



Joshua Dwyer
Attorney/ Shareholder

Areas of Concentration

- Estate Planning, Probate & Asset Protection

Education

J.D., Regent School of Law

B.A., Texas A&M University

Admission

State Bar of Texas

State Bar of New Mexico

United States District Court District of New Mexico

United States Tax Court

Languages

English

Contact Information

Las Cruces:

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El Paso:

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- F: 915.546.8333

Joshua Dwyer practices primarily in the Firm's Las Cruces, New Mexico office. He assists clients with estate planning, probate, estate, and trust administration as well as business-related legal matters.

By assisting clients in determining which estate planning documents will best meet their individual needs, Mr. Dwyer has been able to assist clients plan for the future and make decisions that reflect their particular priorities and values. In addition to designing and drafting estate planning documents, including wills, living trusts, testamentary trusts, powers of attorney, and advanced health-care directives, Mr. Dwyer advises clients on probate matters, the administration of trusts and estates, and various matters related to business succession planning, contracts, and transfers of ownership.

By advising fiduciaries' regarding their responsibilities, duties, and authority Mr. Dwyer has assisted personal representatives and trustees in avoiding and efficiently resolving disputes that may arise during the administration of trusts and estates. Mr. Dwyer also advises clients with

regard to federal and state taxation, specifically transfer taxes associated with the federal estate tax, federal gift tax, and federal generation-skipping transfer tax. This is done in a variety of ways, including properly structuring the client's estate to minimize the exposure to transfer taxes and in some cases advising clients to undertake specific gift planning techniques.

Mr. Dwyer was appointed by the New Mexico Supreme Court to serve on the Supreme Court's Probate Court Rules Committee to assist with proposing new rules for probate courts in New Mexico. He is also a member of the Southern New Mexico Estate Planning Council and is a member of the Planning Committee for the Estate Planning Institute.

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An active member in the Las Cruces civic and charitable community, Mr. Dwyer serves on the Mesilla Valley Hospice and Mesilla Valley Hospice Foundation Board of Directors and is a member of the Rio Grande Rotary Club.

Representative Matters

- Designed business succession plans for business-owners to allow businesses to continue operating after the owner's death.
- Designed estate plans for a married couple with minor children.
- Designed estate plans for married couples who wish to benefit various charities, including churches, community foundations, and other civic groups.
- Drafted asset-specific trusts for clients with real property in other states.
- Assisted clients in resolving disputes concerning trust and estate administration through mediation rather than litigation.
- Negotiated and resolved state and federal tax liabilities for clients who own businesses.
- Assisted and advised clients with planning to reduce or avoid federal transfer taxes.
- Drafted stock redemption agreements for corporations to facilitate the buy-out of a shareholder.
- Represented fiduciaries in probate and trust litigation.

Presentations & Publications

- 2017, November 2-3. *The Not So Limited LLC: LLCs in Estate Planning*. Paper and lecture presented at 25th Annual Estate Planning Institute, Community Foundation of Southern New Mexico in Las Cruces, New Mexico.
- 2017, November 2-3. *Statutory Powers of Attorney: Drafting Considerations*. Joint presentation at 25th Annual Estate Planning Institute, Community Foundation of Southern New Mexico in Las Cruces, New Mexico.
- 2017, March 24. *Death, Taxes, and Change: Update on Possible Changes to Federal Tax Laws Under the Trump Administration*. Lecture presented at the Southern New Mexico Estate Planning Council in Las Cruces, New Mexico.
- 2015, October 22-23. *The Role of the CPA in Estate Planning*. Joint presentation at the 23rd Annual Estate Planning Institute, Community Foundation of Southern New Mexico in Las Cruces, New Mexico.
- 2012, November 1-2. *Trust Protector: Ace in the Hole or Joker Wild?* Lecture presented at the 20th Annual Estate Planning Institute, Community Foundation of Southern New Mexico in Las Cruces, New Mexico.

- 2011, August 26. *Uniform Probate Code: Update on Changes for 2012*. Lecture presented at the Southern New Mexico Estate Planning Council in Las Cruces, New Mexico.
- 2010, December 8. *New Mexico Worker's Compensation and Employment Law*. Lecture presented at the Building Industry Association of Southern New Mexico Seminar in Las Cruces, New Mexico.
- 2010, November 10. *New Mexico Contract Law*. Lecture presented at the Building Industry Association of Southern New Mexico Seminar in Las Cruces, New Mexico.
- 2010, October 13. *New Mexico Lien Law*. Lecture presented at the Building Industry of Southern New Mexico Seminar in Las Cruces, New Mexico.

Organizations

- Grace Covenant Church
- Mesilla Valley Hospice (Board member)
- Mesilla Valley Hospice Foundation (Board Member)
- Rio Grande Rotary Club
- State Bar of Texas Business Law Section
- State Bar of New Mexico Business Law Section
- State Bar of New Mexico Real Property, Trust & Estate Section
- State Bar of New Mexico Taxation Law Section
- State Bar of Texas Real Estate, Probate, and Trust Law Section
- State Bar of Texas Tax Section
- Southern New Mexico Estate Planning Council
- Southern New Mexico Estate Planning Institute Planning Committee
- Texas Bar College