

Karen S. Gerstner
Attorney at Law
KAREN S. GERSTNER & ASSOCIATES, P.C.
5615 Kirby Drive, Suite 306
Houston, Texas 77005-2448
(713) 520-5205
Fax (713) 520-5235
karen@gerstnerlaw.com

Professional Memberships and Certifications

- *Board Certified*, Estate Planning and Probate Law, Texas Board of Legal Specialization, 1986 - present
- *Fellow*, American College of Trust and Estate Counsel
- *Member*, Houston Bar Association
 - *Past Chair and member*, Probate, Trusts and Estates Section (Immediate Past Chair, 2000-2001; Chair, 1999-2000; Chair-Elect, 1998-1999; Vice Chair, 1997-1998; Secretary, 1996-1997; Treasurer, 1995-1996; Council Member, 1991-2001)
 - *Past Chair*, Elder Law Committee, 1991-1992; Elder Law Seminar Chairman, 1992-1993; Co-Author, HBA Elder Law Handbook, 1995-2009
 - *Treasurer*, Law Practice Management Section, 1996-1997
- *Past President and member*, Houston Estate and Financial Forum (Immediate Past President, 2007-2008; President, 2006-2007; Vice President; 2005-2006; Secretary, 2004-2005; Treasurer, 2003-2004; Director, 1995-2008)
- *Past President and member*, Planned Giving Council of Houston (President, 1993-1994; Secretary, 1991-1992; 1992 Annual Conference Chairman)
- *Member*, Supreme Court of Texas Admissions Committee, 1982-1997
- *Member*, State Bar of Texas Real Estate, Probate and Trust Law Section
 - *Trust Law Editor* of the Section's Quarterly Newsletter, 1988-1992
 - *Co-Chairman*, Committee on Revising the Texas Guardianship Statutes, 1990-1992 (and committee member, 1988-1990)
- *Fellow*, Houston Bar Foundation, Texas Bar Foundation
- *Other Professional Memberships*: American Bar Association (and Section on Real Property, Trust and Estate Law); College of the State Bar of Texas; Attorneys in Tax and Probate (former officer); Disability and Elder Law Attorneys Association

Other Professional Matters

- AV rating, Martindale-Hubbell
- Texas "Super Lawyer", 2003, 2004, 2005, 2006, 2007, 2008 and 2009
- Frequent Radio Talk Show Guest (AM 700 - KSEV • The Voice, "Money Matters" with Steve Drake, and Business Talk Radio 650 AM, "Mid-day Money Talk" with Dr. Kay Copley)
- Former professor, estate planning and probate law, Southwestern Paralegal Institute, 1982-1983
- Law Clerk, U.S. Magistrate for the Southern District of Texas, 1980-1981
- Member, River Oaks Business Women's Exchange Club

Prior Law Firm Experience

- Partner, Davis, Ridout, Jones & Gerstner, L.L.P., January 1999 - December 2003
- Partner, Dinkins Kelly Lenox Gerstner & Lamb, L.L.P., January 1988 - December 1998
- Associate Attorney, Dinkins, Kelly & Lenox, July 1986 - December 1987
- Associate, Butler & Binion, June 1981 - July 1986

Education

- *Undergraduate:* B.A. with Honors, Miami University, Oxford, Ohio 1977 (Phi Beta Kappa)
- *Law School:* J.D., Case Western Reserve University School of Law, Cleveland, Ohio, 1980

Speeches, Publications, etc.

- *Qualified Retirement Plans and IRAs: Top Ten List*, State Bar of Texas Advanced Estate Planning and Probate Course, June 23-25, 2010 (Author/Speaker)
- *Advising a Client Who Has Won the Lottery*, GPSolo Magazine, a publication of the American Bar Association, April/May 2010 (Author)
- *Malpractice Avoidance for Estate Planners: Practicing Trust and Estate Law Effectively, Carefully and Defensively*, State Bar of Texas Live Webcast, March 11, 2010 (Co-Speaker)
- *Forms From Around the State*, State Bar of Texas 20th Annual Advanced Drafting Course: Estate Planning and Probate, October 29-30, 2009 (Co-Author/Co-Speaker)
- *What Every Financial Planner Should Know About Estate Planning*, Financial Planners Association of Houston Annual Symposium, October 8, 2009 (Author/Speaker)
- Course Director, State Bar of Texas 33rd Annual Advanced Estate Planning & Probate Course, June 10-12, 2009, Houston, Texas
- *Estate Planning Using Revocable Living Trusts*, Houston CPA Society 2009 Tax EXPO, January 6, 2009 (Author/Speaker)
- *Top 10 Things to Take Away*, State Bar of Texas 19th Annual Advanced Drafting Course: Estate Planning and Probate, October 30-31, 2008 (Co-Author/Co-Speaker)
- *Living Trusts Revisited*, South Texas College of Law 23rd Annual Wills and Probate Institute, October 21, 2008 (Author/Speaker)
- *A Message to Clients...Avoiding Probate Court Litigation*, General Practitioner Solo Law Trends & News Practice Area Newsletter, a service of the American Bar Association, October 14, 2008 (Author)
- *Selected Issues Involving Revocable Living Trusts*, Houston Bar Association Probate, Trusts and Estates Section, April 29, 2008 (Author/Speaker)
- *A Message to Clients...Avoiding Probate Court Litigation*, Probate & Property Magazine, a publication of the Real Property, Trust and Estate Law Section of the American Bar Association, March/April 2008 (Author)

- *Revocable Trusts - Using an old "Dog" to do new "Tricks"*, Houston Estate and Financial Forum, February 29, 2008 (Author/Speaker)
- *The Basics of Planned Giving*, Houston CPA Society - Houston TSCPA Foundation, February 12, 2008 (Author/Co-Speaker)
- *The Minimum Required Distribution Rules for Qualified Retirement Plans and IRAs and Related Issues*, Houston CPA Society 2008 Tax EXPO, January 8, 2008 (Author/Speaker)
- *Revocable Trusts*, State Bar of Texas 18th Annual Advanced Drafting Course: Estate Planning and Probate, October 25-26, 2007 (Author/Speaker)
- Course Director, State Bar of Texas Advanced Estate Planning Strategies Course, April 19-20, 2007, Santa Fe, New Mexico; topics included "Estate Planning for the Dysfunctional Family", "How We Analyze Information about Assets and the People Who Own Them to Develop an Appropriate Estate Plan", "Advanced Fiduciary Issues", and "Attorney Liability Issues"
- *Representing Lottery (and Other) Winners*, Wednesday Tax Forum, September 26, 2006 (Author/Speaker)
- *Estate Planning with Respect to Qualified Plans and IRAs*, Million Dollar Round Table – 2006 Annual Meeting, June 12-14, 2006, San Diego, California (Author/Speaker)
- *The Pros and Cons of the Bypass Trust as IRA Beneficiary*, State Bar of Texas 30th Annual Advanced Estate Planning and Probate Course, June 7-9, 2006 (Author/Speaker)
- *Planning Challenges: Retirement Plan and IRA Beneficiary Designations, with a Focus on Trusts as Beneficiaries*, Dallas Bar Association Probate, Trusts and Estates Section, April 25, 2006 (Author/Speaker)
- *Estate Planning with Respect to Qualified Plans and IRAs*, Houston Bar Association Probate, Trusts & Estate Section, 2006 Wills & Probate Institute – Advanced Course, February 17, 2006 (Author/Speaker)
- *The Minimum Required Distribution Rules for Qualified Retirement Plans and IRAs and Related Issues*, Houston CPA Society 2006 Tax EXPO, January 5, 2006 (Author/Speaker)
- *Forms from Around the State: Useful, Creative, and Practical Drafting Examples for Your Practice*, State Bar of Texas 16th Annual Advanced Drafting Course: Estate Planning and Probate, October 27-28, 2005 (Co-Author/Co-Speaker)
- *Planning Challenges: Retirement Plan/IRA Beneficiary Designations in Second Marriage Situations*, State Bar of Texas 29th Annual Advanced Estate Planning and Probate Course, June 8-10, 2005 (Author/Speaker)
- *IRA Beneficiary Designations: A Practical Approach*, Austin Bar Association Estate Planning and Probate Seminar, April 1, 2005 (Author/Speaker)
- *Fully Ap-Prized: Your Ticket to Advising Lottery Winners*, Estate Planners' Council of San Antonio, March 15, 2005 (Author/Speaker)

- *Representing Lottery (and Other) Winners*, Brazos Valley Estate & Financial Planning Council, February 15, 2005 (Author/Speaker)
- *Distribution Rules for Qualified Plans and IRAs*, Houston CPA Society 2005 Tax Expo, January 7, 2005 (Author/Speaker)
- *Representing Lottery (and Other) Winners*, Houston Bar Association Probate, Trusts and Estates Section, November 30, 2004 (Author/Speaker)
- Course Director, State Bar of Texas 15th Annual Advanced Drafting Course: Estate Planning and Probate, October 28-29, 2004, Houston, Texas
- *Contribution and Distribution Rules – IRAs and Roth IRAs*, Houston TSCPA Foundation and Personal Financial Planning Committee – Personal Financial Planning Conference, October 20, 2004 (Author/Speaker)
- *Beneficiary Designations for Retirement Plans (Including IRAs) in View of the Final Minimum Required Distribution Regulations*, South Texas College of Law 18th Annual Wills and Probate Institute, September 9, 2004 (Author/Speaker)
- *Representing Lottery (and Other) Winners*, State Bar of Texas 28th Annual Advanced Estate Planning and Probate Course, June 9-11, 2004 (Author/Speaker)
- *The Finalized Minimum Required Distribution Rules for Defined Contribution Plans and IRAs*, Texas Society of Certified Public Accountants 2003 Advanced Estate Planning Conference, August 21, 2003 (Author/Speaker)
- *Retooling Our Practice: What does our professional future hold?* State Bar of Texas Advanced Estate Planning Strategies Course, April 24-25, 2003 (Co-Author/Co-Speaker)
- *Strategies for Distributions from Retirement Plans in View of the Final "M.R.D." Regulations*, Society for Financial Service Professionals, March 3, 2003 (Author/Speaker)
- *Strategies for Distributions from Retirement Plans in View of the Final "M.R.D." Regulations*, The 49th Annual Texas CPA Tax Institute, November 14-15, 2002 (Author/Speaker)
- *Should a Trust Be The Beneficiary of Your IRA?*, American Association of Individual Investors (AAII) Journal – October 2002 (Co-Author)
- *Required Minimum Distributions Under the Final "M.R.D." Regulations*, Financial Planners Association of Houston, Inc., October 2, 2002 (Author/Speaker)
- *Beneficiary Designations for Qualified Plans and IRAs in View of the Final "M.R.D." Regulations*, South Texas College of Law 16th Annual Wills and Probate Institute, September 12-13, 2002 (Author/Speaker)
- *The New Minimum Required Distribution Rules for Qualified Plans and IRAs, and How Do the New Rules Affect Estate Planning?*, 2001 CPE Exposition Conference, December 3-4, 2001, Arlington, Texas, December 6-7, 2001, Austin, Texas, December 10-11, 2001, Houston, Texas (Author/Speaker)

- *Naming a Trust as the Beneficiary of Qualified Plan Benefits and IRAs Under the New Minimum Distribution Rules*, updated article on website, October 31, 2001 (Author)
- *The New Minimum Required Distribution Rules for Qualified Plans and IRAs, and How Do the New Rules Affect Estate Planning?*, Central Texas Estate Planning Council, October 23, 2001 (Author/Speaker)
- *Revocable Trusts*, South Texas College of Law 15th Annual Wills and Probate Institute, September 2001 (Speaker)
- *The New Minimum Distribution Rules for Qualified Retirement Plans and IRAs*, Baylor Law Review, Volume 53, Number 3, pages 626-658, Summer 2001 (Author)
- *You Have Named a Trust as a Beneficiary of Qualified Plans/IRAs - Now What? (Fiduciary Accounting, Tax and Other Administrative Issues to Consider When Plan/IRA Benefits Pass to a Trust)*, State Bar of Texas 25th Annual Advanced Estate Planning and Probate Course, June 2001 (Author/Speaker)
- *New Minimum Required Distribution Rules for Qualified Plans and IRAs*, Houston Chapter of The Texas Society of Certified Public Accountants, May 2001 (Author/Speaker)
- *New Minimum Required Distribution Rules for Qualified Plans and IRAs*, Society of Financial Planning Professionals, March 2001 (Author/Speaker)
- *New Minimum Required Distribution Rules for Qualified Plans and IRAs*, Houston Estate and Financial Forum, March 2001 (Author/Speaker)
- *Naming a Trust as a Beneficiary of Qualified Retirement Plans and IRAs*, Planned Giving Council of Houston, November 2000 (Author/Speaker)
- *Naming a Trust as the Beneficiary of Qualified Plan Benefits and IRAs*, Financial Planning Association Fall Symposium, September 2000 (Author/Speaker)
- *Estate and Tax Planning for Qualified Retirement Plans and IRAs in Texas*, NBI Seminar, August 2000 (Author/Speaker)
- *Naming a Trust as the Beneficiary of Qualified Plan Benefits and IRAs*, State Bar of Texas Advanced Estate Planning Strategies Course, April 2000 (Author/Speaker)
- *Naming a Trust as the Beneficiary of Qualified Retirement Plans and IRAs: Can We Have Our Cake and Eat It Too?*, Houston Estate and Financial Forum, April 2000 (Author/Speaker)
- *Tax Considerations in Probate and Trust Litigation*, American Bar Association, Section of Real Property, Trust and Estate Law, 11th Annual Spring CLE Symposia, March 2000 (Author/Speaker)
- *Beneficiary Designations for Qualified Plans and IRAs*, Houston Bar Association, Wills and Probate Institute, February 2000 (Author/Speaker)
- *Designating Trusts as Beneficiaries of Qualified Plans and IRAs*, State Bar of Texas 10th Annual Advanced Drafting Course: Estate Planning and Probate, November 1999 (Author/Speaker)

- *Designating Trusts as Beneficiaries of Qualified Plans and IRAs*, Dallas Bar Association Probate, Trust and Estates Section, October 1999 (Author/Speaker)
- *Selected IRA and Retirement Plan Issues, such as Designating Beneficiaries, Understanding the Minimum Distribution Rules and Coordinating Payments*, South Texas College of Law 13th Annual Wills & Probate Institute, September 1999 (Author/Speaker)
- *Naming a Trust as the Beneficiary of Retirement Plans: Can We Have Our Cake and Eat It, Too?*, The Southwestern Legal Foundation 38th Annual Wills and Probate Institute, May 1999 (Author/Speaker)
- *Strategies for Developing a Successful Estate Planning Practice*, State Bar of Texas, December 1998 (all day panel presentation by Karen Gerstner, Barney Jones, Stephen Saunders & Steven Tackett) (Co-Author/Co-Speaker)
- *Multiple Party Accounts: Multiple Risks for Estate Planning Attorneys and Their Clients*, Tarrant County Probate Bar Association, December 1998 (Author/Speaker)
- *Charitable Remainder Trusts*, Rice University Fund Raising 202: Introduction to Planned Giving (a serialized course), September-October 1998 (Co-Author/Speaker)
- *Multi-Party Accounts: Multiple Risks for Attorneys and their Clients*, South Texas College of Law 12th Annual Wills and Probate Institute, September 1998 (Author/Speaker)
- *The Case is Settled -- Who Pays the Taxes? Tax Considerations in Probate and Trust Litigation*, The Southwestern Legal Foundation, 37th Annual Wills and Probate Institute, May 1998 (Author/Speaker)
- *Planning Strategies for Persons with Disabilities*, State Bar of Texas Professional Development Program, February 1998 (Speaker)
- *Multiple Party Accounts: Multiple Risks for Estate Planning Professionals and Their Clients*, State Bar of Texas Legal Assistants Division, Advanced Estate Planning & Probate Seminar, 1997 (Author/Speaker)
- *Special Needs Trusts*, Disability and Elder Law Attorneys Association (DELAA), April 1996 (Author/Speaker)
- *Multiple Party Accounts: Multiple Risks for Estate Planning Professionals and Their Clients*, Houston Estate and Financial Forum, March 1996 (Author/Speaker)
- *Settlements and Trust Modifications: Tax Considerations*, Houston Bar Association Wills and Probate Institute, February 1996 (Author/Speaker)
- *Multiple Party Accounts: Multiple Risks for Estate Planning Professionals and Their Clients*, Central Texas Estate Planning Council, January 1996 (Author/Speaker)
- *Multiple Party Accounts and Non-Testamentary Transfers*, South Texas College of Law Wills and Probate Institute, September 1995 (Author/Speaker)
- *A Potpourri of Disclaimer Issues*, Women Attorneys in Tax and Probate, July 1995 (Author/Speaker)

- *Multiple Party Accounts: Multiple Risks for Estate Planning Attorneys and Their Clients*, State Bar of Texas 19th Annual Advanced Estate Planning and Probate Course, June 1995 (Author/Speaker)
- *Guide to Estate Administration: Checklist and Form Letters*, Houston Bar Association Probate, Trusts and Estates Section, May 1995 (Author/Speaker)
- *Non-Probate Assets: The Missing Piece of the Estate Planning Puzzle*, Brazos Valley Estate and Financial Planning Council, February 1995 (Author/Speaker)
- *Drafting Trusts: Basic Considerations*, University of Houston General Practice Institute, December 1994 (Author/Speaker)
- *Litigation Perspective on Traditional Will Drafting*, State Bar of Texas 5th Annual Advanced Drafting Course: Estate Planning and Probate, November 1994 (Author/Speaker)
- *Estate Administration Checklist*, South Texas College of Law 8th Annual Wills & Probate Institute, September 1994 (Author/Speaker)
- *Multiple-Party Accounts*, Houston Bar Association Probate, Trusts and Estates Section, March 1994 (Author/Speaker)
- *How to Get Your Money Where You Want It To Go: Estate Planning and Probate Law*, Houston Bar Association Continuing Legal Education Seminar, December 1993 (Author/Speaker)
- *The ABCs Through XYZs of GSTs (Including the Proposed Regulations)*, State Bar of Texas 17th Annual Advanced Estate Planning and Probate Course, June 1993 (Author/Speaker)
- *Non-Probate Assets: The Missing Piece of the Estate Planning Puzzle*, Houston Estate and Financial Forum, 1993 (Author/Speaker)
- *The Essentials of Representing Senior Citizens*, Houston Bar Association Elder Law Seminar, April 1993 (Author/Speaker)
- *The K.I.S.S. * Principle (*Keep it Short and Simple) -- The Very Basics of Planned Giving*, Planned Giving Council of Houston, 2nd Annual Planned Giving Conference, November 1992 (Author/Speaker)
- *Tax Considerations in Probate and Trust Litigation*, Houston Chapter of Texas Society of CPAs Litigation Services Committee, 1992 (Author/Speaker)
- *Non-Probate Assets: The Missing Piece of the Estate Planning Puzzle*, Houston Bar Association and Judicare Committee Elder Law Seminar, April 1992 (Author/Speaker)
- *Tax Considerations in Probate and Trust Litigation*, Houston Estate and Financial Forum, 1991 (Author/Speaker)
- *Fiduciary Liability Issues*, South Texas College of Law 5th Annual Wills & Probate Institute, October 1991 (Author/Speaker)

- *Tax Considerations in Probate and Trust Litigation*, State Bar of Texas 15th Annual Advanced Estate Planning & Probate Course, June 1991 (Author/Speaker)
- *Tax Considerations in Probate and Trust Litigation*, Women Attorneys in Tax and Probate, 1991 (Author/Speaker)
- *Texas Federal Fiduciary Income Tax (written materials modified)*, Professional Education Systems, Inc., November 1990 (Author/Speaker)
- *The Proposed Texas Guardianship Code*, Travis County Bar Association, Fifth Annual Probate and Estate Planning Seminar, November 1990 (Author/Speaker)
- *Staying Out of Trouble with the Generation-Skipping Transfer Tax*, South Texas College of Law 4th Annual Wills and Probate Institute, September 1990 (Author/Speaker)
- *Tax Considerations in Probate and Trust Litigation*, Houston Bar Association Wills & Probate Institute, January 1990 (Author/Speaker)
- *Essential But Neglected Estate Planning Documents and Forms: Power of Attorney, Directive to Physicians, Designation of Guardian, Anatomical Gifts (speaker only)*, State Bar of Texas Professional Development Program: Will Drafting (an Institute Series), March 1989 (Speaker)
- *Wills and Estate Planning*, American Bar Association's Law Student Division (University of Houston), 1989 (Author/Speaker)
- *Report Concerning Activities of the Texas Guardianship Code Committee*, Houston Bar Association Probate, Trusts & Estate Section, 1989 (Author/Speaker)
- *Testamentary Charitable Giving*, Planned Giving Council of Houston, January 1989 (Author/Speaker)
- *Basic Will Drafting*, Professional Education Systems, Inc. Texas Basic Will and Trust Drafting Seminar, November 1988 (Author/Speaker)
- *Federal Estate Taxation of Non-Resident Alien Decedents' Estates After the Tax Reform Act of 1986*, Texas Bar Journal, September 1988 (Author)
- *Marital Property -- Rights of Surviving Spouse*, State Bar of Texas Professional Development Program: Administering the Estate: A Practical Guide to Probate Institute, August 1988 (Speaker)
- *The Fundamentals of Estate Tax Planning; Unified Credit/Exemption; Marital, Charitable and Other Deductions*, American Bar Association Young Lawyers Division, Estate Planning for the General Practitioner, March 1988 (Speaker)
- *Tax Considerations*, Professional Education Systems, Inc., Texas Practical Probate Seminar, January 1988 (Author/Speaker)
- *Fiduciary Liability in Probate Administration and Trusts, Recent Cases and Trends*, Houston Bar Association Continuing Legal Education Committee, January 1988 (Author/Speaker)
- *Fiduciary Liability Issues*, Texas College of Probate Judges, May 1987 (Author/Speaker)

- *Conflict of Interest Problems Facing the Bank as a Corporate Fiduciary*, Texas Bar Journal, May 1985 (Co-Author)

Civic/Other

Board Positions: Non Profit Organizations

- *Member*, Houston Christian Foundation Advisory Board
- *Past President*, Houston Center for Hearing and Speech Foundation, 2003-2004; Board member, 1998-2004
- *Past Member*, Memorial-Hermann Foundation Professional Advisory Board, 1999-2001
- *Past Member*, American Cancer Society (Houston Chapter) Professional Advisory Board
- *Past Member*, Literacy Advance Professional Advisory Board
- *Former Elder* (2 terms) and *Trustee* (1 term), St. Andrews Presbyterian Church
- *Former Treasurer*, The Exchange Club (Downtown Houston Chapter), 2001-2003
- *Former Board Member*, Sylvan Rodriguez Foundation, 2002-2003

Board Positions: For Profit Companies

- *Independent Director*, Bridgeway Funds, from inception (1993) to present
- *Former Member*, Advisory Board, Woodway Financial Advisors, A Trust Company, 2000-2001

Family

- Married to James F. (Jim) Gerstner since June 1979; three children: Laura, Allison and Elizabeth ("Libby")