 30 published articles and several books. She has lectured to professional groups around the country, such as the Heckerling Institute on Estate Planning (University of Miami), ACTEC, the Notre Dame Trust & Estate Planning Institute, ALI-ABA, the Illinois Institute for Continuing Legal Education, American Institute of CPAs (AICPA), and the American Bankers Association.

Susan has garnered many accolades. She has been inducted into the NAEPC Estate Planning Hall of Fame and received recognition as a 2017 National Law Journal Divorce, Trusts & Estates Trailblazer, a leading lawyer in Private Wealth by Chambers, and "best in wealth management" by Euromoney Legal Media Group in 2013. She also received the 2013 Austin Fleming Award from the Chicago Estate Planning Council for achievement in estate planning practices and the Addis Hull Award from the Illinois Institute for Legal Education.

Client Work

- Developed and implemented wealth transfer plan from a $50 million trust likely to terminate in the next decade to dynasty trusts that can last indefinitely.
- Restructured $200 million estate plan for clients with significant business that included transitioning assets to multigenerational group of owners with differing needs, liquidity for

payment of estate taxes, and business succession planning.

- Created innovative plan for list net worth estate, which included extensive modification of existing irrevocable trusts through decanting, restructuring of insurance program to provide liquidity for estate taxes, succession planning for company, and transition of control to next generation.

Previous Work

Susan started her private law career after clerking for the Hon. Richard D. Cudahy, United States Court of Appeals, Seventh Circuit.

Professional Activities

- University of Michigan Law School, Lecturer (Winter 2009)
- University of Michigan Law School, Visiting Professor (1996)
- Various leadership positions including president at the Domestic Violence Legal Clinic, which provides legal services to victims of domestic abuse

Boards, Memberships & Certifications

- American College of Trust & Estate Counsel (ACTEC), Fellow, and Former Regent Illinois State Chair, and Chair of Estate and Gift Tax Committee
- Illinois State Bar Association, Trusts & Estates Section Council, Member
- Chicago Bar Association, Trust Law Committee, Member and Past Chair; Probate Practice Committee, Member
- Chicago Estate Planning Council, Member, Former Board Member
- American Bar Association, Member
- Basic program certificate for four-year great Western books program, University of Chicago (1991)
- Roosevelt University, Former Board of Trustees, Vice Chair
- Goodman Theatre, Spotlight Advisory Council

Publications, Presentations & Recognitions

Publications

- "State-By-State Summaries of the Uniform Trust Decanting Act: Part 1 Uniform Trust Decanting Act States," American Law Institute Continuing Legal Education's Estate Planning Course Materials Journal (Jul. 2022)
- "Who Are My Qualified Beneficiaries?" *Illinois Bar Journal* (May 2021)
- "*Alberhasky v. Alberhasky*: The Confounding Intersection of Trusts and 529 Accounts," LISI Estate Planning Newsletter #2734 (Jul. 10, 2019)
- "Estate Planning Forms and Commentary: Powers of Attorney, Advance Directives, Premarital Agreements, and Guardianships," (co-author) Illinois Institute for Continuing Legal Education (2016)
- "Amendments to the Illinois Virtual Representation Statute" (included as "Survey of Illinois Law: Trusts and Estates"), Southern Illinois University Law Journal (Summer 2015/Vol. 39, Issue 4)
- "Saving for Education: Creating Educational Dynasty Trusts Using 529 Plans," ACTEC *Journal*. Vol. 40, No. 2 and 3 (Fall/Winter 2014)
- "Summaries of State Decanting Statutes," National Association of Estate Planners and Councils (NAEPC) Journal of Estate and Tax Planning (Second Quarter 2014)
-

"Decanting: Refining a Vintage Trust," National Association of Estate Planners and Councils (NAEPC) Journal of Estate and Tax Planning (First Quarter 2014)

- "Trusts & Trustees Act Modernized: Decanting and Directed Trusts," Illinois Bar Journal (Nov. 2012)
- Education Planning and Gifts to Minors, Illinois Institute for Continuing Legal Education (revised 2009)
- Co-author, Illinois Estate Planning: Forms and Commentary, 2nd Ed., Illinois Institute for Continuing Legal Education (2005) - the first edition of which received an "Award of Outstanding Achievement" by the Association of Continuing Legal Education in July 1998
- "Avoiding Section 529 Plan Pitfalls," Private Wealth (Nov. 2010)
- "Virtual Representation in Trust and Estate Dispute Resolution: Opportunities and Risks," (co-author) ALI-ABA Estate Planning Course Materials Journal (Oct. 2010)
- "Ethical Wills: Preserving a Legacy," (co-author) ABA Trust & Investments (May/Jun. 2010)
- "State Statutes on Virtual Representation – A New State Survey," (co-author) ACTEC Journal (Spring 2010)
- "New Law Promotes Private Trust-Administration Agreements," (co-author) Illinois Bar Journal (Nov. 2009/Vol. 97, #11)
- "The Best of Both Worlds: Using a Trust to Make Your 529 Savings Accounts Rock," ACTEC Journal (Winter 2008)
- "Human Issues in Estate Planning for the Family Business Owner" (co-author) ALI-ABA Estate Planning Course Materials Journal (Aug. 2008/Vol. 14, No. 4)
- "Ten Tax Smart Tips for College Savings Planning," Morningstar Advisor magazine (Summer 2008)
- "Code Section 529 College Savings Accounts: More Than a Decade Without Final Rules," Heckerling Institute on Estate Planning (2008)
- "529 Savings Plans Are Threatened," Trusts & Estates magazine (Feb. 2008)
- "New Push-Pull into 529 Plans," Trusts & Estates magazine (Aug. 2006)
- "Marital Deduction Planning After Decoupling," ABA Trust & Investments (May/Jun. 2005)
- "This Is Me Leaving You – Illinois 'Breaks Up' with the Fed," Illinois Bar Journal (Jan. 2004)

Presentations

- "Avoiding the Illinois Surprise: Strategic Planning for the State Estate Tax," (co-presenter) Chicago Estate Planning Council, Chicago, Ill. (Mar. 12, 2026)
- "The Illinois Trust Code: Highlights for Fiduciaries," Illinois Bankers Association, Webinar (Sep. 11, 2024)
- "Illinois Trust Code Workshop," Chicago Estate Planning Council, Webinar (Feb. 2, 2022)
- "Trust Modifications," ISBA Trusts & Estates Section, Webinar (Sep. 24, 2021)
- "Revocable Trust Drafting & Administration," ISBA Trusts & Estates Section, Webinar (Sep. 24, 2021)
- "Zen and the Art of Trust Modification," The Estate Planning Council of Northeast Wisconsin, Webinar (Jun. 23, 2021)
- "529 Planning," National Association of Estate Planners & Councils, Webinar (May 12, 2021)
- "Am I Doing this Right? A One-Year Checkup on the Illinois Trust Code," Illinois Institute of Continuing Legal Education, Webinar (Jun. 22, 2021)
- "Fundamentals of the Illinois Trust Code," (co-presenter) Chicago Estate Planning Council, Chicago, Ill. (Feb. 3, 2021)
- "Variations on a Theme: The Uniform Trust Code in the Midwest," 46th Annual Notre Dame Tax & Estate Planning Institute, Webinar (Oct. 30, 2020)
- "Learning to Love the NEW Illinois Trust Code," 63rd Annual Estate Planning Short Course, Illinois Institute for Continuing Legal Education Webinar with Adam Damerow (May 4 and 18,

2020)

- “Is Any Trust Really Irrevocable Anymore: All About Decanting,” American Academy of Estate Planning Attorneys 2020 Spring Summit, Webinar (Apr. 25, 2020)
- “Income Tax Considerations for Trusts and Estates; and Understanding the Basics of the Illinois Trust Code,” 2020 Fundamentals Couse Series, Chicago Estate Planning Council, Chicago, Ill. (Jan. 29, 2020)
- “Illinois Trust Code: Judicial Modification of Trusts, Decanting,” Chicago Bar Association, Chicago, Ill. (Dec. 9, 2019)
- “The New Illinois Trust Code – Who, What, When and Why,” 2019 Illinois Banker’s Association Bank Counsel Conference, Chicago, Ill. (Dec. 6, 2019)
- “The Next Generation Illinois Trust Code,” CEPC 2019-2020 Luncheon, The standard Club, Chicago, Ill. (Nov. 13, 2019)
- “Illinois Uniform Powers of Appointment Act,” Illinois State Bar Association Continuing Legal Education, Chicago, Ill. (Dec. 13, 2018)
- “Illinois Uniform Powers of Appointment Act,” Chicago Bar Association, Trust Law Committee, Chicago, Ill. (Nov. 12, 2018)
- “Trust Administration in Illinois,” Chicago Estate Planning Council: 2018 Basics Course, Chicago, Ill. (Jan. 31, 2018)
- “Decanting of Irrevocable Trusts,” Estate Planning Council of Greater Joliet November Meeting, Lockport, Ill. (Nov. 16, 2017)
- “How the Election Made Decanting Even More Important,” ALI CLE’s Planning Techniques for Large Estates, Scottsdale, Ariz. (Apr. 21, 2017)
- “What You Can Learn From the UTDA Even If Your State Doesn’t Have Decanting,” Tulsa Estate Planning Forum, Tulsa, Okla. (Nov. 14, 2016)
- “Decanting: Best Practices,” Fiduciary Law Institute, St. Simons Island, Ga. (Jul. 15, 2016)
- “Decanting: Best Practices,” ALI-CLE Estate Planning for Large Estates, Scottsdale, Ariz. (Apr. 29, 2016)
- “Experts in Estate Planning: Leaving an Education Legacy,” Institute for Continuing Legal Education (ICLE), Plymouth, Mich. (Nov. 17, 2015)
- “Uncorking the Uniform Trust Decanting Act: What Decanting States, Prohibition States and Teetotalers Can Learn,” panel at ACTEC 2015 Fall Meeting, Monterey, Calif. (Oct. 16, 2015)
- “The Middle Way: The Uniform Trust Decanting Act,” ABA Joint Fall Meeting of RPTE’ s Income and Transfer Tax Planning Group & Tax’s Estate and Gift Tax Committee, Chicago, Ill. (Sep. 18, 2015)
- “Decanting: Refining a Vintage Trust,” 44th Annual Estate Planning Council of Portland, Portland, Ore. (Jan. 30, 2015)
- “ULC Draft Decanting Act,” National Conference of Lawyers and Corporate Fiduciaries, Telephone seminar (Dec. 4, 2014)
- “Saving for Education: Creating Educational Dynasty Trusts Using 529 Plans,” 40th Annual Notre Dame Tax and Estate Planning Institute, South Bend, Ind. (Nov. 14, 2014)
- “Decanting: Refining a Vintage Trust,” National Association of Estate Planners & Counsels (NAEPC), San Antonio, Texas (Nov. 6, 2014)
- “Decanting: Refining a Vintage Trust,” 36th Annual Duke University Estate Planning Conference, Durham, N.C. (Oct. 16, 2014)
- “Legal Education and Uniform Laws,” (with David English and Turney Berry), “Professor’s Corner,” ABA Real Property Trust and Estate Law Section, Webinar (Sep.10, 2014)
- “Decanting,” National Conference of Lawyers and Corporate Fiduciaries (NCLCF), Chicago, Ill. (Jun. 6, 2014)
- “Decanting: Refining a Vintage Trust,” IL CPA Society, Chicago, Ill. (May 20, 2014)
- “Decanting: Refining a Vintage Trust,” Lunch-and-Learn presentation at John Marshall Law School, Chicago, Ill. (Mar. 26, 2014)
-

“Decanting: State Law Survey and Federal Tax Issues” (with Diana S. C. Zeydel), ABA, Webinar (Feb. 4, 2014)

- “Estate & Gift Tax Planning Opportunities for 2014 and Beyond” (with moderator Steve Akers and co-panelist Clary Redd) American College of Trust and Estate Counsel/ American Law Institute (ACTEC/ ALI), Teleconference Series (Dec. 11, 2013)
- “Decanting: Refining a Vintage Trust,” Estate Planning Council of Seattle and the Washington State Bar Association, Seattle, Wash. (Oct. 21, 2013)
- “Decanting: Refining a Vintage Trust,” Chicago Estate Planning Council (CEPC), Chicago, Ill. (Sep. 11, 2013)
- “Decanting: Refining an Old Vintage Trust,” Main Plenary Session at Minnesota’s 39th Annual Probate & Trust Law Section Conference, Saint Paul, Minn. (Jun. 10, 2013)
- “Virtual Representation: Trust Modification by Agreement” (with Rebecca Wallenfelsz), ISBA Law Ed Studio Presentation, Chicago, Ill. (May 30, 2013)
- “Decanting and Directed Trusts” (with Farhad Aghdami and M. Patricia Culler), ACTEC 2013 Annual Meeting, Maui, Hawaii (Mar. 7 and 8, 2013)
- “Educational Planning and 529 Plans,” 57th Annual Estate Planning Seminar, Estate Planning Council of Seattle and the Washington State Bar Association, Seattle, Wash. (Nov. 2, 2012)
- “Illinois Decanting Statute: Refining a Vintage Trust,” Illinois State Bar Association Trusts & Estates Section Council, Webcast, “Are You Ready? The New Directed Trusts and Decanting Statutes” (with Mary D. Cascino), Chicago, Ill. (Oct. 9, 2012)
- “Section 529 College Savings Plans: A Decade Without Final Regulations,” Estate Planning Council of St. Louis, St. Louis, Mo. (Sep. 24, 2012)
- “No Taxpayer Left Behind: Tax-Wise Techniques for Funding Education,” ALl-ABA, Boston, Mass. (Apr. 23, 2012)
- “Estate Planning Issues for Same-Sex Couples,” The Northern Trust Company Client Event, Chicago, Ill. (Feb. 28, 2012)
- “Dealing with Disgruntled Beneficiaries and Settling Disputes” (with Roselyn Friedman, Erica E. Lord and Robin D. Maher), CBA Trust Law Committee, Chicago, Ill. (Jan. 9, 2012)
- “Beyond Trusts - Alternative Wealth Transfer Vehicles,” 46th Annual Southern Federal Tax Institute (SFTI), Atlanta, Ga. (Sep. 23, 2011)
- “Planning in Decoupled States,” Illinois CPA Society (ILCPA), Chicago, Ill. (May 18, 2011)

Recognitions

- *Chambers High Net Worth* – Band 1 Private Wealth Law, Illinois (2017-2025); Private Wealth Law, Central Region, USA (2018-2023); Private Wealth Law, Central Region, USA and Nationwide (2016, 2024-2025)
- “Lawyer of the Year” – Closely Held Companies and Family Businesses Law, Chicago, *The Best Lawyers in America* (2021 and 2023)
- Top 50 Women, *Illinois Super Lawyers*, Thomson Reuters (2005-2009, 2013-2018, 2020-2023)
- *Illinois Super Lawyers*, Thomson Reuters (2005-2022)
- “Lawyer of the Year” Trusts and Estates – Chicago, *Best Lawyers* (2022)
- The Best Lawyers in America, *Best Lawyers* (2006–2026)
- Illinois Leading Lawyer, Law Bulletin’s *Illinois Leading Lawyers Network* (2017-2021)
- Best of the Best USA – Women in Business Law, Trusts and Estates, *Expert Guides* (2018)
- Divorce, Trusts & Estates Trailblazer, *National Law Journal* (2017)
- *Chambers USA* – Wealth Management, Central Region (2010-2016)
- 2013 Austin Fleming Award, Chicago Estate Planning
- “Best in Wealth Management,” Euromoney Legal Media Group’s Second Annual Americas Women in Business Law Awards (Jun. 2013) New York City
- 2012 Addis Hull Award, Illinois Institute for Continuing Legal Education
-

Lawyer of the Year, Chicago Trusts and Estates, *Best Lawyers* (2011)

- "Top 100 Attorneys," *Worth* magazine (Dec. 2008/Jan. 2009 and Dec. 2007/Jan. 2008 issues)
- Top 11 Attorneys, *Illinois Super Lawyers* (2006)
- *Who's Who Legal: Private Client* (2014–2016)

Bar Admissions

Illinois
Arizona

Court Admissions

US District Court, Northern District of Illinois