FOULSTON

ATTORNEYS AT LAW

STEWART T. WEAVER

SPECIAL COUNSEL

WICHITA OFFICE
1551 N. Waterfront Parkway, Suite 100
Wichita, KS 67206-4466

T: 316.291.9736
F: 316.267.6345

sweaver@foulston.com

PROFILE

Mr. Weaver represents clients in connection with estate and tax planning and the administration of trusts and estates. He has a broad range of experience in developing and implementing both simple and complex estate planning techniques. As part of his practice, Mr. Weaver crafts wills, testamentary trusts, revocable living trusts, irrevocable trusts, powers of attorney, stock purchase or buy-sell agreements, advance directives, strategic gifting programs, family business succession plans, prenuptial, postnuptial and cohabitation agreements, IRA, 401k or other beneficiary designations and deferral strategies, life insurance structures, family limited partnerships (FLPs), limited liability companies (LLCs), and other wealth transfer and tax planning techniques. Clients include corporate executives, entrepreneurs, professionals of all disciplines, and owners of a variety of businesses including family farm and ranch operations, manufacturing, retail, and construction. Mr. Weaver also represents both individual and institutional executors, administrators and other personal representatives or fiduciaries before the probate and civil court and guides them through the process of administering decedents' probate and trust estates. This includes preparation of estate, inheritance, gift, and generation-skipping transfer tax returns for filing with the federal and state governments. Mr. Weaver's practice also involves the appointment and representation of guardians and conservators of children who have not attained legal age and disabled persons, and he regularly advises clients on a variety of other issues, including elder law, family harmony issues, asset protection, and title issues. Mr. Weaver is a fellow of the American College of Trust and Estate Counsel (ACTEC), enjoys Martindale-Hubbell Law Directory's highest "AV" rating for lawyers, and has been selected by his peers for inclusion in *The Best Lawyers in America*® and the *Missouri & Kansas Super Lawyers*® list. His peer memberships include the Wichita Estate Planning Council.

Education

- Washburn University (J.D., 1990)
  magna cum laude
- St. Mary of the Plains College (B.A., 1987)
  summa cum laude
- Dodge City Community College (A.A., 1985)
  Great Honors

Admissions

- Kansas (1990)

PRACTICE AREAS

- Estate Planning & Probate
- Elder Law
- Administrative/Regulatory
- Taxation
- Family Business Enterprise
- Real Estate
- Energy

INDUSTRIES

- Agribusiness
- Closely Held Business
- Energy & Natural Resources

COMMUNITY INVOLVEMENT

- Butler Community College Foundation – Board (2008-2014); President (2012-2013)
- Ronald McDonald House Charities of Wichita, Inc.– Board (2000-2005); President (2005)

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- American College of Trust & Estate Counsel (ACTEC) Fellow
- Recognized by Best Lawyers® as the 2017 and 2025 Wichita Trusts and Estates "Lawyer of the Year," and the 2019, 2021, and 2025 Wichita Elder Law "Lawyer of the Year"
- Selected by peers for inclusion in *The Best Lawyers in America*® in the areas of Elder Law and Trusts & Estates, 2003-2025
- Selected for inclusion in *Missouri & Kansas Super Lawyers*® List, 2012-2024 (a Thomson Reuters business)
- Kansas Bar Association Member, Executive Committee, Section of Probate, Real Property and Trust Law, President, 2012-2013
- Wichita Bar Association Chair, Probate Committee (July 1, 2002-June 30, 2004)
- Wichita Estate Planning Council

- Identified by Chambers High Net Worth guide as a leading lawyer in Kansas in the area of Private Wealth Law, 2018-2024

PRESENTATIONS

2024

- Drafting Special Trustee/Trust Protector Provisions in Trust Documents (Kansas Bar Association, LawLawPalooza: The Elder Law, Tax Law, Real Estate, Probate, and Trust Edition)

2020

- Recent Developments in Estate Planning (Foulston Siefkin, Estate Planning Forum)
- Making Sense of Trust Distribution Provisions (Foulston Siefkin, Estate Planning Forum)

2019

- Recent Developments in Estate Planning (Foulston Siefkin, Summer Estate Planning Forum)
- Trust Safari Part II: Identifying and Understanding the Various Species of Trusts (Foulston Siefkin, Summer Estate Planning Forum)
- Estate Planning for Second Marriages (Foulston Siefkin, Summer Estate Planning Forum)
- Trust Safari: Identifying & Understanding the Various Species of Trusts (Foulston Siefkin, Winter Estate Planning Forum)

2018

- Uneasy Lies the Head that Wears the Crown (Foulston Siefkin, Summer Estate Planning Forum)
- Income Tax Aspects of Estate Planning (Foulston Siefkin LLP, Winter Estate Planning Forum)

2017

- Medicaid Planning (Foulston Siefkin LLP, Summer Estate Planning Forum)
- One Solution to Solving the Estate Planning Problem of Not Knowing Which Spouse Will Die First – Reciprocal Spousal General Testamentary Powers of Appointment (Kansas Bar Association, Elder and REPT Conference)
- Structuring the Farm or Ranch for Estate Planning and Business Purposes (Kansas Bar Association, Elder REPT Conference)
- Ethics: Fiduciary Engagement Letters (Kansas Bar Association, Elder and REPT Conference)

2016

- Business and Planning Issues Affecting Doctors (Foulston Siefkin LLP, Summer Estate Planning Forum)
- Estate Planning for Farmers and Ranchers (Foulston Siefkin LLP, Winter Estate Planning Forum)
- Probate Avoidance Devices: A Primer (Foulston Siefkin LLP, Winter Estate Planning Forum)

2015

- Social Security Considerations in Estate and Financial Planning (Foulston Siefkin LLP, Winter Estate Planning Forum).
- Estate Planning for Health Care (Foulston Siefkin LLP, Winter Estate Planning Forum)

2014

- Estate Planning for Qualified Retirement Plans and IRAs (Foulston Siefkin LLP, Summer Estate Planning Forum)
- The Winds(or) of Change (Foulston Siefkin LLP, Winter Estate Planning Forum)
- Estate Planning for Oil, Gas and Other Mineral Interests (Foulston Siefkin LLP, Summer Estate Planning Forum)

2013

- Frequent Estate Planning Mistakes (Foulston Siefkin, Summer Estate Planning Forum)

2012

- Recent Developments in Estate Planning (Foulston Siefkin, Winter Estate Planning Forum)
- Governmental Resource Benefits Planning, "Boot Camp" (Foulston Siefkin Winter Estate Planning Forum)
- It's Not Magic, It's OCD: A 40-ish Estate Planner's Pactice Secrets Revealed (Wichita Bar Association)

2011

- Legal Issues Involved with Naming Guardians for Minors (Foulston Siefkin Winter Estate Planning Forum)
- Legal Issues Involved with E-Assets (Foulston Siefkin Winter Estate Planning Forum)

2010

- Estate Planning Strategies for the "Non-Traditional" Couples and Families (Foulston Siefkin Summer Estate Planning Forum)

2009

- Recent Developments in Estate Planning (Foulston Siefkin Winter Estate Planning Forum)
- Planning for IRAs, 401Ks, and Other Tax Deferred Assets (Foulston Siefkin Winter Estate Planning Forum)
- Big Mistakes in Estate Planning: Not Properly Addressing Income Tax Issues (Foulston Siefkin Winter Estate Planning Forum)
- “Sticky Points” in Estate Planning (Foulston Siefkin Summer Estate Planning Forum)

2008

- Ethics in Preparing Engagement Letters for Fiduciaries and their Responsibilities to Beneficiaries (Southwest Kansas Bar Association)
- Recent Developments in Estate Planning (Foulston Siefkin Summer Estate Planning Forum)
- Irrevocable Life Insurance Trusts (ILIT): Care and Feeding of an Old Workhorse (Foulston Siefkin Summer Estate Planning Forum)
- Biggest Mistakes in Estate Planning (Foulston Siefkin Summer Estate Planning Forum)

PUBLICATIONS

2008

- Part Four, Chapter 4, Trust Procedures
  -Kansas Probate & Trust Administration After Death, Kansas Bar Association, Seventh Edition

2003

- Planning for Kansas Death Taxes in 2003: A NOTICE-ABLE Difference
  -The Journal of the Kansas Bar Association
- Reciprocal Spousal General Powers of Appointment:Two Trusts are Better Than One
  -Estate Planning

2002

- 2002 Kansas Death Tax Legislation: An Emperor In Need Of Clothes
  -Journal of the Kansas Bar Association, Nov/Dec
- Drafting Reciprocal Spousal General Powers of Appointment
  -Estate Tax Planning Advisor
- The Internal Revenue Service's Position as to Joint Trusts and Section 1014(e)
  -Estate Tax Planning Advisor

2001

- How Will the Estate Tax Repeal Affect You?
  -Legal Brief

ISSUE ALERTS

2012

- Impending Estate & Gift Tax Changes in 2013

2010

- Unexpected Repeal of Federal Estate Tax

2009

- Bill in Congress to Eliminate Minority Interest Discounts in Intra-Family Transfers