



## Sarah J. Wentz

Partner

**Minneapolis, MN**  
Tel: 612.607.7299  
Fax: 612.607.7100

**Miami, FL**  
Tel: 305.442.6540  
Fax: 305.442.6541

[swentz@foxrothschild.com](mailto:swentz@foxrothschild.com)

---

Sarah's practice centers on advanced estate planning.

She has a wide range of experience helping clients with wills, trusts, corporate structures, prenuptial agreements, private and public foundations and other vehicles of estate administration.

Business owners, families and individuals rely on Sarah to guide them through the complexities of asset protection planning, including legal, tax, real estate and business issues.

Sarah has developed a particular fluency in addressing the [unique estate planning issues](#) that musicians, actors, writers and other creative artists face when it comes to protecting the value of their intellectual property and creative legacies, especially in light of rapidly advancing technology. She advises a wide range of creative artists, helping them craft estate plans that preserve the value of their copyrights, trademarks and rights of publicity, and also represents banks and trust companies that serve as fiduciaries.

In addition, Sarah has experience advising clients on premarital planning, probate, guardianships and conservatorships, special needs trusts and elder law. She frequently speaks to professionals in related fields about estate planning, prenuptial agreements, long-term care planning, diminished capacity and legal and tax topics surrounding how to protect finances in challenging times.

### **Before Fox Rothschild**

Prior to joining Fox, Sarah was a tax and corporate attorney in the Minneapolis office of a national law firm.

### **Practice Areas**

- Taxation & Wealth Planning

### **Bar Admissions**

- Minnesota
- Florida

### **Education**

- William Mitchell College of Law (J.D., 2006)



- University of Minnesota (B.A., 2002)

### **Memberships**

- Minnesota State Bar Association
  - Elder Law Section, Governing Council, Former Member
- Hennepin County Bar Association
- Ramsey County Bar Association
  - Elder Law Section
- Florida State Bar Associations
  - Estates and Trusts Section
  - Elder Law Section

## **Estate Planning for Creative Artists**

Artists' estates are unique in the complex intellectual property issues they present.

Sarah has developed a focus in this area, representing major musicians, actors and other creative artists, and their estates, helping them navigate the complex challenges surrounding the protection, management and distribution of their estate assets, from planning through administration.

She has detailed knowledge of the state and federal laws that govern artists' assets and their control, valuation, taxation and distribution.

### **Wills and Trusts**

Sarah helps artists draft wills and create trusts, aiding in critical beneficiary designation decisions and the creation of vision statements that lay out in detail how the artists wish their legacies to be managed. When an artist dies intestate, without an estate plan, that legacy is placed in jeopardy.

### **Asset Inventory**

Determining a client's financial position can be complex, even without intellectual property assets. Sarah helps clients create a complete inventory of copyrights, trademarks, rights of publicity and derivative works that is a critical first step in providing an accurate net worth that can be used to make key decisions about tax planning and distribution. She helps artists and their estates exercise termination rights, when appropriate, to recapture valuable copyrights in musical compositions, sound recordings and other creative assets.

### **Emerging Technology**

CGI, Artificial Intelligence and hologram technology is testing the bounds of the right to publicity as musicians, actors and others are being "resurrected" to "perform" works long after their passing. Sarah helps artists protect their legacies and their decedents' rights to their likenesses in the face of rapidly advancing technology.

### **Administration**



Sarah is fully conversant in helping clients appoint an executor who knows and understands an artist's talent, expertise and work product, and is knowledgeable in selecting the appropriate method of estate disposition, whether creating a private foundation, a revocable living trust or other vehicles.

## Snow Bird Counsel

Licensed in Minnesota and Florida, and well versed in both states' tax and estate laws, Sarah provides knowledgeable, fully integrated representation to snow birds who split their time between the two locations.



That is particularly important now, in the wake of the recently enacted Tax Cuts and Jobs Act. The new federal law imposes a \$10,000 cap on the deductibility of state and local taxes, often referred to as the SALT deduction, and makes other changes that threaten to significantly raise Minnesota residents' tax bills, increasing the appeal of low-tax winter destinations such as Florida.

Simply purchasing a vacation home in a low-tax state like Florida isn't enough to claim residence there for tax purposes. Minnesota natives hoping to establish residence in Florida must establish that their vacation home is their domicile, a legal term that reflects the place a person is physically present and considers home. This is not a simple matter.

Sarah is adept at guiding clients through the arcane process of establishing their domicile in Florida, which at a minimum, includes demonstrating that they spend at least 183 days there each year, but also requires taking a litany of other steps to demonstrate that Florida is their primary residence. Each state has different residency rules, and Minnesota has been aggressive in auditing people who change their residency to Florida. As an attorney who is licensed in Minnesota and Florida, Sarah can counsel clients on both fronts, providing seamless representation.

Whether you already have two homes and want to switch your legal residence to Florida or are considering the purchase of a vacation home in Florida and want to make it your domicile, Sarah and her colleagues in the firm's Minneapolis, Miami and West Palm Beach offices have the in-depth knowledge to handle every part of the process, from estate planning to tax advice to deciphering the residency requirements of both states.