



Employee Benefits Law: Qualification and ERISA Requirements (2012)

Kathryn J. Kennedy, III Paul T. Shultz

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This title is part of the LexisNexis Graduate Tax Series. **Employee Benefits Law: Qualification Rules and ERISA Requirements**, Second Edition, differs from other employee benefits casebooks and practicing legal education materials in the following ways:

- The book makes a clear delineation of the qualification requirements of the IRC applicable to employee benefit plans versus ERISA requirements. As such, most of the materials focus on pension and profit sharing plans. However, the tax rules applicable to welfare benefit plans and nonqualified deferred compensation plans are also discussed.
- The book places a strong emphasis on planning and policy, focusing on the adoption, maintenance, and correction of such plans.
- The substantive qualifications of the IRC are discussed in full. ERISA's fiduciary, enforcement, reporting, and disclosure standards are also set forth.

Sophisticated realistic problems are an integral part of the materials, and are included throughout. These problems will require careful analysis and application of code and regulation provisions, administrative pronouncements, case law, and other relevant sources. Perhaps more important for a graduate tax program, the problems not only require careful analysis, but the application requires dealing with situations when the most careful reading of the materials does not supply an answer. An additional, in-depth, take-home problem may be used as the basis for class discussion or a graded written assignment.

- **Employee Benefits Law** is divided into two sections. Part I addresses the specific qualification requirements of the tax code applicable to all employee retirement plans, from both the employee and employer perspective. Part II addresses tax rules applicable to welfare benefits and nonqualified deferred compensation plans and ERISA rules applicable generally to all employee benefits plans. Thereafter, the ERISA rules applicable to employee retirement plans and welfare plans are covered.

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