

“IS A GENTLE NUDGE IN ORDER?”

I have found that some people need a gentle nudge to start and/or complete their estate plan. Sometimes a spouse, an adult child, or a close friend can motivate or encourage another person to do what he or she knows is the right thing to do. Every family has at least one trusted and respected member who can persuade the others to listen and act on his or her advice. The holidays give that special person a good opportunity to offer a loved one a gentle nudge. Rather than approaching “the conversation” as something that is negative or sad, the family leader should let his or her loved ones know that they would actually be doing the family a favor by expressing their wishes in case of disability or death. Maybe you are that special person in your family; if not, you know who that special person is.

Estate planning is not like obtaining insurance that you will never use or submitting to medical tests for a disease or condition you may never have. The time will come for each of us when we must face our mortality. I've heard people say, probably based on superstition, “As soon as I do my estate plan, I'll die.” For those people, I've got some interesting news: If you don't do an estate plan, that doesn't mean you will live forever. I've also heard the statement “Let 'em fight over what I leave behind -- it won't bother me because I'll be dead anyway.” Well, if you could foresee and appreciate the years of family discord and legal entanglements created by your lack of planning, you would think differently about what to do with what you've spent a lifetime acquiring. If you could see things from my vantage point, you wouldn't hesitate to make a proper estate plan !

Here's an illustration based on a true story. A single, elderly gentleman with no children lived in California and had told his close friend that he wanted the friend's family to get whatever he left in his estate. The gentleman's closest relatives were in the Midwest but he really didn't like them and he did not keep in contact with them. Unfortunately, he never quite got around to doing a living trust or even a will. When he passed away the court system took over his estate and found his relatives, who didn't know he had passed. They were awarded his entire estate, totally contrary to his desires. Maybe you are the one that needs a gentle nudge. If so, commit to doing what you know you should do.