



## David J. Backer Attorney

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## Bio

David Backer, Leader of the firm's Trust and Estate Planning Practice Group, concentrates his practice on counseling individuals, families, and closely-held businesses on an array of sophisticated estate planning, succession management, tax planning, and wealth preservation matters. David is recognized as a leading authority in Maine probate and trust law, and has garnered a national-level reputation for his understanding of complex tax and estate planning concepts and techniques.

David thoughtfully collaborates with clients at every stage of life: unmarried individuals, young couples expecting their first child, domestic partners, retirees, business owners, and widows and widowers. In order to help clients realize their goals, David drafts highly customized estate plans that include wills, trusts, financial powers of attorney, pre-and post-marital agreements, real estate gifting, advance health care directives, and beneficiary designations on retirement plans and life insurance policies. Throughout the process, David identifies opportunities to save tax dollars and administrative costs and fees.

In addition, David advises personal representatives and trustees on issues of estate and trust administration.

Elected by his peers, David is a Fellow of the prestigious American College of Trust and Estate Counsel. He has been distinguished as a Band 1 private wealth lawyer by the Chambers High Net Worth Guide every year since 2017. Recent client commentary in the Chambers High Net Worth Guide states, *"I would absolutely recommend David Backer, he is at the top of my list for referrals in a conflict situation,"* comments an interviewee, adding: *"He is always someone I would call for a second opinion on a really technical issue. He has a great eye for detail, he is very easy to work with and has a great manner with clients."*

## Practice Areas

Banking & Financial Services  
Estate Planning & Administration

## Admissions

Indiana  
Maine

Another interviewee highlights Backer's attention to detail, noting: *"He is a master of detail. He loves the intellect involved in seeing how the law fits together and the technical aspects of putting an estate plan together."* One interviewee remarks: *"If you ever have a question about the Maine Uniform Probate Code, he is the person to go to."* He has also been included in Best Lawyers in America, Trusts and Estates, every year since 2007.

David serves as Chair of Maine's Probate and Trust Law Advisory Commission, providing recommendations to the Maine Legislature for improvements in the state's probate and trust laws. He has served as Chair of the Commission since its creation in 2010. For the past 20 years, he has authored the Estate Planning Year in Review, and he is a frequent speaker and writer on a wide range of trust, estate, and tax planning topics.

In his free time, David can be found outdoors: open water ocean swimming in the summer and Nordic skate skiing in the winter. He also enjoys hiking, cycling, swimming, and sailing. David also serves as President of the Board of Directors of the TD Beach to Beacon 10K, Maine's premier road racing event.

## **Education**

Indiana University School of Law, Bloomington, J.D., 1977

University of Texas at Austin, B.A., *with high honors Phi Beta Kappa, Phi Kappa Phi*, 1974

## **Recognition**

Estate Planning Lawyer of the Year, Portland, ME (Awarded by Best Lawyers) 2015

Chambers and Partners High Net Worth, Band 1 Private Wealth Law, Maine, 2017-2023

New England Super Lawyers, Estate Planning & Probate 2008-2014, 2020-2022

Best Lawyers USA, Trusts and Estates 2008-2024

Martindale Hubbell, AV Preeminent

## **Publications**

2023 Estate Planning Year in Review

2022 Estate Planning Year in Review

2021 Estate Planning Year in Review

2020 Estate Planning Year in Review

2019 Estate Planning Year in Review

2018 Estate Planning Year in Review

Multi-Generational Ownership and Planning for Family-Owned Properties (2018)

2017 Estate Planning Year in Review

2016 Estate Planning Year in Review

2015 Estate Planning Year in Review

2014 Estate Planning Year in Review

2013 Estate Planning Year in Review

Ascertainable Standards (2012)

2012 Estate Planning Year in Review

2011 Estate Planning Year in Review

2010 Estate Planning Year in Review

2009 Estate Planning Year in Review

2008 Estate Planning Year in Review

2007 Estate Planning Year in Review

Beneficiary Controlled Trusts and Trust Protectors, An Analysis of 18-B MRSA §504(3) and §808 (September 2007)

Critical Concepts and Definitions: under the Maine Uniform Trust Code §§103(13), 105, 110 and 813 of Title 18-B MRSA (February 2005)

Power to Convert to Unitrust: Under the Uniform Principal and Income Act of 1997 (NUIPIA) An Analysis of 18-A MRSA §§7-705 and 7-706 (October 2002)

## **Memberships**

American College of Trust and Estate Counsel  
*Fellow, Elected 2006*

Maine's Probate and Trust Law Advisory Committee  
*Member and Chair*

WealthCounsel, a national collaborative of trust and estate planning

attorneys

*Founding Member*

Maine State Bar Association Committees that reviewed and promoted the adoption of Maine's versions of the Uniform Trust Code and the Uniform Principal and Income Act

*Member*

Former probate court commissioner

## **Community/Public Service**

Maine's Probate and Trust Law Advisory Commission

*Member (2010 – current, appointed by the Chief Justice of the Maine Supreme Judicial Court in 2010 and reappointed in 2013, 2016, and 2019); Chair (2010 – current)*

TD Beach to Beacon 10K, Inc.

*Member, Board of Directors and legal counsel (2001-current); President, Board of Directors (2018-Current)*

The Bob Crewe Foundation

*Secretary (2020)*

Board of Directors, USA Canoe/Kayak, the United States Olympic Committee's national governing body for the sports of whitewater slalom and flat water sprint canoe and kayak

*Appointed Member (2009 – 2011); Board Chair (2009 – 2011)*

Cape Elizabeth Town Council

*Member (2003 – 2009 – elected 2003 and re-elected 2006); Finance Chairman (2005); Chairman (2006)*

Town of Cape Elizabeth, Thomas Memorial Library Foundation

*Incorporator (2004); member, Board of Directors (2004-2008)*

Institute for Civic Leadership's Collaborative Leadership Intensive

*Member, Mu class (2004 – 2005)*

Cape Elizabeth Town Zoning Board of Appeals

*Member (1999-2003); Chair (2000-2003)*

Board of Directors, USA Triathlon, the United States Olympic Committee's national governing body for the sport of triathlon

*Elected member (1989-1993); President (1990-1992); and Co-Chair of legal committee (1998-2004)*

United States Olympic Committee, Athlete Support Committee

*Appointed member (1996-2000)*

Butler University, Indianapolis, Indiana, College of Business, graduate

school Masters of Business Administration program

*Adjunct Professor of business law (1995-1997)*