withersworldwide

Kevin T. Keen

PARTNER | TEXAS

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Kevin is a partner in the private client and tax team and is the Office Managing Director of the Texas Office.

Kevin works with clients across the United States and around the world to solve problems and provide legal counsel on all aspects of domestic and international private client matters.

In counselling individuals, Kevin provides innovative, solution-oriented planning related to wealth transfer, family governance, business succession, and estate, gift and generation-skipping transfer tax. He has experience in cross-border planning for international families and represents individuals seeking to establish domestic and foreign trusts or other structures to benefit family in the United States and beyond. Kevin regularly advises clients with multi-jurisdictional wealth structuring, including as it relates to investments in U.S. real estate or operating companies, geared toward global tax efficiency and achieving non-tax goals (e.g., confidentiality and asset protection). Additionally, he advises clients on issues related to pre-immigration planning, expatriation, global mobility (transferring executives or obtaining additional passports), and premarital planning.

With respect to family offices, fiduciaries and financial institutions, Kevin brings a wealth of experience and advises such clients on a variety of matters. He assists clients with the formation and operation of family offices and private trust companies and often undertakes the role of outside general counsel. Kevin advises on tax and regulatory compliance issues and has helped clients develop and implement policies and procedures for their private trust companies. He routinely retains local counsel and tax advisers around the world to provide efficient and coordinated multi-jurisdictional guidance for his clients.

Regardless of the specific topic or jurisdiction, Kevin strives to provide creative and practical solutions that not only address clients' legal and tax goals, but that simultaneously take into account other relevant factors, such as sensitive family dynamics, a desire for confidentiality, and associated business considerations. Kevin is recognized as a Best Lawyers "Ones to Watch" in the areas of Tax Law and Trusts & Estates Law for 2022 and 2021, and received from The Society of Trust and Estate Practitioners the STEP Excellence Award 2021. He is also recommended under Spear's Tax Lawyer Index 2021 for succession, family governance.

Prior to joining Withers, Kevin resided and maintained a broad-based private client practice in Zurich, Switzerland. Kevin began his career in Miami, Florida and still maintains his Florida law license. He regularly counsels clients based in Florida, and can assist clients transitioning from Florida to Texas, or vice versa, or from other states or countries to either Florida or Texas, with regard to their personal and business planning.

SECRETARY **LYNSEY BOATMAN** +1 619 564 6148 lynsey.boatman@withersworldwide.com

TRACK RECORD

Developed and implemented international trust and entity structures through which international clients invested into the United States, avoided estate tax exposure and maintained confidentiality.

Structured and drafted domestic and foreign trusts to facilitate gifts to U.S. beneficiaries, or to achieve various asset protection, tax efficiency and confidentiality goals.

Advised single family office on restructuring of offshore trusts and migration of underlying assets to newly structured trusts that better facilitated reporting and operational efficiencies and substantially reduced ongoing costs.

Counseled U.S. clients residing abroad on U.S. income and transfer tax and information reporting issues, and worked with local counsel to implement coordinated planning.

Assisted domestic clients with preparation of estate plans to minimize gift and estate tax exposure, and to shift investment opportunities from one generation to another.

Provided pre-immigration planning to foreign individuals planning to establish domicile in the U.S.

Work with clients to obtain additional passports and to renounce their United States citizenship, along with guiding such clients through the associated tax and information reporting implications.

Coordinate with local counsel on matters, including, but not limited to, foreign estate plans for U.S. clients relocating abroad, investment structuring for U.S. and non-U.S. persons, planning with offshore trusts, and related matters.

Advise clients on structuring, formation and operation of private trust company (PTC) in various U.S. and non-U.S. jurisdictions, as well as single family office and affiliated entities.

Consult on estate administration matters and represent fiduciaries of U.S. and non-U.S. estates and trusts with respect to U.S. tax reporting and optimization, fiduciary obligations, administration and related matters.

Counseled clients on U.S. and international issues, often in conjunction with local advisors, relating to every continent (except Antarctica), including, but not limited to the following jurisdictions: Mexico, Argentina, Colombia, Chile, Peru, Antigua, Dominican Republic, Canada, China, Hong Kong, Vietnam, Japan, Singapore, South Africa, Australia, Switzerland, France, Italy, Spain, Belgium, Germany, UK, Russia and CIS countries.

Previously served as a judicial intern to Senior Judge James S. Moody, Jr. (U.S. District Court, Middle District of Florida); Judge Maurice M. Paul (U.S. District Court, Northern District of Florida); and Catherine P. McEwen (U.S. Bankruptcy Court, Middle District of Florida).

ADMISSIONS

- Texas
- District of Columbia
- Florida
- US Tax Court
- US District Court, Northern District of Texas

PUBLICATIONS

'Withers Breaks Into Texas as It Continues US Expansion ,' Texas Lawyer - September 16, 2021, quoted

'International law firm sets up UHNWI tax and estate planning practice in Texas ,' International Investment - September 10, 2021, quoted

'Wake Up Call: Firms Try to Ease Anxiety of Office Returns ,' Bloomberg Law - September 9, 2021, featured

'Withers Enters Texas Market With Houston Office ,' Law360 - September 9, 2021, quoted

'U.K. Firm Withers Looks to Serve Tax Needs of Well-Heeled Texans ,' Bloomberg Tax - September 9, 2021, quoted

'Withers enhances private client and tax capabilities with launch of Texas practice ,' Withers Insight - September 8, 2021, featured

'A Brave New World: U.S. Implements Company UBO Reporting Regime,' Winstead News Alerts – January 8, 2021, author

'Foreign Inbound Investment In A Coronavirus World: Beware The US Estate Tax,' Texas Tax Lawyer Journal (Spring 2020, Vol. 47, No. 3) – June 17, 2020, author

'Foreign Inbound Investment in a Coronavirus World: Beware the U.S. Estate Tax,' Winstead News Alerts – May 4, 2020, author

'U.S. Tax Reform and Its Impact on Swiss Companies,' Expert Focus (The Swiss Trustee/Der Schweizer Treuhander) – March 1, 2018, co-author

'Resident or Not: Recent Developments in Determining Individual Tax Residency Under U.S. International Tax Treaties,' Tax Notes International – November 1, 2017, author

'Look Before You Leap: Considerations and Consequences of U.S. Expatriation,' Trusts and Trustees (September 2017, Vol. 23, No. 7) - May 10, 2017, co-author

'Self-Employed or Not at All: Passive Investor Income Is Not Always Subject to SECA Tax,' The Estate Planner (Trusts & Estates) – May 1, 2017, co-author

'Artificial Intelligence and the Wealth Management Space,' Wealth Management – March 21, 2017, co-author

'Impact on Business Valuations of Lapsed Rights and Restrictions on Liquidation of an Interest: Is this the End of Valuation Discounting as We Know It?' Wealth Management – August 30, 2016, co-author

'The Only Thing Certain Is Uncertainty: The Future of Estate Planning Without the Federal Estate Tax,' Real Property, Trust and Estate Law Journal (Vol. 51, No. 1) – March 1, 2016, co-author

MEMBERSHIPS

- Society of Trust and Estate Practitioners (STEP), Trust and Estate Practitioner (TEP)
- State Bar of Texas, Tax Law Section's International Tax Committee, Vice Chair
- State Bar of Texas, Real Estate, Probate & Trust Law Section, Member
- American Bar Association, Taxation and Real Property, Trust and Estate Law Sections, Member
- International Bar Association, Member
- State Bar of Florida, Real Property, Probate Law and Tax Law Sections, Member

TALKS

'Nuts and Bolts of U.S. Estate and Gift Tax Treaties,' State Bar of Texas Tax Section's International Tax Symposium, Houston, Texas – November 22, 2019, presenter

'FIRPTA Traps, Pitfalls and Planning Opportunities,' State Bar of Texas Tax Section's International Tax Symposium, Houston, Texas – November 21, 2019, presenter

'Individual International Income Taxation and Compliance,' American Bar Association Real Property, Trust and Estate Law Section's Fundamentals on International Tax Series – July 23, 2019, presenter

‘The Anatomy of the Form 706-NA,’ American Bar Association Tax Section, Washington, D.C. – May 10, 2019, presenter

EDUCATION

University of Florida, Levin College of Law, LL.M. in Taxation
University of Florida, Levin College of Law, cum laude, J.D.
University of Central Florida, summa cum laude, B.S.B.A.

LANGUAGES

ENGLISH

DATES

JOINED: 2021

RECOGNITION

Firm Best Law Firms 2021

2022 Best Lawyers Ones to Watch Kevin Keen

2021 STEP Excellence Awards Kevin Keen

2021 Spears Tax Lawyers Kevin Keen

Texas
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