



R. SHAUN RAINEY

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VCARD



PRINT BIO



PRACTICE AREAS

- Estate Planning
- Probate and Estate Administration
- Trust Administration
- Fiduciary Litigation
- Incapacity Planning
- Guardianship
- Family Wealth Transfers
- Asset Protection

BIOGRAPHY

Shaun is a shareholder in the firms' Estate Planning and Probate Section. He is Board Certified in Estate Planning and Probate Law by the Texas Board of Legal Specialization. He is licensed to practice in the State of Texas and State of New Mexico as well as the United States District for the Western District of Texas. He is an active member of the Real Estate, Probate, and Trust Law Section of the State Bar of Texas, serving on the Decedent's Estates committee. Shaun also frequently writes and speaks on estate planning and probate at TexasBarCLE continuing education seminars.

Areas of Concentration

Estate Planning

Shaun devotes a significant portion of his practice to creating and implementing estate plans that accomplish key client objectives regarding the disposition of an individual's estate, while working to preserve the estate through maximization of credits and exemptions under federal estate and gift tax laws. This includes the preparations of wills and the creation and modification of trusts as estate planning tools.

Probate and Estate Administration

A significant portion of Shaun's practice is dedicated to advising both fiduciaries and beneficiaries relating to the probate of decedent's estates. This includes supporting surviving spouses regarding their statutory rights and advising fiduciaries, executors, and administrators regarding the disposition of decedents' estates in both contested and uncontested matters.

In addition to original probate proceedings in Texas and New Mexico, Shaun also handles ancillary probates of non-resident decedents who owned property in Texas or New Mexico.

Trust Administration and Representation

Shaun often counsels all parties of the Trust: grantor, beneficiary, and trustee, in the rights and obligations of trust management and distributions.

Fiduciary Litigation

Shaun began his career in the firm's litigation section. As such, Shaun is utilized as a resource and often works on various trust, estate, and fiduciary litigation. He often handles will contests and is practiced at working collaboratively with litigation attorneys and tax professionals to explain the availability and possible effects of all manner of legal disputes pertaining to trusts and estates.

Incapacity Planning

In addition to planning for the preservation and distribution of assets, as an integral part of planning, Shaun assists clients with making decisions related to their care and the management of their property in a period of incapacity before the need arises, including: Directives to Physicians (Living Wills), Medical Powers of Attorney, Statutory Durable Powers of Attorney and Revocable (Living) Trusts. Additionally, Shaun advises clients about the option of pre-need guardian designations including care for minors.

Guardianship

Shaun's practice also includes assisting clients in obtaining and management of guardian of incapacitated adults and minors, including guardian of the estate and guardian of the person. Shaun is versed in guardianship alternatives which must be considered prior to the creation of a guardianship,

including powers of attorney and court created management trusts. He is also certified, in accordance with the Texas Estates Code, as eligible to be appointed as an attorney for an applicant or a court appointed attorney in a guardianship proceeding.

Family Wealth Transfers

Shaun also represents families planning for the orderly transfer of family assets by assisting business owners with developing and implementing succession plans to help family businesses thrive after the founding generation retires or passes away. Including representation of family offices. He counsels clients on the equitable division of estates. Shaun also commonly advises owners of oil and gas interests regarding transfer techniques designed to avoid further fractionalization of interests over time.

Asset Protection

Shaun's practice also includes assisting clients with lawful asset protection techniques, including pre-marital and marital property agreements, transmutation agreements, gun trusts, separate property trusts and entities, including family limited partnerships, limited partnerships, and limited liability companies.

EDUCATION

- **Texas Tech University School of Law**, Lubbock, Texas
 - J.D. - 2011
 - Honors: *cum laude*
 - Honors: President, Student Bar Association
 - Honors: Murray Hensley Mock Trial Award
 - Honors: Judge Ken G. Spencer Award
 - Honors: Vice Chair for Trial Advocacy, Board of Barristers
- **Rice University**, Houston, Texas
 - B.A. - 2008
 - Honors: Scholar Athlete Award
 - Honors: Patrick Gordon Award
 - Major: Political Science and History

BAR ADMISSIONS

- Texas, 2011
- New Mexico, 2012
- U.S. District Court Western District of Texas, 2012

PROFESSIONAL ASSOCIATIONS

- College of the State Bar of Texas, Member
- Midland/Odessa Business and Estates Council, President, 2017 to 2018

- Midland County Bar Association
- Midland County Young Lawyers Association, President, 2014 to 2015
- Texas Young Lawyers Association
- Real Estate, Probate & Trust Law Section, State Bar of Texas
- Real Property, Trust & Estate Law Section, State Bar of New Mexico

HONORS

- Bob Black Bar Leaders Award, 2015, Presented by Texas Tech University, School of Law, Lubbock, Texas
- Judge Ken G. Spencer Award, 2011, Presented by Texas Tech University, School of Law, Lubbock, Texas
- Patrick Gordon Award for Dedication to Intercollegiate Athletics, 2008, Presented by Brown College, Rice University, Houston, Texas

CLASSES & SEMINARS

- Examples of Weird Things Clients Want in Their Documents; Panelist; 30th Annual Estate Planning & Drafting Course, TexasBarCLE, State Bar of Texas; December 13, 2019; Dallas, Texas
- Administering the Trust: Stuck in the Middle with You; Co-Presenter; Handling Your First (or Next) Trust, TexasBarCLE, State Bar of Texas; February 1, 2019; Austin, Texas
- Murder in the Heir: Application of the Slayers Rule in Texas; Co-Presenter; Webinar: TexasBarCLE, State Bar of Texas; December 6, 2018; Austin, Texas
- Care Giver Do's and Don't's; Co-Presenter, Webinar: TexasBarCLE, State Bar of Texas; May 10, 2017; Austin, Texas
- Help Me Help Your Client, How Your Practice Affects The Estate Planning and Probate Attorney; September 21, 2016; Paralegal Association of the Permian Basin; Midland, Texas
- A West Texas Perspective on Estate Planning and Probate; Author and Co-Presenter, June 10, 2016; Midland, Texas
- Probate Disputes and Litigation: We're Gonna Play the Sue Me, Sue You Blues; Author and Presenter, The Probate Process From Start to Finish; National Business Institute; August 27, 2015; Midland, Texas
- Adjunct Professor: Civil Litigation and Wills & Trusts. Paralegal/Legal Assistant Program; Midland College, Midland, Texas

PRO-BONO ACTIVITIES

- Texas Bar Foundation, Fellow
- Legal Aid of North West Texas
- REPTL Leadership Academy, Participant, 2016-2017
- Midland Chamber of Commerce, Board of Directors, Member, 2018-2020
- Midland Chamber of Commerce, Vice Chair: Community Development, 2019-2020
- Leadership Midland, Graduate, Class of 2013
- Leadership Midland, Planning Committee, Chair, 2017-2018

- Midland Education Foundation Board of Directors, Member, 2018-2020
- Midland Community Theater, Board of Governors, Member, 2020
- Arts Council of Midland Board of Directors, Member, 2018-2019
- St. Luke's United Methodist Church

FRATERNITIES OR SORORITIES

- Phi Delta Phi

CERTIFIED LEGAL SPECIALTIES

- Board Certified in Estate Planning and Probate Law, Texas Board of Legal Specialization