Richard Johnson

PARTNER

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For over 30 years, large family-owned and closely held businesses, family office, high net worth individuals, including their private family trust companies, and tax-exempt organizations have sought out Richard Johnson to provide practical tax, business, and estate and trust planning solutions.

Clients appreciate his understanding of family dynamics - and the unique challenges families encounter - and have confidence in his ability to protect their wealth by applying common sense solutions.

Clients benefit from Richard's vast experience with S-corporations, LLCs, private trust companies, and partnership law which, when combined with strategic tax planning, helps minimize corporate and personal tax liabilities on both the state and federal levels.

Richard organizes and advises private family trust companies in Nashville, Tennessee. He formed the first private family trust company under Tennessee law and has been responsible for forming more than half of Tennessee's private family trust companies. He helped draft new legislation updating Tennessee's private trust company law, which greatly expanded the definition of a private family trust company to make Tennessee's private trust company statutes more attractive than those in other states. The updated law now provides the family with the option to allow the family's business to own the private trust company as a wholly owned subsidiary.

Richard works with wealthy individuals, families, and their family offices to structure their assets and ownership interests to keep wealth in the family and to foster the use of that wealth to perpetuate the family's values and purposes.

He does so by protecting and retaining wealth through sophisticated strategic planning related to:

- Estate taxes
- Generation-skipping transfer taxes
- Gifting
- Income taxes
- Trusts

Owners of large, closely-held companies in a broad range of industries also seek Richard's advice on entity restructuring and transition plans, including management team succession, to fulfill long-range goals and help ensure the smooth transition of ownership and operation from one generation to the next.

A trusted advisor to 501(c)(3) and other tax-exempt entities, Richard helps them structure fundraising activities to avoid unrelated business taxable income, create agreements between tax-exempt and for-profit entities, and address governance issues related to non-profit founders.

EXPERIENCE

- **Facebook develops $800 million data center in Middle Tennessee**
  Represented Facebook with the acquisition and development of a site in Middle Tennessee for an $800+ million data center, including assembling the real estate property from multiple owners and a complicated trust on property.
- **Private Family Trust Company designed to meet family's succession planning needs**
  Structured and organized a private family trust company for an ultra-high net worth family in order to create a business succession plan for the family.
- **Private family trust company revises more than 20 trusts**
  Represented a private family trust company in the judicial modification of more than 20 trusts regarding administrative provisions.
- **G-1 member of ultra-high net worth family establishes wealth management plan**
  Represented a G-1 family member of an ultra-high net worth family with establishing a wealth management plan that included minimal planning but substantial wealth, as well as transfers and sales to IGDTs, the use of LLCs and tax efficient unwinding of S corporations.
- **Family office receives counsel related to tax, investments**
  Advised an ultra-high net worth family in the management of the family office, including tax law, organization and investments.
- **Client seeks to create trust, protect assets**
  Advised a client on trust and multi-jurisdictional law to create a "self-settled asset protection trust" and implemented asset protection planning.

EDUCATION

- LL.M., University of Florida, Taxation, 1987
- J.D., with honors, University of Tennessee, 1986
- B.A., *cum laude*, University of Mississippi, Accounting, 1983

COURT ADMISSIONS

- U.S. Tax Court

- U.S. District Court, Middle District of Tennessee

BAR ADMISSIONS

- Tennessee
- Florida

RECOGNITIONS

Chambers USA High Net Worth Guide

- Band 1, USA High Net Worth Guide, 2017-2021

The Best Lawyers in America© (BL Rankings)

- Tax Law, 2001-2023
- Trusts and Estates, 2001-2023

The Best Lawyers in America© (BL Rankings), 2019

- Lawyer of the Year - Trusts and Estates (Nashville), 2019

Mid-South Super Lawyers (Thomson Reuters)

- Estate Planning & Probate (Tennessee), 2006-2021

PROFESSIONAL INVOLVEMENT

- Member, Family Office Exchange
- Member, Thought Leaders Council
- Member, Nashville, Tennessee, Florida and American Bar Associations
- Member, American College of Trust and Estate Counsel
- Fellow, Nashville Bar Foundation
- Former Treasurer, Tennessee Bar Association
- Member, Tax Section of the American Bar Association
- Member, Probate Trust and Real Property Section of the American Bar Association
- Co-author of The Tennessee Chapter, ABA Property Tax Handbook
- Former Director, Nashville Estate Planning Council
- Former Chairman, Tax Section of the Tennessee Bar Association
- Former Chairman, Committee of the Tax Section of the Nashville Bar Association
- Former co-author, Tennessee Chapter, ABA Sales & Use Handbook

- Commentator and lecturer at various tax seminars

COMMUNITY INVOLVEMENT

- Board member, Aquinas College
- Pro-bono legal services, Second Harvest Food Bank