Daniel J. Durst

Partner
Richmond, VA
P: 804.420.6465
F: 804.420.6507
ddurst@williamsmullen.com

Dan Durst advises clients on a wide range of estate planning, trust and estate administration, business succession and tax matters.

Dan regularly assists high net worth individuals, business owners and professionals with their estate planning needs, including the preparation of wills and trusts such as revocable trusts, insurance trusts, dynasty trusts, intentionally defective grantor trusts, grantor retained annuity trusts, qualified personal residence trusts and charitable lead and remainder trusts. He has represented individuals around the country and internationally.

Dan has extensive experience with the creation and administration of family limited partnerships and limited liability companies and transferring interests in those entities by gift or sale. He works frequently with valuation experts engaged to value interests in closely-held entities, real estate, tangible personal property and other hard-to-value assets related to such estate planning.

Dan also enjoys his many opportunities to represent and work with fiduciaries administering trusts and estates. Related to this work, Dan spends a significant amount of time preparing, and advising others on the preparation of, gift tax returns, estate tax returns (including estate tax returns for non-resident non-citizens) and fiduciary income tax returns.

Dan's representations typically include the following:

- Assist numerous business owners, their representatives and heirs in planning for and transferring business interests to the next generation while navigating unique family situations.
- Counsel high net worth individuals with respect to reducing gift, estate, generation-skipping and

income taxes and preparing for the potential payment of taxes.

- Prepare estate planning documents, including simple wills, tax-planned wills, trusts, powers of attorney, and advance medical directives.
- Help resolve conflicts and potential conflicts among family members through the use of partnerships, limited liability companies, trusts and other arrangements.
- Assist clients with planning for incapacity.
- Advise clients and charitable organizations with respect to the creation of private foundations, family funds and charitable trusts.
- Advocate for clients through gift and estate tax audits with the Internal Revenue Service.
- Guide fiduciaries through probate and the administration of estates and trusts.
- Advise foreign individuals and their counsel on estate planning and estate administration matters involving United States assets or beneficiaries.

Dan was recognized as an Up & Coming Lawyer in the 2019 & 2020 *Chambers High Net Worth Guide* for Private Wealth Law and ranked as a "Band 3" attorney in 2021. He is listed in *The Best Lawyers in America©* for Trusts and Estates Law (2018-present), in *Virginia Business* magazine among the "Legal Elite" (2019-present) and he has been listed in *Virginia Super Lawyers Rising Stars* for Tax Law (2017-2018). He is a Fellow of the American College of Trust and Estate Counsel.

Dan joined Williams Mullen from Baker Botts L.L.P. in Houston, Texas, where he was an associate for nearly five years, preparing wills, trusts, partnership agreements and other business and estate planning instruments for high net worth individuals. He has maintained his license to practice in Texas and regularly advises individuals with respect to marital property rights under Texas community property law and Virginia law.

Dan earned his J.D. at the University of Virginia School of Law, where he served as managing editor of the *Virginia Tax Review*. He received a B.A. in History from Brigham Young University.

Practice Areas

- Private Client & Fiduciary Services
- Wealth Transfer Planning
- Business Succession Planning
- Corporate
- Tax Law
- Tax Controversy
- Fiduciary Litigation

Education

- University of Virginia School of Law (J.D.), 2008
  Virginia Tax Review

- Managing Editor

- Brigham Young University (B.A., History), 2004

Professional Affiliations

- Estate Planning Council of Richmond
- Virginia Bar Association, Wills, Trusts and Estates Section - Vice-Chairman
- Trust Administrator's Council of Richmond
- American Bar Association - Real Property, Trust and Estate Section
- NeXt Estate Planning Group of Richmond

Awards

- *Chambers High Net Worth Guide* - Private Wealth Law (2019 - present)
- *Virginia Business* - "Legal Elite," (2019 - 2020)
- *The Best Lawyers in America*© - Trusts and Estates Law (2018 - present)
- *Virginia Super Lawyers Rising Stars* - Tax Law (2017 - 2018)
- American College of Trust and Estate Counsel - Fellow