Law with Purpose.®

Daniel H. McCarthy

PARTNER
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Daniel McCarthy works with closely held businesses and their owners to devise business structures to minimize income and estate tax, facilitate effective business succession plans, and protect assets. Dan focuses his practice on federal income and estate and gift taxation matters with a particular focus on pass through entities such as partnerships, limited liability companies, and Subchapter S corporations. Dan is certified by the Texas Board of Legal Specialization in both Tax Law and Estate Planning & Probate. Dan is also a Fellow in the American College of Trust and Estate Counsel.

For entrepreneurs who have built considerable wealth over the course of their lives, succession and estate planning can be complicated issues. Dan excels in analyzing multi-faceted business matters, distilling the surrounding legal complexities into understandable concepts so his clients can take action with clear options before them. He works with high net-worth individuals to determine how they can provide for their families in a thoughtful and equitable manner, determining how to defer and eliminate income tax, minimize estate taxes, and facilitate charitable gifts in a tax efficient manner.

Dan is highly experienced at managing matters with multiple stakeholders, particularly within a family setting, with a goal of managing existing relationships and minimizing the potential for family conflict in the future. He counsels clients to take considered measures, balancing financial considerations with a view to preserve their legacy and family harmony for future generations.

Dan also works with clients on the federal income tax aspects of acquisitions and dispositions of businesses, drafting partnership and limited liability company agreements, tax deferred real estate exchanges, and equity compensation arrangements.

All Practice Areas

- Estate Planning
- Tax Planning
- Corporate

Articles

- Exit Planning for Professionals. American Bar Association Real Property Trust and Estate Section Probate & Property (January 2014)

Awards & Honors

- *The Best Lawyers in America®* - Tax Law, Trusts and Estates (2020-2025)
- Texas Super Lawyers (2012-2020, 2023-2024)
- Top Attorney, *Fort Worth Magazine* (2008-2017, 2021-2023)
- North Texas Community Foundation – Professional Advisor of the Year (2022)
- Texas' Best Lawyers® (2020)
- Fellow, American College of Trust and Estate Counsel (2018)
- Top Attorney, *360 West Magazine* (2017)
- Board Certified by Texas Board of Legal Specialization in Estate Planning & Probate
- Board Certified by Texas Board of Legal Specialization in Tax Law

Speeches

- IRC 199A: Grafting a New Branch onto the Choice-of-Entity Decision Tree, 53rd Annual Heckerling Institute on Estate Planning in Orlando, Florida (January 16, 2019)
- Drafting Buy-Sell Agreements and Employee Incentive Agreements, 32nd Annual Austin Estate Planning & Probate CLE in Austin, Texas (May 10, 2018)
- Tax Consideration in Structuring and Selling a Business After Tax Cut and Jobs Act, 24th Annual Advance Estate Planning Strategies Course in Santa Fe, New Mexico (April 12, 2018)
- Drafting Partnership Agreements and Employee Incentive Agreements, State Bar of Texas Drafting Course in Houston, Texas (October 2017)
- Drafting Partnership Agreements, State Bar of Texas 41st Annual Estate Planning & Probate Course in Houston, Texas (June 2017)
- Charitable Planning with Closely Held Businesses, State Bar of Texas 40th Annual Estate Planning and Probate Course in San Antonio, Texas (June 24, 2016)
- Planning to Avoid Code Section 2704, ABA Section of Real Property Trusts & Estates 28th Spring Symposia in Boston, Massachusetts (May 13, 2016)
- The Purchase and Sale of a Professional Practice, American Bar Association Joint Fall Meeting in Boston, Massachusetts (September 2016)
- Breaking Up is Hard to Do: Tax and Practical Implications of Unwinding Business Affairs Among Multiple Partners, American Bar Association Joint Fall Meeting in Chicago, Illinois (September 2015)
- S Corporation Tricks, Traps, and Solutions, State Bar of Texas in Dallas, Texas (February 2015)
- What an Estate Planner and Probate Attorney Needs to Know About Business Arrangements, State Bar of Texas in San Antonio, Texas (June 2014)
- Tarnish-Proof Your Plan: Avoiding the Whipsaw of Valuation Mis-matches in Entity Planning, American Bar Association Real Property Trust and Estate Section in Chicago, Illinois (April 2014)
- The Pitfalls of Using Business Interests in Charitable Planning, American Bar Association Real Property Trust and Estate Section in Washington, DC (March 2013)

Education

- DePaul University College of Law (J.D., 1995)
- University of Illinois (B.S., Accounting, 1991)

Memberships

- Board Member, North Texas Community Foundation
- Member, American Bar Association
- Member, State Bar of Texas Association
- Past Board Member, Ladder Alliance
- Past Chairman, Business Planning Group, American Bar Association Real Property, Trust and Estate Law Section
- Past Chairman, Estate and Gift Tax Committee, State Bar of Texas Tax Section
- Past President, Board of Directors of Imagination Celebration
- Past President, Tarrant County Tax and Estate Planning Section

Admissions

- Texas
- Certified Public Accountant (inactive)