Marquette University Institute on Taxation
Richard L. Greene

Follow this and additional works at: http://scholarship.law.marquette.edu/mulr
Part of the Law Commons

Repository Citation
Richard L. Greene, Marquette University Institute on Taxation, 36 Marq. L. Rev. 414 (1953).
Available at: http://scholarship.law.marquette.edu/mulr/vol36/iss4/7

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized administrator of Marquette Law Scholarly Commons. For more information, please contact megan.obrien@marquette.edu.
BOOK REVIEW

Pp. 340. $10.50.

In a field of law noted for its ever increasing complexity, and pyramided each year by several thousand additional diverse decisions and rulings, the publication of lectures at the modern tax institute has become a real oasis for those thirsting for a speedy and accurate solution to their tax problems. In recent years the institutes on taxation, particularly those sponsored by our leading universities, have become the fountainhead of major tax thinking. While the immediate value of these institutes to the attending business and professional men is universally recognized, it has become increasingly evident that the publication of the proceedings of the typical tax institute serves an ever greater need.

We who concentrate our entire energies on matters of taxation consider the tax institute volumes vital tools in our daily practice. As an expeditor and conserver of precious time in the field of legal research, there can be no equal to a well arranged institute publication. As an aid in sound tax planning and counseling, it has become indispensable. Long since vanished is the era when the prevailing tax questions were solved by a fast glance at the statutes and regulations. With the myriad of tax ramifications arising from the common business transactions, it has become essential to secure the benefit of the experience and judgment of the leading lecturers and writers in the field.

The First and Second Annual Marquette University Institute has been published in a single compact volume, representing another extremely useful working tool for the practicing lawyer and accountant. Somewhat reminiscent of the New York University Institute on Federal Taxation (recently published in the Eleventh Annual edition), the Marquette book reflects a quality and flavor unusual for initial ventures in the field. Such a publication is, of course, a reflection of the combined efforts of the Institute planners and directors, of the lecturer-writers and of the editorial staff. Marquette was fortunate in securing an admirable blend of the basic ingredients: careful planning and arranging; excellent speakers and extremely good editing.

The prime problem of the modern tax institute—the presentation of a wide range of current practical substantive and procedural tax problems—was well handled, particularly at the Second Institute, where the papers were skillfully arranged to cover separate lectures under each of these diversified contemporaneous headings:
Excess Profits Tax
Special Problems Involved in the Corporate Form of Organization
Tax Problems of Operating a Business
Tax Problems of Specific Industries and Businesses
Tax Problems of Individual and Estate Planning
Procedural Matters

Several outstanding tax writers and lecturers participated in the two Institutes, including such familiar figures as David Boyd Chase and Jacquin D. Bierman of New York and Hugh Bickford of Washington, D.C. Mr. Bierman, who spoke on the Excess Profits Tax, was at the time of his address compelled to operate in somewhat of a vacuum since most of the applicable Treasury Regulations had not then been promulgated, but he nevertheless presented a remarkably thorough analysis of an exceedingly involved collection of statutory provisions.

A substantial number of the speakers at the Marquette Institutes had in their legal experience represented both the Treasury Department and the taxpayer, and hence were able to present the dual viewpoint on current tax problems with perhaps somewhat greater objectivity.

William Schwerdtfeger of Louisville, Ky., ably expressed his views on three diverse and important procedural problems: The Operation of the Taxpayers’ Ruling Section and Its Effective Use; Compromises Based on Inability to Pay; Practical Problems on the Burden of Proof in Trials Before the Tax Court.

A significant portion of the Second Institute was devoted to the omnipresent tax problems of estate planning in recognition of their ever-increasing importance in both tax and general practice. Winfield T. Durbin of Chicago stressed some familiar but always useful and practical views in the use of gifts and trusts in estate planning, and spoke with considerable relish on the proper place of the annual exclusion with respect to gifts to minors. Robert F. Spindell, also of Chicago, forcibly outlined some of the fundamentals on the highly important query to all estate planners—when to utilize the marital deduction.

Special recognition must be noted for the excellent editorial work and arrangement in the first volume of the Marquette Tax Institute. No doubt a vast amount of energy was expended in the collection and arrangement of applicable citations, which are of paramount interest to the energetic reader. It is unfortunate, however, that the index, which is normally the prime guide map to a tax institute publication, was so condensed as to reduce somewhat the total effectiveness of the work.

The book plainly represents a highly useful addition to the libraries of that diverse group of tax planners and advisors, and it is to be hoped
that Volume I may be remembered as the first of a long line of similar publications by the annual Marquette University Taxation Institutes.

RICHARD L. GREENE*

*Attorney, member of the firm of Whyte, Hirschboeck & Minahan, Milwaukee; Chairman, Wisconsin Bar Association Taxation Section; formerly Special Attorney, United States Treasury Department.