

Brian D. Kennedy

Shareholder

Contact

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Location

505 South Flagler Drive
Suite 1100
West Palm Beach
Florida 33401

Honors & Distinction

Florida Trend
Legal Elite, 2017

Florida Super Lawyers
Rising Star, 2009-2011

Education

LL.M., University of Florida
J.D., Stetson University
B.S., Florida State University

Admissions

The Florida Bar
New Mexico Bar (Inactive)
U.S. Supreme Court
U.S. Tax Court



Brian Kennedy is a Jones Foster Shareholder and member of the Firm's Private Wealth, Trusts & Estates and Corporate & Tax practice groups. He concentrates his practice in the areas of estate planning, trust and estate administration, taxation, and transactional corporate law.

Brian represents corporate and individual fiduciaries in the administration of estates and trusts of high-net-worth individuals, including the filing of estate tax returns, gift tax returns, modification of trusts, and changes in trust situs. He also provides clients with comprehensive estate planning strategies to preserve generational wealth and efficiently transfer assets.

In addition to his private wealth clients, Brian represents corporations across industry sectors in matters involving corporate and partnership formations and varying types of reorganizations, and he represents large non-profit organizations in resolving tax-exempt issues. Additionally, Brian handles the creation and administration of private foundations.

Brian is actively involved in various community and industry organizations, including The Florida Bar Tax Section, the Real Property, Probate, and Trust Law Section of the Florida Bar and the Palm Beach County Bar Association. He is a member of the Planned Giving Council for Jupiter Medical Center and serves on the Board of Directors for the Lourdes Foundation, Inc. and is currently an executive with the El Cid Historic Neighborhood Association, Inc. Brian is a Chartered Advisor in Philanthropy® and is a graduate of Leadership West Palm Beach, a program developed by the Chamber of Commerce of the Palm Beaches to cultivate leadership potential.

Experience Highlights

Trusts and Estates Administration

Representation of corporate and individual fiduciaries in the administration of estates and trusts of high-net-worth individuals. This includes full administration of trusts and probate estates under Florida

law, including the drafting and filing of estate tax returns, gift tax returns, judicial and non-judicial modification of trusts, and changes in trust situs, (including for state income tax purposes).

Estate Planning

Representation of high-net-worth individuals and families with respect to the preservation of multi-generational wealth. Develop strategies for legacy planning using tools designed to efficiently transfer assets and minimize income, estate, and transfer taxes. These tools include; revocable and irrevocable trusts, special needs trust, GRATs, SLATs, QPRTs, IDGTs, and pet trusts.

Corporate Representation

Representation of corporations, including family-owned businesses, with respect to articles of incorporation, shareholder agreements, buy-sell agreements, asset purchase agreements, employment agreements, stock assignments, restricted stock agreements, and by-laws and resolutions.

LLC and Partnership Representation

Representation of LLCs and partnerships, including family-owned businesses, with respect to articles of organization, Florida partnership formation, operating and partnership agreements, including buy-sell language, asset purchase agreements, employment agreements, and assignments of membership and partnership interest.

Business Reorganization

Representation of corporate tax-free split up, split off, spin offs, and other business reorganizations.

Florida Charities Retaining IRS Tax Exempt Status

Successful representation of large tax-exempt entities in maintaining and re-establishing their Internal Revenue Code §501(c)(3) status.

Marital Planning

Drafting of pre-nuptial agreements for the protection of family wealth, including avoidance of elective share, alimony, homestead and exempt property laws.

Affiliations

The Florida Bar Tax Section

Member, 2004-Present

The Florida Bar Real Property, Probate, and Trust Section

Member, Present

Palm Beach County Bar Association

Member, 2004-Present

Lourdes Foundation, Inc.

Board of Directors, 2015-Present

Jupiter Medical Center Planned Giving Council
Council Member, 2017-Present

El Cid Historic Neighborhood Association
Board of Directors, 2017-Present
Secretary, 2020-Present

CAP / Chartered Advisor in Philanthropy
Member

Chamber of Commerce of the Palm Beaches
Leadership West Palm Beach, Graduate, 2008