



David M. Ness

Shareholder | david.ness@fmjlaw.com

Mr. Ness practices in the areas of estate planning, probate & trust administration, estate and gift tax controversy, tax-exempt organizations, and corporate law. He works with individuals and organizations in all aspects of estate planning, charitable planned giving, and estate administration. In addition to representing individuals, charitable organizations and corporate clients, Mr. Ness represents the countries of Norway and Sweden in estate and trust administration cases arising in the Midwest. He also has extensive experience representing tax-exempt organizations, including his role as outside General Counsel to Sons of Norway, a fraternal insurance organization headquartered in the Twin Cities.

Mr. Ness was named a “Super Lawyers Rising Star” by *Minnesota Law and Politics* and featured in “Who’s Who in Estate Planning and Probate Law” by *Minnesota Law and Politics*, and named to the list of Minnesota Super Lawyers in 2019. He is a frequent speaker on topics such as estate planning, taxation, and business succession. He is also a contributor to radio and television programs such as “The Law Show” on WCCO 830, News Talk AM 1130, the Cities 97 Morning Show and KARE 11 Sunrise.

Practice Areas:

Trusts & Estates
Insurance
General Corporate & Business
Nonprofit & Philanthropic

Professional Memberships and Associations:

- Member, American Bar Association, Real Property, Probate & Trust Law Section and Tax Section
- Member, Minnesota State Bar Association, Probate and Trust Law Section
- Member, Hennepin County Bar Association
- Member and Past President, Association of Fraternal Benefit Counsels
- Former Member, Board of Directors of the American Heart Association
- Member, Various Fraternal trade and legislative committees

Education:

Gustavus Adolphus College (BA 1991)
Thomas M. Cooley Law School (JD 1998)

State Bar Admissions:

State of Minnesota (1998)

Articles, Media Interviews, and Presentations:

Minnesota State Bar Association, "Joint Revocable Cabin Trust: Using a Cabin Trust to Keep the Cabin in the Family," November 14, 2018

Minnesota CLE, "The Law of the Great Outdoors: How to Keep the Cabin in the Family," July 31, 2018

FMJ Trusts & Estates Blog, "Are Prenuptial Agreements the New Selfie?" September 6, 2017

FMJ Trusts & Estates Blog, "Estate Planning for College Students," August 29, 2017

FMJ Trusts & Estates Blog, "The Trouble with Online Estate Plans," August 29, 2017

FMJ Trusts & Estates Blog, "What If I Don't Have a Will?" August 14, 2017

FMJ Trusts & Estates Blog, "Guardianship and Estate Planning," July 31, 2017

FMJ Trusts & Estates Blog, "Family Business Succession Planning," July 24, 2017

FMJ Trusts & Estates Blog, "Portability of the Federal Estate Tax Exemption," July 19, 2017

FMJ Trusts & Estates Blog, "The Essential Documents for an Estate Plan," July 13, 2017

FMJ Trusts & Estates Blog, "What is Probate Property?" May 19, 2017

FMJ Trusts & Estates Blog, "Life Insurance Considerations for Estate Planning," May 9, 2017

FMJ Trusts & Estates Blog, "The Revocable Trust as an Estate Planning Tool," April 25, 2017

FMJ Trusts & Estates Blog, "The Interplay Between a Will and the Probate Process," April 14, 2017

FMJ Trusts & Estates Blog, "Cabin Succession Planning for Your Family," March 29, 2017

FMJ Trusts & Estates Blog, "Estate Planning Is Not Just for the Wealthy," March 21, 2017

KARE 11 News, "Estate Planning Myths and Misconceptions," Oct. 18, 2013

Eden Prairie News, "Common Estate Planning Myths and Misconceptions Debunked," Oct. 18, 2013

Senior Perspective, "So What's the Problem with Probate?" May 1, 2013

Log Home Living, "Keeping the Family Cabin in the Family," September 1, 2012

Twin Cities Business, "Having the Talk," September 1, 2012

Cabin Life, "Passing Down the Family Cabin," August 1, 2012

Senior Perspective, "Untangling the Cabin Succession Mess," July 1, 2012

Practice Philosophy:

"I believe that successful legal representation begins with a close professional relationship with the client and an accurate determination of the client's goals and objectives. The next step is to accomplish those measures with practical solutions in the most efficient manner."

The Rest of the Story:

Dave and his wife Vicki live in the western suburbs with their three high school age children. Dave is an avid golfer and also enjoys spending time with family at the cabin.