

Boston College Law Review

Volume 57

Issue 3 *The Centennial of the Estate and Gift Tax:
Perspectives and Recommendations*

Article 1

5-26-2016

Front Matter

Boston College Law Review
Boston College Law School

Follow this and additional works at: <http://lawdigitalcommons.bc.edu/bclr>

Recommended Citation

Boston College Law Review, *Front Matter*, 57 B.C.L. Rev. (2016), <http://lawdigitalcommons.bc.edu/bclr/vol57/iss3/1>

This Front Matter is brought to you for free and open access by the Law Journals at Digital Commons @ Boston College Law School. It has been accepted for inclusion in Boston College Law Review by an authorized editor of Digital Commons @ Boston College Law School. For more information, please contact nick.szydowski@bc.edu.

BOSTON COLLEGE LAW REVIEW

Volume LVII

May 2016

Number 3

THE CENTENNIAL OF THE ESTATE AND GIFT TAX: PERSPECTIVES AND RECOMMENDATIONS

“DEATH TAX” POLITICS

Michael J. Graetz 801

SHOULD WE TAX THE GRATUITOUS TRANSFER OF WEALTH? AN INTRODUCTION

James R. Repetti 815

THE ONE-HUNDREDTH ANNIVERSARY OF THE FEDERAL ESTATE TAX: IT’S TIME TO RENEW OUR VOWS

Paul L. Caron 823

WHAT DO WE KNOW ABOUT THE BEHAVIORAL EFFECTS OF THE ESTATE TAX?

David Joulfaian 843

WHY TAX WEALTH TRANSFERS?: A PHILOSOPHICAL ANALYSIS

Jennifer Bird-Pollan 859

CONSIDERING ALTERNATIVES: ARE THERE METHODS OTHER THAN THE ESTATE AND GIFT TAX THAT COULD BETTER ADDRESS PROBLEMS ASSOCIATED WITH WEALTH CONCENTRATION?

Ray D. Madoff 883

ALTERNATIVES TO THE GIFT AND ESTATE TAX

David G. Duff 893

DIVIDE AND CONQUER: USING AN ACCESSIONS TAX TO COMBAT DYNASTIC WEALTH TRANSFERS

Miranda Perry Fleischer 913

A WEALTH TAX: TAXING THE ESTATES OF THE LIVING

David J. Shakow 947

VALUATION, VALUES, NORMS: PROPOSALS FOR ESTATE AND GIFT TAX REFORM

Bridget J. Crawford 979

THREE WHACKS AT WEALTH TRANSFER TAX REFORM: RETAINED- INTEREST TRANSFERS, GENERATION-SKIPPING TRUSTS, AND FLP VALUATION DISCOUNTS <i>Joseph M. Dodge</i>	999
TOWARD A REALITY-BASED ESTATE TAX <i>Wendy C. Gerzog</i>	1037
MARITAL SHARING OF TRANSFER TAX EXEMPTIONS <i>Kerry A. Ryan</i>	1061

Boston College Law School publishes the *Boston College Law Review* (ISSN 0161-6587) five times per year: in January, March, May, September, and November. In addition, the *Review* publishes an electronic supplement, the *E. Supp.*, once per year. Editorial and Business Offices: Boston College Law Review, 885 Centre Street, Newton Centre, Massachusetts 02459. Telephone: (617) 552-8557; email: bclr@bc.edu. Periodical-class postage paid at Boston, Massachusetts and additional mailing offices. POSTMASTER: Send address changes to Boston College Law Review, P.O. Box 465, Hanover, PA 17331.

Current subscription: \$40.00; single issues: \$10.00 (plus \$10.00 for foreign mailing for both).

Issues from the current and previous years' volumes are available upon request. Back issues of volumes 1–53 may be obtained from William S. Hein & Co., Inc. Warehouse, 24 East Ferry St., Buffalo, New York 14209–1987, (716) 882–2600. (Back issues in electronic format are available at HeinOnline <http://heinonline.org/>). Please direct requests for issues from volume 54 onward to Sheridan Press, 450 Fame Avenue, Hanover, PA 17331, (717) 632–3535.

Address changes should be sent at least 45 days before the date of the issue with which it is to take effect. The post office will not forward copies unless subscribers provide extra postage. **Claims for missing issues will be honored for one year from the date of publication only.** Direct subscription queries, claims, and address changes to:

Boston College Law Review
P.O. Box 465
Hanover, PA 17331
(717) 632–3535 (ask for Subscriber Services)
Fax: (717) 633–8920
Email: pubsvc.tsp@sheridan.com

Except as otherwise expressly provided, the author of each article in this volume has granted permission for copies of that article to be made and used by nonprofit educational institutions, so long as copies are distributed at or below cost and provided that author and journal are identified and that proper notice of copyright is affixed to each copy.

Copyright © 2016 by Boston College Law School
This REVIEW is to be cited as B.C. L. Rev.

BOSTON COLLEGE LAW REVIEW

Volume LVII

May 2016

Number 3

Jennie Davis Wilusz
Editor in Chief

Emily Andersen
Managing Editor

Sarah Smith
Managing Editor

Patrick Venter
Managing Editor

Robert Rossi
Executive Articles Editor

Christian Vareika
Executive Articles Editor

William Clark
Executive Notes Editor

Erika Schutzman
Executive Comments Editor

Alice Huang
Symposium Editor

John Quinn
Symposium Editor

Articles Editors

Mary Pat Brogan
Cole Goodman
Clare Hanlon

Reed Harasimowicz
Jennifer Lichtman
James Lobo

Daniel Ruben
Ethan Rubin
Margaret Strauss

Senior Editors

Patrick Argenio
Jonathan Bard
Jovalin Dedaj
Gregory DiCiancia

Matthew Feuerman
Brian Fleming
John Giampa
Noah Johnson

Michael Jones
John Kalogriopoulos
Michael Shea
Chris Skall

Staff Writers

James Adams
James Bor
Thanithia Billings
Hana Church
Maria Colella
Danielle Crinnion
Matthew DeSilva
Sean Feener
Erin Garrity
Nicholas Green
Michael Hacker

Danielle Haikal
Michael Hanify
Liam Holland
Patrick Kessock
Stephen LaBrecque
Adam Levitsky
Robert Linnoila
Jacob Love
Sonja Marrett
Christopher Modlish
Joshua Moore
Thomas Murphy

Catherine O'Neill
Michael Patnode
Alexander Plushanski
Alexander Porter
John Potapchuk
Marnee Rand
Brian Shaud
Maria Stracqualursi
Charanya Viswanathan
Amelia Wirts
Laura Zapata-Kim

Daniel Lyons
Faculty Advisor

Patricia McCoy
Faculty Advisor

David Olson
Faculty Advisor

Nick Szydlowski
Webmaster

John Gordon
Director, Law Review Publications

Patricia Dickerson
Library Liaison

BOSTON COLLEGE LAW SCHOOL

ADMINISTRATION

WILLIAM P. LEAHY, S.J., B.A., M.A., M.Div., S.T.L., Ph.D., President
MICHAEL J. LOCHHEAD, B.S., M.B.A., Executive Vice President
DAVID QUIGLEY, M.A., Ph.D., Provost, Dean of Faculties
VINCENT D. ROUGEAU, A.B., J.D., Dean
MARIS ABBENE, B.A., J.D., Associate Dean for Academic, Career & Student Services
FILIPPA MARULLO ANZALONE, A.B., M.S.L.S., J.D., Associate Dean for Library & Computing Services, Professor of Law
JESSICA CASHDAN, B.A., M.A., Executive Director of Advancement & Associate Dean
ALFRED C. YEN, B.S., M.S., J.D., Associate Dean for Faculty
JOHN P. STACHNIEWICZ, A.B., M.A., Associate Dean for Finance & Administration
BRIAN J.M. QUINN, B.S.F.S., M.P.P., J.D., M.L.S., Associate Dean of Experiential Learning
TRACEY WEST, B.A., J.D., Associate Dean for External Relations, Diversity & Inclusion
HEATHER HAYES, B.A., J.D., Assistant Dean for Career Services
SHAWN MCSHAY, B.A., Assistant Dean for Admissions & Financial Aid
FREDERICK M. ENMAN, S.J., B.A., J.D., Special Assistant to the Dean for Students
JOHN A. GORDON, B.S., J.D., Director of Law Review Publications
JOAN MANNA, B.A., M.A., Operations Manager

FULL-TIME FACULTY

RICHARD ALBERT, B.A., B.C.L., J.D., LL.M., Associate Professor of Law
ALEXIS ANDERSON, B.A., M.A., J.D., Associate Clinical Professor of Law
FILIPPA MARULLO ANZALONE, A.B., M.S.L.S., J.D., Professor of Law
PAULO BARROZO, LL.B., M.Jur., Ph.D., LL.M., S.J.D., Associate Professor of Law
SHARON BECKMAN, A.B., J.D., Associate Clinical Professor of Law
MARY SARAH BILDER, B.A., A.M., J.D., Ph.D., Professor of Law
ROBERT M. BLOOM, B.S., J.D., Professor of Law
E. JOAN BLUM, A.B., J.D., Associate Professor of Legal Reasoning, Research & Writing
MARK S. BRODIN, B.A., J.D., Professor of Law
GEORGE D. BROWN, A.B., J.D., Robert Drinan, S.J. Professor of Law
R. MICHAEL CASSIDY, B.A., J.D., Professor of Law
MARY ANN CHIRBA, B.A., M.P.H., Sc.D., J.D., Professor of Legal Reasoning, Research & Writing
DANIEL R. COQUILLETTE, A.B., B.A., M.A., J.D., J. Donald Monan, S.J. Professor of Law
SCOTT T. FITZGIBBON, B.A., J.D., B.C.L., Professor of Law
FRANK J. GARCIA, B.A., J.D., Professor of Law
JANE K. GIONFRIDDO, B.A., J.D., Professor of Legal Reasoning, Research & Writing
KENT GREENFIELD, A.B., J.D., Professor of Law
DEAN M. HASHIMOTO, A.B., M.S., M.P.H., M.D., J.D., Associate Professor of Law
FRANK R. HERRMANN, S.J., A.B., M.Div., J.D., Associate Professor of Law
INGRID M. HILLINGER, A.B., J.D., Professor of Law
MARY HOLPER, B.A., J.D., Associate Clinical Professor; Director, Immigration Clinic
KARI E. HONG, A.B., J.D., Assistant Professor of Law
RENEE M. JONES, A.B., J.D., Professor of Law
DANIEL KANSTROOM, B.A., J.D., LL.M., Professor of Law
M. CATHLEEN KAVENY, A.B., M.A., J.D., P.Phil., Ph.D., Darald & Juliet Libby Professor of Law
ELISABETH KELLER, B.A., M.A., J.D., Associate Professor of Legal Reasoning, Research & Writing
THOMAS C. KOHLER, B.A., J.D., LL.M., Professor of Law
JOSEPH P. LIU, B.A., J.D., LL.M., Professor of Law
DANIEL LYONS, A.B., J.D., Associate Professor of Law
PATRICIA A. McCOY, B.A., J.D., Liberty Mutual Insurance Professor of Law
RAY D. MADOFF, A.B., J.D., LL.M., Professor of Law
JUDITH A. McMORROW, B.A./B.S., J.D., Professor of Law
ALAN D. MINUSKIN, B.A., J.D., Associate Clinical Professor of Law
DAVID OLSON, B.A., J.D., Associate Professor of Law
LYNNISE E. PANTIN, B.A., J.D., Associate Clinical Professor of Law
VLAD PERJU, LL.B., LL.M., S.J.D., Associate Professor of Law
ZYGMUNT J.B. PLATER, B.A., J.D., LL.M., S.J.D., Professor of Law
BRIAN J.M. QUINN, B.S.F.S., M.P.P., J.D., M.L.S., Associate Professor of Law
JAMES R. REPETTI, A.B., M.B.A., J.D., William J. Kenealy, S.J. Professor of Law
DIANE RING, A.B., J.D., Professor of Law
JAMES STEVEN ROGERS, A.B., J.D., Professor of Law
EVANGELINE SARDA, B.A., J.D., Associate Clinical Professor of Law
FRANCINE SHERMAN, B.A., J.D., Associate Clinical Professor, Director, Juvenile Rights Advocacy Project
NATALYA SHNITSER, B.A., M.A., J.D., David & Pamela Donohue Assistant Professor of Law
MARK SPIEGEL, A.B., J.D., Professor of Law
JUDITH B. TRACY, B.A., J.D., Associate Professor of Legal Reasoning, Research & Writing
PAUL R. TREMBLAY, B.A., J.D., Clinical Professor of Law
CATHARINE WELLS, B.A., M.A., Ph.D., J.D., Professor of Law
DAVID A. WIRTH, A.B., A.M., J.D., Professor of Law
ALFRED C. YEN, B.S., M.S., J.D., Professor of Law
KATHARINE G. YOUNG, B.A., LL.B., S.J.D., LL.M., Associate Professor of Law