



TEXAS CONFERENCE OF SEVENTH-DAY ADVENTISTS

DEPARTMENT OF PLANNED GIVING & TRUST SERVICES

P. O. Box 800 | 1211 W Hwy 67 Alvarado, TX 76009

office 817.790.2255 x 2104 | fax 817.783.2698

texasgiving.org

trust@txsda.org

#TrustGodsWill

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TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS
DEPARTMENT OF PLANNED GIVING & TRUST SERVICES
DOCUMENT & GIFT ACCEPTANCE POLICIES AND GUIDELINES
(As adopted by TCA Board of Directors May 26, 2020)

The Texas Conference Association of Seventh-day Adventists (“TCA”), a not-for-profit religious corporation organized under the laws of the State of Texas, encourages and accepts gifts, mainly through various estate planning documents, to or for the Texas Conference of Seventh-day Adventists (“the Conference”) for the purpose of fulfilling its mission.

The mission of the Conference is to empower members, pastors, churches and schools in its territory to share the gospel message of God’s great love for all.

TCA Board of Directors, officers, and staff have a fiduciary duty to ensure that TCA’s assets are used effectively and protected from potential risk, liability, and diversion to purposes other than those that further and fulfill the mission of the Conference. The following policies and guidelines shall govern the acceptance of gifts made to TCA or for the benefit of any of its ministries and programs.

I. Purpose of Policies and Guidelines

These policies and guidelines are adopted to provide guidance to prospective donors and their advisors when considering gifts to the Conference and its ministries through their estate planning, or by outright gifts.

The Conference is part of the world-wide Seventh-day Adventist Church. Any policies or guidelines contained herein that conflict with the Working Policies of the General Conference of Seventh-day Adventists (“GC”) and the North American Division of Seventh-day Adventists (“NAD”) are void insofar as they conflict with said Working Policies.

II. General Policies Relevant to All Gifts

a. Mission and Organizational Policy

TCA will only accept such gifts that are legal and consistent with organizational policy. Gifts shall only be accepted if they do not interfere with the mission and purpose of the Conference. No gift will be accepted if, under any reasonable set of circumstances, the gift would jeopardize the donor’s financial security.

b. Use of Legal Counsel

Legal documents shall only be prepared under the direction of Legal Counsel. TCA shall seek the advice of Legal Counsel in matters relating to acceptance of gifts when appropriate, including, without limitation, the following:

- i. Gifts of securities that are subject to restrictions or buy-sell agreements, particularly closely held stock.
- ii. Documents naming TCA as Trustee, or requiring TCA to act in any fiduciary capacity.
- iii. Gifts involving contracts, such as bargain sales or other documents requiring TCA to assume an obligation.
- iv. Gifts of or involving Real Property
- v. Transactions with potential conflict of interest.

c. Conflict of Interest

TCA will recommend to all prospective donors to seek the assistance of independent personal legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences. Gifts are also subject to the provisions of other TCA policies, including adopted Conflict of Interest policies. TCA makes every effort to ensure that accepted gifts are in the best interests of the organization and the donor.

d. Restrictions of Gifts and Bequests

TCA will accept unrestricted gifts and/or bequests, and gifts/bequests for specific ministries, programs, and purposes, provided that such gifts/bequests are consistent with its stated mission, purposes, and priorities. TCA will not accept gifts/bequests that are too restrictive in purpose, those that are too difficult to administer, or those that are not consistent with TCA's mission. The final decision as to whether or not a gift will be accepted shall be made by the TCA Board of Directors upon recommendation from the TCA Trust Acceptance Committee.

e. Tax Compliance

TCA's policy is to comply with Internal Revenue Service reporting requirements and all other aspects of state and federal tax law. However, except for gifts of cash and publicly traded securities, no value shall be attributed to any receipt or other form of substantiation of a gift received. The donor will receive a letter describing the item donated. The donor, at their expense, should obtain an appraisal from which they will be able to assign a value of the gift for tax purposes.

f. Fees and Commissions

TCA generally does not pay “finder’s fees” or commissions to third parties in connection with any kind of gift to TCA. No officer, employee, or agent of TCA is or will be compensated in a manner that is dependent on the size or nature of the gifts made to TCA by any person.

III. Gifts Generally Accepted Without Review

- a. Cash. Cash Gifts are acceptable in any form, including by check, money order, bank card, wire transfer, or online.
- b. Marketable Securities. Publicly traded and marketable securities may be transferred electronically to an account maintained at TCA’s brokerage firm or delivered physically, with the transferor’s endorsement attached. All marketable securities will be liquidated upon receipt, unless otherwise directed.

IV. Certain gifts may be subject to review prior to acceptance.

- a. Closely Held Securities. Closely held securities, including debt and equity positions in non-publicly traded companies as well as interests in limited partnerships and LLC’s, or other ownership forms, can be accepted, provided that:
 - i. There are no restrictions on the security that would prevent TCA from ultimately converting it to cash;
 - ii. The security is marketable; and
 - iii. The security will not generate any undesirable tax consequences to TCA.

Advice of Legal Counsel shall be sought when making a final determination on acceptance of the gift and prior to being accepted by the TCA Board of Directors.

- b. Tangible Personal Property. Acceptance of gifts of tangible personal property shall be determined by the following criteria:
 - i. Does the property conflict with the mission of TCA?
 - ii. Will the property be related use? If so, are there any restrictions on the use of the property?
 - iii. If the property is not related use, is the property marketable? Will there be significant costs to sell the property?
 - iv. Are there carrying costs for the property? (Insurance, safeguarding, transport, etc.)
- c. Intellectual Property. TCA will accept intellectual property (creations of the mind - i.e., inventions, literary and artistic works, symbol/names/images used in commerce) that is consistent with its mission. All intellectual property

gifts must be reviewed and approved by Legal Counsel and accepted by the TCA Board of Directors.

- d. Life Insurance. TCA will accept gifts of life insurance where TCA is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
- e. Bequests, and Beneficiary Designations under Revocable Trusts, Commercial Annuities and Retirement Plans. TCA will generally accept gifts designating TCA as a beneficiary of the donor's estate or retirement plans. The services of the TCA Planned Giving and Trust Services Department shall be offered to assist with such gifts.
- f. Charitable Gift Annuities. TCA offers Charitable Gift Annuities through the Planned Giving and Trust Services ("PGTS") Department, subject to PGTS Department policy and NAD working policy. The minimum amount acceptable to fund a Charitable Gift Annuity from a first-time annuitant is \$20,000 and the annuity must be for the benefit of one or more of the areas of ministry within the Conference. If the donor has existing Charitable Gift Annuities with TCA, an additional Annuity may be accepted with a minimum amount of \$10,000.
- g. Charitable Lead Trusts and Charitable Remainder Trusts. TCA will accept designation as the remainder beneficiary for Charitable Remainder Trusts and the income beneficiary of Charitable Lead Trusts. TCA will not accept appointment as Trustee for Charitable Lead Trusts and Charitable Remainder Trusts. Potential Trustors may be referred to Western Adventist Foundation.
- h. Real Estate. Gifts of real estate, including developed property, undeveloped property, or gifts subject to a life estate, shall be reviewed by Legal Counsel prior to acceptance. TCA shall require an initial environmental review of the property to ensure that the property has no environmental damage or potential liability. TCA shall also obtain an independent appraisal, survey, preliminary title report, and title insurance prior to acceptance of gifts of real estate. Acceptance of gifts of real estate must be voted by the TCA Board of Directors. Further criteria for acceptance of real estate:
 - i. Will the property be useful for TCA programs/ministry?
 - ii. Does the property conflict with the mission of TCA?
 - iii. Will the property be for a related use? If so, are there any restrictions on the use of the property?
 - iv. If the property is not for a related use, is the property marketable? Will there be significant costs to sell the property?

- v. Are there any restrictions, reservations, easements, or other limitations associated with the property?
- vi. Is there debt on the property?
- vii. What are the carrying costs? (Insurance, property taxes, mortgages, notes, maintenance expenses, etc.)
- viii. For commercial property, the following documentation is required:
 - a) Annual Income Statements
 - b) Lease Agreements
 - c) Financial Statements
- i. Bargain Sales. TCA will enter into a bargain sale arrangement where the bargain sale furthers the mission of the Conference and subject to the terms above.
- j. Specialty Housing. TCA does not generally accept gifts of specialty housing, such as senior living facilities, student housing, or mobile home parks.

V. Guidelines for Estate Planning Documents

TCA is a 501(c)(3) organization and, as such, its funds should not be used for individual benefits that are not part of its charitable purposes. The purpose of the Department of Planned Giving & Trust Services is to assist the giver in the support of the mission and ministry of the Conference. Therefore, the following guidelines have been established regarding the preparation of planned giving documents for members who desire to support the mission through their estate plans.

- a. Wills.
 - i. TCA will assist individuals in the preparation of Wills where there is a minimum 10% charitable bequest to SDA entities, at least half of which must be for the support of the mission of the Conference. This charitable bequest requirement shall apply to all new documents, as well as any requests to update documents.
 - ii. Requests to name an officer of TCA as Executor shall not be accepted except in extreme circumstances and must meet the same criteria as those for Conference Managed Trusts. Authorization for an employee of TCA to accept appointment as Executor must be given by the TCA Trust Acceptance Committee and voted as an exception to the guidelines. In those cases where TCA does serve as Executor the standard Executor's Fee will be taken in addition to any bequest(s).
 - iii. TCA will not accept appointments as a Guardian or as Trustee of a Testamentary Trust.

- iv. Ten percent (10%) of any unrestricted bequests to TCA through a bequest shall be forwarded to the local church holding the membership of the deceased at the time of his/her death, provided that the church is a part of the sisterhood of churches recognized by the Conference.
- v. A minimum of two years between updates will be required to provide services at no cost. Updates requested less than two years after the execution of a previous document will be at the cost of the Testator/Testatrix and charged at the attorney's normal rate.
- vi. Self-Managed Revocable Trust Agreements. TCA will assist individuals in the preparation of Self-Managed Revocable Trust Agreements and all related documents where there is a minimum 15% charitable bequest for an entity(ies) operating under/supported by the Conference. Applicants estate should have a minimum of \$250,000 in assets. Assets to be included in determining the value of the estate shall include real estate, all cash/investment accounts, Notes Receivable, Life Insurance (other than term), precious metals (gold & silver, etc.), valuable works of art, and similar assets. A new valuation of the estate shall be determined each time a Trustor requests an Amendment to the Trust Agreement. If the Trustor(s) are requesting TCA to serve as Successor Trustee of a Self-Managed Revocable Trust there must be the same minimum 25% charitable bequest as required for a Conference Managed Trust.

b. TCA Managed Revocable Trust Agreements.

- i. TCA will assist individuals in the preparation of Revocable Trust Agreements and all related documents (Pour Over Wills, Powers of Attorney, Advance Directives) and serve as Trustee of such Trust Agreements where there is a minimum 25% charitable bequest for an entity(ies) operating under/supported by the Conference.
- ii. Applicants should be at least 55 years of age and have a minimum of \$250,000 in assets. Assets to be included in determining the value of the estate shall include real estate, all cash/investment accounts, Notes Receivable, Life Insurance (other than term), precious metals (gold & silver, etc.), valuable works of art, and similar assets. A new valuation of the estate shall be determined each time a Trustor requests an Amendment to the Trust Agreement.

c. Powers of Attorney. TCA Planned Giving & Trust Services personnel should only accept appointment as POA for a Trustor or Testator when there is substantial charitable intent and a compelling reason to do so. All appointments of TCA PGTS personnel must be voted by the TCA Board of Directors.

d. Enhanced Life Estate Deeds.

- i. Enhanced Life Estate Deeds should only be written for individuals 65 years of age and over.
- ii. ELE Deeds naming TCA shall only be written where the property is being deeded 100% to TCA, or to TCA as Trustee of the Grantors Trust Agreement.

e. Charitable Gift Annuities.

- i. TCA will accept applications for Charitable Gift Annuities (both 'Immediate' and 'Deferred Payment') from a new annuitant with a minimum gift of \$20,000.
- ii. The annuity must be for an entity(ies) operating under/supported by the Conference.
- iii. Rates for Charitable Gift Annuities shall be those as published by the American Council on Gift Annuities and all Annuities will be managed by the Southwestern Union Conference of Seventh-day Adventists.
- iv. If the donor has existing Charitable Gift Annuities with TCA, an additional Annuity may be accepted with a minimum amount of \$10,000.

f. Endowments.

- i. Individuals may donate any amount at any time to existing endowment funds.
- ii. Endowments are generally managed by the Southwestern Union Conference of Seventh-day Adventists ("the Union"); however, in some circumstances they may be managed by the Conference.
- iii. A new endowment fund established with the Union must initially be funded with a minimum of \$50,000.
- iv. A new endowment fund established with the Conference must initially be funded with a minimum of \$100,000.
- v. Any bequests left for the purpose of establishing an endowment fund must meet the same criteria. If the funds from the bequest do not meet the minimum requirement, those funds will be added to an existing endowment that as closely meets the intent of the donor as possible.

VI. Housing of Estate Planning Documents

It will be the policy of TCA to only house estate planning documents where TCA is serving as Executor or Trustee. All estate planning documents where TCA holds

no fiduciary responsibility shall be left in the possession of the owner of the document (Testator, Trustor).



Biblical Counsel

Trust in the LORD with all your heart and lean not on your own understanding. In all of your ways acknowledge Him and He shall direct your paths.
– Proverbs 3:5

Three Bible Verses That Will Help You Leave a Legacy

By Dave Ramsey

Christian financial expert Howard Dayton has said that the Bible references money and possessions 2,350 times. That's a *lot*. It's more than Jesus talked about love, and more than He talked about heaven and hell combined.

It's almost as if God knew we would need *lots* of direction and clarity on the whole money and stuff issue. Ha! Does He know us well, or what?

So what's in those 2,350 verses? Way more than we have time to talk about here. But I do want to highlight three of my favorites. These are the verses I turn to when I need a little guidance in my own financial decisions. I hope you'll glean as much wisdom from them as I have.

1. 1 Timothy 6:6: "Godliness with contentment is great gain." (NKJV)

It's interesting to me that in God's economy, we actually have "great gain" when we're *not* driven by the quest for more.

We all have different vices. Mine has always been discontentment. I've always wanted to accomplish more, better, faster. But here's the crazy thing: **I've experienced the greatest gain when I was content regardless of the outcome.** It's okay to be driven to succeed, but it's unhealthy when success dictates our happiness.

Let's not confuse contentment with apathy or lack of ambition, but let's also not become so consumed with any pursuit that overshadows our pursuit of God Himself. Contentment is the most important characteristic of people who are successful with money. That's because they think long and hard about the purchases they make and therefore have more money left over to save, invest and give.

2. Proverbs 13:22: "A good man leaves an inheritance to his children's children." (NKJV)

This verse keeps our life goals, our vision and our legacy front and center when we're choosing how to use our money today. When we weigh what we want *now* against what we *really* want *later*, we realize how temporary satisfaction pales in comparison to a legacy of purpose and generational fulfillment.

And an inheritance is not limited to money. It also includes godly character qualities like integrity and trustworthiness. Combining a financial inheritance with wisdom and godliness ensures that the next generation will also manage God's blessings God's way for God's glory long after I've graduated to heaven.

3. Proverbs 22:7: "The rich rule over the poor, and the borrower is slave to the lender." (NIV)

I like this one because it speaks honestly about the relationship between a debtor and a creditor. God wants us to be in a position to hear from Him and to serve people in His name . . . not to be in bondage to payments. He wants us to have freedom and options. **Many of us sense God calling us to do great things for Him, but when we're in debt, we can't.**

What verses do you turn to when you're seeking financial guidance? God has provided us with so much wisdom in this area as an act of love because He is for us, not because He wants anything from us. It's worth digging into and finding some financial insight that motivates and inspires you!

Counsels on Stewardship by Ellen G. White

Section 14—Wills and Legacies

Chapter 62—Preparation for Death

There are aged ones among us who are nearing the close of their probation; but for the want of wide-awake men¹ to secure to the cause of God the means in their possession, it passes into the hands of those who are serving Satan. This means was only lent them of God to be returned to Him; but in nine cases out of ten, these brethren, when passing from the stage of action, appropriate God's property in a way that cannot glorify Him, for not one dollar of it will ever flow into the Lord's treasury. In some cases these apparently good brethren have had unconsecrated advisers², who counseled from their own standpoint, and not according to the mind of God. CS 323.1

Property is often bequeathed to children and grandchildren only to their injury. They have no love for God or for the truth, and therefore this means, all of which is the Lord's, passes into Satan's ranks, to be controlled by him. Satan is much more vigilant, keen-sighted, and skillful in devising ways to secure means to himself than our brethren are to secure the Lord's own to His cause. CS 323.2

Some wills are made in so loose a manner that they will not stand the test of the law, and thus thousands of dollars have been lost to the cause. Our brethren should feel that a responsibility rests upon them, as faithful servants in the cause of God, to exercise their intellect in regard to this matter, and secure to the Lord His own. CS 323.3

Many manifest a needless delicacy on this point. They feel that they are stepping upon forbidden ground when they introduce the subject of property to the aged or to invalids in order to learn what disposition they design to make of it. But this duty is just as sacred as the duty to preach the word to save souls. Here is a man with God's money or property in his hands. He is about to change his stewardship. Will he place the means which God has lent him to be used in His cause, in the hands of wicked men, just because they are his relatives? Should not Christian men feel interested and anxious for that man's future good as well as for the interest of God's cause, that he shall make a right disposition of his Lord's money, the talents lent him for wise improvement? Will his brethren stand by, and see him losing his hold on this life, and at the same time robbing the treasury of God? This would be a fearful loss to himself and to the cause; for, by placing his talent of means in the hands of those who have no regard for the truth of God, he would, to all intents and purposes, be wrapping it in a napkin and hiding it in the earth. CS 323.4

A Better Way

The Lord would have His followers dispense their means while they can do it themselves. Some may inquire, "Must we actually dispossess ourselves of everything which we call our own?" We may not be required to do this now; but we must be willing to do so for Christ's sake. We must acknowledge that our possessions are absolutely His, by using of them freely whenever means is needed to advance His cause. Some close their ears to the calls made for money to be used in sending missionaries to foreign countries, and in publishing the truth and scattering it like autumn leaves all over the world. CS 324.1

Such excuse their covetousness by informing you that they have made arrangements to be charitable at death. They have considered the cause of God in their wills. Therefore they live a life of avarice, robbing God in tithes and in offerings, and in their wills return to God but a small portion of that which He has lent them, while a very large proportion is appropriated to relatives who have no interest in the truth. This is the worst kind of robbery. They rob God of His just dues, not only all through life, but also at death. CS 324.2

A Fearful Risk

It is utter folly to defer to make a preparation for the future life until nearly the last hour of the present life. It is also a great mistake to defer to answer the claims of God for liberality to His cause until the time comes when you are to shift your stewardship upon others. Those to whom you entrust your talents of means may not do as well with them as you have done. How dare rich men run so great risks? Those who wait till death before they make a disposition of their property, surrender it to death rather than to God. In so doing, many are acting directly contrary to the plan of God plainly stated in His word. If they would do good, they must seize the present golden moments, and labor with all their might, as if fearful that they may lose the favorable opportunity. CS 325.1

Those who neglect known duty by not answering to God's claims upon them in this life, and who soothe their consciences by calculating on making their bequests at death, will receive no words of commendation from the Master, nor will they receive a reward. They practiced no self-denial, but selfishly retained their means as long as they could, yielding it up only when death claimed them. CS 325.2

That which many propose to defer until they are about to die, if they were Christians indeed they would do while they have a strong hold on life. They would devote themselves and their property to God, and, while acting as His stewards, they would have

¹ Wide-awake men: Christian advisors who counsel from the perspective of being a steward of God's possessions

² Unconsecrated advisors: advisors who only counsel with earth in mind and neglect heavenly matters

the satisfaction of doing their duty. By becoming their own executors, they could meet the claims of God themselves, instead of shifting the responsibility upon others. CS 325.3

We should regard ourselves as stewards of the Lord's property, and God as the supreme proprietor, to whom we are to render His own when He shall require it. When He shall come to receive His own with usury, the covetous will see that instead of multiplying the talents entrusted to them, they have brought upon themselves the doom pronounced upon the unprofitable servant. CS 326.1

Living Benevolence or Dying Legacies

The Lord designs that the death of His servants shall be regarded as a loss, because of the influence for good which they exerted and the many willing offerings which they bestowed to replenish the treasury of God. Dying legacies are a miserable substitute for living benevolence. The servants of God should be making their wills every day, in good works and liberal offerings to God. They should not allow the amount given to God to be disproportionately small when compared with that appropriated to their own use. In making their wills daily, they will remember those objects and friends that hold the largest place in their affections. CS 326.2

Their best friend is Jesus. He did not withhold His own life from them, but for their sakes became poor, that through His poverty they might be made rich. He deserves the whole heart, the property, all that they have and are. But many professed Christians put off the claims of Jesus in life, and insult Him by giving Him a mere pittance at death. CS 326.3

Let all of this class remember that this robbery of God is not an impulsive action, but a well-considered plan which they preface by saying, "Being in sound mind." After having defrauded the cause of God through life, they perpetuate the fraud after death. And this is with the full consent of all the powers of the mind. Such a will many are content to cherish for a dying pillow. Their will is a part of their preparation for death, and is prepared so that their possessions shall not disturb their dying hours. Can these dwell with pleasure upon the requirement that will be made of them to give an account of their stewardship? CS 327.1

We must all be rich in good works in this life, if we would secure the future, immortal life. When the judgment shall sit, and the books shall be opened, every man will be rewarded according to his works. Many names are enrolled on the church book that have robbery recorded against them in the ledger of heaven. And unless these repent, and work for the Master with disinterested benevolence, they will certainly share in the doom of the unfaithful steward. CS 327.2

Losses Due to Lack of Will

It often happens that an active businessman is cut down without a moment's warning, and on examination his business is found to be in a most perplexing condition. In the effort to settle his estate, the lawyers' fees eat up a large share, if not all, of the property, while his wife and children and the cause of Christ are robbed. Those who are faithful stewards of the Lord's means will know just how their business stands, and, like wise men, they will be prepared for any emergency. Should their probation close suddenly, they would not leave such great perplexity upon those who are called to settle their estate. CS 327.3

Many are not exercised upon the subject of making their wills while they are in apparent health. But this precaution should be taken by our brethren. They should know their financial standing, and should not allow their business to become entangled. They should arrange their property in such a manner that they may leave it at any time. CS 328.1

Wills should be made in a manner to stand the test of law. After they are drawn, they may remain for years, and do no harm, if donations continue to be made from time to time as the cause has need. Death will not come one day sooner, brethren, because you have made your will. In disposing of your property by will to your relatives, be sure that you do not forget God's cause. You are His agents, holding His property; and His claims should have your first consideration. Your wife and children, of course, should not be left destitute; provision should be made for them if they are needy. But do not, simply because it is customary, bring into your will a long line of relatives who are not needy. CS 328.2

A Call for Reform

Let it ever be kept in mind that the present selfish system of disposing of property is not God's plan, but man's device. Christians should be reformers, and break up this present system, giving an entirely new aspect to the formation of wills. Let the idea be ever present that it is the Lord's property which you are handling. The will of God in this matter is law. CS 328.3

If man had made you the executor of his property, would you not closely study the will of the testator, that the smallest amount might not be misapplied? Your heavenly Friend has entrusted you with property, and given you His will as to how it should be used. If this will is studied with an unselfish heart, that which belongs to God will not be misapplied. The Lord's cause has been shamefully neglected, when He has provided men with sufficient means to meet every emergency, if they only had grateful, obedient hearts. CS 328.4

Those who make their wills should not feel that when this is done they have no further duty, but they should be constantly at work using the talents entrusted to them, for the upbuilding of the Lord's cause. God has devised plans that all may work intelligently in the distribution of their means. He does not propose to sustain His work by miracles. He has a few faithful stewards, who are economizing and using their means to advance His cause. Instead of self-denial and benevolence being an exception, they should be the rule. The growing necessities of the cause of God require means. Calls are constantly coming in from men in our own and foreign countries for messengers to come to them with light and truth. This will necessitate more laborers and more means to support them.—Testimonies for the Church 4:478-483. CS 329.1

Pre-Marital Stewardship

Adventist Home by Ellen G. White Chapter 13—Domestic Training

Preparation for Marriage Is an Essential Part of Education—Upon no account should the marriage relation be entered upon until the parties have a knowledge of the duties of a practical domestic life. The wife should have culture of mind and manners that she may be qualified to rightly train the children that may be given her.1 AH 87.1

Many ladies, accounted well-educated, having graduated with honors at some institution of learning, are shamefully ignorant of the practical duties of life. They are destitute of the qualifications necessary for the proper regulation of family, and hence essential to its happiness. They may talk of woman's elevated sphere and of her rights, yet they themselves fall far below the true sphere of woman. AH 87.2

It is the right of every daughter of Eve to have a thorough knowledge of household duties, to receive training in every department of domestic labor. Every young lady should be so educated that if called to fill the position of wife and mother, she may preside as a queen in her own domain. She should be fully competent to guide and instruct her children and to direct her servants, or, if need be, to minister with her own hands to the wants of her household. It is her right to understand the mechanism of the human body and the principles of hygiene, the matters of diet and dress, labor and recreation, and countless others that intimately concern the well-being of her household. It is her right to obtain such a knowledge of the best methods of treating disease that she can care for her children in sickness, instead of leaving her precious treasures in the hands of stranger nurses and physicians. AH 87.3

The idea that ignorance of useful employment is an essential characteristic of the true gentleman or lady is contrary to the design of God in the creation of man. Idleness is a sin, and ignorance of common duties is the result of folly, which afterlife will give ample occasion to bitterly regret.2 AH 88.1

Young women think that it is menial to cook and do other kinds of housework; and, for this reason, many girls who marry and have the care of families have little idea of the duties devolving upon a wife and mother.3 AH 88.2

It should be a law that young people should not get married unless they know how to care for the children that are brought into their family. They must know how to take care of this house that God has given them. Unless they understand in regard to the laws which God has established in their system, they cannot understand their duty to their God or themselves.4 AH 88.3

Domestic Training Should Be in the College Curriculum—The education which the young men and women who attend our colleges should receive in the home life is deserving of special attention. It is of great importance in the work of character building that students who attend our colleges be taught to take up the work that is appointed them, throwing off all inclination to sloth. They need to become familiar with the duties of daily life. They should be taught to do their domestic duties thoroughly and well, with as little noise and confusion as possible. Everything should be done decently and in order. The kitchen and all other parts of the building should be kept sweet and clean. Books should be laid aside till their proper season, and no more study should be taken than can be attended to without neglecting the household duties. The study of books is not to engross the mind to the neglect of home duties upon which the comfort of the family depends. AH 88.4

In the performance of these duties careless, neglectful, disorderly habits should be overcome; for unless corrected, these habits will be carried into every phase of life, and the life will be spoiled for usefulness.5 AH 89.1

A Knowledge of Homemaking Is Indispensable—Many of the branches of study that consume the student's time are not essential to usefulness or happiness, but it is essential for every youth to have a thorough acquaintance with everyday duties. If need be, a young woman can dispense with a knowledge of French and algebra, or even of the piano; but it is indispensable that she learn to make good bread, to fashion neatly fitting garments, and to perform efficiently the many duties that pertain to homemaking. AH 89.2

To the health and happiness of the whole family nothing is more vital than skill and intelligence on the part of the cook. By ill-prepared, unwholesome food she may hinder and even ruin both the adult's usefulness and the child's development. Or by providing food adapted to the needs of the body, and at the same time inviting and palatable, she can accomplish as much in the right as otherwise she accomplishes in the wrong direction. So, in many ways, life's happiness is bound up with faithfulness in common duties.6 AH 89.3

Give Attention to the Principles of Hygiene—The principles of hygiene as applied to diet, exercise, the care of children, the treatment of the sick, and many like matters should be given much more attention than they ordinarily receive.7 AH 89.4

In the study of hygiene the earnest teacher will improve every opportunity to show the necessity of perfect cleanliness both in personal habits and in all one's surroundings.... Teach the pupils that a healthful sleeping room, a thoroughly clean kitchen, and a tastefully arranged, wholesomely supplied table will go farther toward securing the happiness of the family and the regard of every sensible visitor than any amount of expensive furnishing in the drawing room. That "the life is more than meat, and the body is more than raiment" [Luke 12:23] is a lesson no less needed now than when given by the divine Teacher eighteen hundred years ago.8 AH 90.1

A Young Lady Counseled to Acquire Habits of Industry—You have peculiarities of character which need to be sternly disciplined and resolutely controlled before you can with any safety enter the marriage relation. Therefore marriage should be put from your mind until you overcome the defects in your character, for you would not make a happy wife. You have neglected to educate yourself for systematic household labor. You have not seen the necessity of acquiring habits of industry. The habit of enjoying useful labor, once formed, will never be lost. You are then prepared to be placed in any circumstances in life, and you will be fitted for the position. You will learn to love activity. If you enjoy useful labor, your mind will be occupied with your employment, and you will not find time to indulge in dreamy fancies. AH 90.2

Knowledge of useful labor will impart to your restless and dissatisfied mind energy, efficiency, and a becoming, modest dignity, which will command respect.9 AH 91.1

Value of Practical Education for Girls—Many who consider it necessary for a son to be trained with reference to his own future maintenance seem to consider it entirely optional with herself whether or not their daughter is educated to be independent and self-supporting. She usually learns little at school which can be put to practical use in earning her daily bread; and receiving no instruction at home in the mysteries of the kitchen and domestic life, she grows up utterly useless, a burden upon her parents.... AH 91.2

A woman who has been taught to take care of herself is also fitted to take care of others. She will never be a drug in the family or in society. When fortune frowns, there will be a place for her somewhere, a place where she can earn an honest living and assist those who are dependent upon her. Woman should be trained to some business whereby she can gain a livelihood if necessary. Passing over other honorable employments, every girl should learn to take charge of the domestic affairs of home, should be a cook, a housekeeper, a seamstress. She should understand all those things which it is necessary that the mistress of a house should know, whether her family are rich or poor. Then, if reverses come, she is prepared for any emergency; she is, in a manner, independent of circumstances.10 AH 91.3

A knowledge of domestic duties is beyond price to every woman. There are families without number whose happiness is wrecked by the inefficiency of the wife and mother. It is not so important that our daughters learn painting, fancywork, music, or even "cube root", or the figures of rhetoric, as that they learn how to cut, make, and mend their own clothing, or to prepare food in a wholesome and palatable manner. When a little girl is nine or ten years old, she should be required to take her regular share in household duties, as she is able, and should be held responsible for the manner in which she does her work. That was a wise father who, when asked what he intended to do with his daughters, replied, "I intend to apprentice them to their excellent mother, that they may learn the art of improving time, and be fitted to become wives and mothers, heads of families, and useful members of society."11 AH 91.4

The Prospective Husband Should Be Thrifty and Industrious—In early times custom required the bridegroom, before the ratification of a marriage engagement, to pay a sum of money or its equivalent in other property, according to his circumstances, to the father of his wife. This was regarded as a safeguard to the marriage relation. Fathers did not think it safe to trust the happiness of their daughters to men who had not made provision for the support of a family. If they had not sufficient thrift and energy to manage business and acquire cattle or lands, it was feared that their life would prove worthless. But provision was made to test those who had nothing to pay for a wife. They were permitted to labor for the father whose daughter they loved, the length of time being regulated by the value of the dowry required. When the suitor was faithful in his services, and proved in other respects worthy, he obtained the daughter as his wife; and generally the dowry which the father had received was given her at her marriage.... AH 92.1

The ancient custom, though sometimes abused, as by Laban, was productive of good results. When the suitor was required to render service to secure his bride, a hasty marriage was prevented, and there was opportunity to test the depth of his affections, as well as his ability to provide for a family. In our time many evils result from pursuing an opposite course.¹² AH 92.2

No man is excusable for being without financial ability. Of many a man it may be said, He is kind, amiable, generous, a good man, a Christian; but he is not qualified to manage his own business. As far as the outlay of means is concerned, he is a mere child. He has not been brought up by his parents to understand and to practice the principles of self-support.¹³

Summary

Know your rights & requirements

Ten Rights A Daughter of Eve has

The right to...

1. Understand the mechanism of the human body
2. Understand the principles of hygiene and cleanliness
3. Understand the matters of diet
4. Understand the matters of dress
5. Understand labor and recreation
6. Obtain such a knowledge of the best methods of treating disease
7. Prepare food in a wholesome and palatable manner.
8. Learn how to care for children.
9. Be trained in some business where she can gain a livelihood.
10. Enjoy useful labor

The Prospective Husband

Is required to...

1. Make provisions to support a family
2. Possess sufficient thrift and energy to manage business, acquire assets and land
3. Have financial ability
4. Be qualified to manage his own business
5. Understand and practice the principles of self-support.

Acts of the Apostles by Ellen G. White, Chapter 3—The Great Commission

After the death of Christ the disciples were well-nigh overcome by discouragement. Their Master had been rejected, condemned, and crucified. The priests and rulers had declared scornfully, “He saved others; Himself He cannot save. If He be the King of Israel, let Him now come down from the cross, and we will believe Him.” Matthew 27:42. The sun of the disciples’ hope had set, and night settled down upon their hearts. Often they repeated the words, “We trusted that it had been He which should have redeemed Israel.” Luke 24:21. Lonely and sick at heart, they remembered His words, “If they do these things in a green tree, what shall be done in the dry?” Luke 23:31. AA 25.1

Jesus had several times attempted to open the future to His disciples, but they had not cared to think about what He said. Because of this His death had come to them as a surprise; and afterward, as they reviewed the past and saw the result of their unbelief, they were filled with sorrow. When Christ was crucified, they did not believe that He would rise. He had stated plainly that He was to rise on the third day, but they were perplexed to know what He meant. This lack of comprehension left them at the time of His death in utter hopelessness. They were bitterly disappointed. Their faith did not penetrate beyond the shadow that Satan had cast athwart their horizon. All seemed vague and mysterious to them. If they had believed the Saviour’s words, how much sorrow they might have been spared! AA 25.2

Crushed by despondency, grief, and despair, the disciples met together in the upper chamber, and closed and fastened the doors, fearing that the fate of their beloved Teacher might be theirs. It was here that the Saviour, after His resurrection, appeared to them. AA 26.1

For forty days Christ remained on the earth, preparing the disciples for the work before them and explaining that which heretofore they had been unable to comprehend. He spoke of the prophecies concerning His advent, His rejection by the Jews, and His death, showing that every specification of these prophecies had been fulfilled. He told them that they were to regard this fulfillment of prophecy as an assurance of the power that would attend them in their future labors. “Then opened He their understanding,” we read, “that they might understand the Scriptures, and said unto them, Thus it is written, and thus it behooved Christ to suffer, and to rise from the dead the third day: and that repentance and remission of sins should be preached in His name among all nations, beginning at Jerusalem.” And He added, “Ye are witnesses of these things.” Luke 24:45-48. AA 26.2

During these days that Christ spent with His disciples, they gained a new experience. As they heard their beloved Master explaining the Scriptures in the light of all that had happened, their faith in Him was fully established. They reached the place where they could say, “I know whom I have believed.” 2 Timothy 1:12. They began to realize the nature and extent of their work, to see that they were to proclaim to the world the truths entrusted to them. The events of Christ’s life, His death and resurrection, the prophecies pointing to these events, the mysteries of the plan of salvation, the power of Jesus for the remission of sins—to all these things they had been witnesses, and they were to make them known to the world. They were to proclaim the gospel of peace and salvation through repentance and the power of the Saviour. AA 27.1

Before ascending to heaven, Christ gave His disciples their commission. He told them that they were to be the executors¹ of the will in which He bequeathed² to the world the treasures of eternal life. You have been witnesses of My life of sacrifice in behalf of the world, He said to them. You have seen My labors for Israel. And although My people would not come to Me that they might have life, although priests and rulers have done unto Me as they listed, although they have rejected Me, they shall have still another opportunity of accepting the Son of God. You have seen that all who come to Me confessing their sins, I freely receive. Him that cometh to Me I will in no wise cast out. To you, My disciples, I commit this message of mercy. It is to be given to both Jews and Gentiles—to Israel, first, and then to all nations, tongues, and peoples. All who believe are to be gathered into one church. AA 27.2

The gospel commission is the great missionary charter of Christ’s kingdom. The disciples were to work earnestly for souls, giving to all the invitation of mercy. They were not to wait for the people to come to them; they were to go to the people with their message. AA 28.1

The disciples were to carry their work forward in Christ’s name. Their every word and act was to fasten attention on His name, as possessing that vital power by which sinners may be saved. Their faith was to center in Him who is the source of mercy and power. In His name they were to present their petitions to the Father, and they would receive answer. They were to baptize in the name of the Father, the Son, and the Holy Spirit. Christ’s name was to be their watchword, their badge of distinction, their bond of union, the authority for their course of action, and the source of their success. Nothing was to be recognized in His kingdom that did not bear His name and superscription. AA 28.2

When Christ said to the disciples, Go forth in My name to gather into the church all who believe, He plainly set before them the necessity of maintaining simplicity. The less ostentation and show, the greater would be their influence for good. The disciples were to speak with the same simplicity with which Christ had spoken. They were to impress upon their hearers the lessons He had taught them. AA 28.3

Christ did not tell His disciples that their work would be easy. He showed them the vast confederacy of evil arrayed against them. They would have to fight “against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.” Ephesians 6:12. But they would not be left to fight alone. He assured them that He would be with them; and that if they would go forth in faith, they should move under the shield of Omnipotence. He bade them be brave and strong; for One mightier than angels would be in their ranks—the General of the armies of heaven. He made full provision for the prosecution of their work and took upon Himself the responsibility of its success. So long as they obeyed His word, and worked in connection with Him, they could not fail. Go to all nations, He bade them. Go to the farthest part of the habitable globe and be assured that My presence will be with you even there. Labor in faith and confidence; for the time will never come when I will forsake you. I will be with you always, helping you to perform your duty, guiding, comforting, sanctifying, sustaining you, giving you success in speaking words that shall draw the attention of others to heaven. AA 29.1

Christ’s sacrifice in behalf of man was full and complete. The condition of the atonement had been fulfilled. The work for which He had come to this world had been accomplished. He had won the kingdom. He had wrested it from Satan and had become heir of all things. He was on His way to the throne of God, to be honored by the heavenly host. Clothed with boundless authority, He gave His disciples their commission, “Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: teaching them to observe all things whatsoever I have commanded you: and, lo, I am with you alway, even unto the end.” Matthew 28:19, 20. AA 29.2

Just before leaving His disciples, Christ once more plainly stated the nature of His kingdom. He recalled to their remembrance things He had previously told them regarding it. He declared that it was not His purpose to establish in this world a temporal kingdom. He was not appointed to reign as an earthly monarch on David’s throne. When the disciples asked Him, “Lord, wilt Thou at this time restore again the kingdom to Israel?” He answered, “It is not for you to know the times or the seasons, which the Father hath put in His own power.” Acts 1:6, 7. It was not necessary

¹ Executor: the personal representative of the deceased who oversees the probate process. They are to locate beneficiaries and transfers estate assets. Pays claims and represents the estate in any litigation.

² Bequest: the act of giving or leaving something through a Will. Specifically, a bequest refers to the transfer of personal property, such as money, or household goods.

for them to see farther into the future than the revelations He had made enabled them to see. Their work was to proclaim the gospel message. AA 30.1

Christ's visible presence was about to be withdrawn from the disciples, but a new endowment of power was to be theirs. The Holy Spirit was to be given them in its fullness, sealing them for their work. "Behold," the Saviour said, "I send the promise of My Father upon you: but tarry ye in the city of Jerusalem, until ye be endued with power from on high." [Luke 24:49](#). "For John truly baptized with water; but ye shall be baptized with the Holy Ghost not many days hence." "Ye shall receive power, after that the Holy Ghost is come upon you: and ye shall be witnesses unto Me both in Jerusalem, and in all Judea, and in Samaria, and unto the uttermost part of the earth." [Acts 1:5, 8](#). AA 30.2

The Saviour knew that no argument, however logical, would melt hard hearts or break through the crust of worldliness and selfishness. He knew that His disciples must receive the heavenly endowment; that the gospel would be effective only as it was proclaimed by hearts made warm and lips made eloquent by a living knowledge of Him who is the way, the truth, and the life. The work committed to the disciples would require great efficiency; for the tide of evil ran deep and strong against them. A vigilant, determined leader was in command of the forces of darkness, and the followers of Christ could battle for the right only through the help that God, by His Spirit, would give them. AA 31.1

Christ told His disciples that they were to begin their work at Jerusalem. That city had been the scene of His amazing sacrifice for the human race. There, clad in the garb of humanity, He had walked and talked with men, and few had discerned how near heaven came to earth. There He had been condemned and crucified. In Jerusalem were many who secretly believed Jesus of Nazareth to be the Messiah, and many who had been deceived by priests and rulers. To these the gospel must be proclaimed. They were to be called to repentance. The wonderful truth that through Christ alone could remission of sins be obtained, was to be made plain. And it was while all Jerusalem was stirred by the thrilling events of the past few weeks, that the preaching of the disciples would make the deepest impression. AA 31.2

During His ministry, Jesus had kept constantly before the disciples the fact that they were to be one with Him in His work for the recovery of the world from the slavery of sin. When He sent forth the Twelve and afterward the Seventy, to proclaim the kingdom of God, He was teaching them their duty to impart to others what He had made known to them. In all His work He was training them for individual labor, to be extended as their numbers increased, and eventually to reach to the uttermost parts of the earth. The last lesson He gave His followers was that they held in trust³ for the world the glad tidings of salvation. AA 32.1

When the time came for Christ to ascend to His Father, He led the disciples out as far as Bethany. Here He paused, and they gathered about Him. With hands outstretched in blessing, as if in assurance of His protecting care, He slowly ascended from among them. "It came to pass, while He blessed them, He was parted from them, and carried up into heaven." [Luke 24:51](#). AA 32.2

While the disciples were gazing upward to catch the last glimpse of their ascending Lord, He was received into the rejoicing ranks of heavenly angels. As these angels escorted Him to the courts above, they sang in triumph, "Sing unto God, ye kingdoms of the earth; O sing praises unto the Lord, to Him that rideth upon the heavens of heavens.... Ascribe ye strength unto God: His excellency is over Israel, and His strength is in the heavens." [Psalm 68:32-34](#), margin. AA 32.3

The disciples were still looking earnestly toward heaven when, "behold, two men stood by them in white apparel; which also said, Ye men of Galilee, why stand ye gazing up into heaven? this same Jesus, which is taken up from you into heaven, shall so come in like manner as ye have seen Him go into heaven." [Acts 1:10, 11](#). AA 33.1

The promise of Christ's second coming was ever to be kept fresh in the minds of His disciples. The same Jesus whom they had seen ascending into heaven, would come again, to take to Himself those who here below give themselves to His service. The same voice that had said to them, "Lo, I am with you alway, even unto the end," would bid them welcome to His presence in the heavenly kingdom. AA 33.2

As in the typical service the high priest laid aside his pontifical robes and officiated in the white linen dress of an ordinary priest; so Christ laid aside His royal robes and garbed Himself with humanity and offered sacrifice, Himself the priest, Himself the victim. As the high priest, after performing his service in the holy of holies, came forth to the waiting congregation in his pontifical robes; so Christ will come the second time, clothed in garments of whitest white, "so as no fuller on earth can white them." [Mark 9:3](#). He will come in His own glory, and in the glory of His Father, and all the angelic host will escort Him on His way. AA 33.3

Thus will be fulfilled Christ's promise to His disciples, "I will come again, and receive you unto Myself." [John 14:3](#). Those who have loved Him and waited for Him, He will crown with glory and honor and immortality. The righteous dead will come forth from their graves, and those who are alive will be caught up with them to meet the Lord in the air. They will hear the voice of Jesus, sweeter than any music that ever fell on mortal ear, saying to them, Your warfare is accomplished. "Come, ye blessed of My Father, inherit the kingdom prepared for you from the foundation of the world." [Matthew 25:34](#). AA 34.1

Well might the disciples rejoice in the hope of their Lord's return. AA 34.2

³ Trust: a legal relationship created when the grantor places assets under the control of the trustee for the benefit of the beneficiaries.



Will & Trust

Where there is no counsel, the people fall; but in the multitude of counselors there is safety.

Proverbs 11:14

What is a Holographic Will?¹

April 8, 2020 by Rania Combs

Can you imagine writing your will on your bedroom wall? How about the fender of your vehicle?

According to the Guinness Book of World Records, the shortest will in the world consisted of three words — “All to wife”— written on the bedroom wall of a man who realized his death was imminent. In 1948, a farmer in Canada trapped under his tractor carved “In case I die in this mess I leave all to the wife. Cecil Geo. Harris” into his tractor’s fender. The fender was probated as his will.

Each state and country has different rules about what constitutes a valid will. So a will valid in one jurisdiction may not be valid in another. But Texas does authorize the use of holographic wills, a handwritten will, which dispense with some of the formalities required for typewritten or formal wills.

REQUIREMENTS FOR HOLOGRAPHIC WILLS IN TEXAS

A holographic Will is a handwritten will. In order to be valid in Texas, a holographic Will must be wholly in the handwriting of the person making the Will (the testator) and signed by him or her. It is also customary to date the Will.

A testator can write a holographic will on anything, including stationery. It is not necessary for witnesses to sign a holographic Will; however, it is still necessary for the testator to have testamentary capacity and testamentary intent when making the Will.

¹ <https://texaswillsandtrustslaw.com/2020/04/08/what-is-a-holographic-will/#:~:text=A%20holographic%20Will%20is%20a,will%20on%20anything%2C%20including%20stationery.>

Testamentary capacity means the the testator must be of sound mind.

Testamentary intent means the Testator intended to make a writing that dictates how his property will be distributed after his death .

DO HOLOGRAPHIC WILLS EXPIRE?

In Texas, a holographic Will is a valid Will. It will be just as effective as a formal, typewritten Will, and will remain effective until you revoke it.

POTENTIAL PITFALLS WITH HOLOGRAPHIC WILLS

Holographic wills are often used in emergency situations until more formal documents can be drafted. However, the law does not restrict the particular circumstances in which they can be used. Although they may seem like a cheap and easy way to handle your estate planning needs, relying on them as a primary estate planning tool can be risky.

Many testators do not know the requirements for a valid will in Texas. As a result, holographic wills sometimes contain defects which lead to unnecessary expenses and delays in administering their estate.

For example, if the holographic will has ambiguous provisions, a court proceeding may be necessary to construe the meaning of ambiguous terms. Or if it does not contain language allowing an executor to serve independently, it may require a court-supervised administration.

Often retaining an attorney to draft your will costs much less than fixing a mistake after you die. An attorney can help you avoid common mistakes, and in the process, give you peace of mind that your last wishes will be carried out just the way you intended.

This post was originally published on May 17, 2010, and updated on April 8, 2020.

Know the Difference Between an Heir and a Beneficiary

<https://www.wayforth.com/blog/whats-a-beneficiary>

When a relative die, close family members often assume that they are heirs. But they may not expect to be pushed aside by beneficiaries. What exactly is an heir? What's a beneficiary? How is an inheritance affected?

Misunderstanding this distinction between an heir and a beneficiary often causes confusion and pain for families. This can further complicate an already tense situation. Here are answers to common questions about what it means to be an heir or a beneficiary, and how that affects an inheritance.

What is an Heir?

An heir is a blood relative who is potentially entitled to money or property after someone dies. An example of an heir is a spouse or child. Laws in each state outline the exact order in which heirs inherit property. But the list stops at a certain point, so not every heir necessarily inherits.

The word "heir" is often used in cases where a person has died without a Will. When that happens, the estate administrator is tasked with finding out who rightfully inherits the deceased person's property.

Keep in mind the term "heir-at-law" is just the official term for being an heir. There's no difference between the two.

What is a Beneficiary?

A beneficiary is a person or organization who receives money or property because someone specifically names them in their Will or trust. Beneficiaries can include charities, places of worship, a decedent's close friend or even his pet cat. If you are specifically named in a Will, you are considered a beneficiary.

Can You Be Both a Beneficiary and an Heir or Vice Versa?

Here is where it can get confusing. You can be a beneficiary who is also an heir, but not all heirs are beneficiaries. For example, if your mother wills you her pearl necklace, you are a beneficiary because you are specifically mentioned in the Will. But you may be considered an heir as well because you are your mother's blood relative.

On the other hand, let's say your father leaves everything to his best boyhood friend, Roger. Roger is considered a beneficiary. Roger cannot be an heir since he is not a blood relative, even if your father considered him "family." You are, in fact, an heir in this situation since you are a blood relative. But Roger will probably still get all of Dad's money since you were not named in the will.

Who Has More Rights to Items: An Heir or a Beneficiary?

It depends whether or not official documents, like Wills and trusts, exist. If there is a Will, beneficiaries like Roger will often have more rights to the assets remaining after probate. When there is no Will, the assets go to the first heir in line. These heirs are often spouses or adult children. The process continues until a living blood relative is found.

I'm a Blood Relative. Since I'm an Heir, I'm Going to Get Something, Right?

You may receive an official notice in the mail alerting you that you're an heir. That doesn't necessarily mean you'll get something. Heirs are supposed to be notified of a death regardless of whether they are receiving something. Because a Will outlines the instructions of the decedent, it can completely overlook an heir and give everything to anyone named in the Will, blood relative or not.

Spousal rights are a major exception. Let's say you're expecting to get something after your elderly father dies, and in fact he leaves you everything in his Will. But he remarried years ago and did not put your stepmother in the Will. Because spousal rights are considered in many states, your stepmom has spousal rights and can claim a percentage of the estate.

When Can I Contest a Will?

Anyone with a valid interest in the estate can contest (question the contents of) a Will. It's one reason why executors are required to notify heirs. But be warned that contesting a Will is expensive and time-consuming for both sides. If you truly believe something isn't right about a Will, such as a forged signature or undue influence in the writing and signing of the Will, you may need to consult an attorney.

Navigating the world of probate can be tough when everyone is speaking "legalese." We suggest familiarizing yourself with common probate terms in order to better understand what is happening, and to whom. We also recommend relying on helpful friends and family for support. Just maybe not Roger.

Letter of Instruction and Suggestion

(as mentioned in your will, precedes Will, not legally binding)

To our dear friend _____ and executor of our will:

In the event of our demise, we desire that you distribute the following personal and household items as follows:

We would like for _____, (_____ 's _____ to have and decide what to do with:

- All of _____ 's clothes and personal effects
- Large household appliances: (microwave, refrigerator, freezer, washer and dryer, etc.) stereo and television, all tools, camping and fishing gear, bicycles, lawn and maintenance equipment and guns and vehicles
- All videos and video equipment and John's tapes, cassettes and records.
- _____ bird-like clay sculptures.

We would like _____, (_____ 's sister) to have and decide what to do with:

- all documents that were of personal interest to _____ in the filing cabinet, and all Jane's letter files (about four filing boxes in her closet). NO ONE else to go through these personal files.
- Jane's clothes and personal effects
- All furniture (except what was given to us by the _____ family, in which case, please return it to them) and decorations, including curtains, linens, dishes and kitchen appliances.
- All artwork, paintings, and portfolios and art supplies
- All her music, the piano, tape cassettes, CD's and karaoke equipment, etc.
- All books and photo albums – give his photo albums and negotiate the photos they would really like to have.

Specific items that go to specific persons:

_____ 's paintings of the old house on the Pacific Ocean goes to _____; large oil photograph of _____, Jane & Brittani goes to _____.

_____, we love you like a brother and treasured all our wonderful adventures together and your Christian friendship. We will see you again one day soon.

Charitable Bequest

A. Bequests are Specific: Who + What + When + How

Think of your will/trust as your plan full of names, stating WHAT (assets, amount, or percentage) they will receive, WHO (beneficiaries) will receive, WHEN (time restrictions) they will receive and even HOW (other restrictions).

B. The Who: Get the Name Right

Whether you are making a bequest (gifts at death) to an individual or an organization it is best to include their *full legal name*. The full incorporated name, the *Texas Conference Association of the Seventh-day Adventist*, is how the church does “business” and makes legal transactions (purchase land, accept bequests, etc.). The unincorporated name, the *Texas Conference of Seventh-day Adventist*, is how most people know the church by and how the church does “ministry”. The current Gift Acceptance Policy requires a minimum charitable bequest of 10%: 5% to be used within the Texas Conference while the other 5% may be in Texas or any Adventist organization within the Seventh-day Adventist Yearbook.

C. The How: Three Types of Charitable Contributions

1. Unrestricted Funds: donated amount may be used for any purpose. Unrestricted funds usually go toward operating expenses of the organization or to a project.
2. Temporarily Restricted Funds: donated amount can be used for a particular purpose for a specified period, or it must support a specific program or campaign. When the time is up, or the project is done, the funds become unrestricted or stopped. Examples: grant, scholarship recipient, or the completion of a building project.
3. Permanently Restricted Funds: permanently restricted funds never expire. Usually this means that the charity invests the gift and then uses the interest and investment returns in perpetuity. Permanently restricted funds often go into an endowment that supports a particular activity or organization in general. Examples: tithe, worthy-student endowment fund.

D. Sample of 13% Charitable Bequest

FIVE PERCENT (5%), to the **TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS**, as an unrestricted gift for its religious, educational and charitable activities.

ONE PERCENT (1%), to the **TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS**, a holy tithe.

ONE PERCENT (1%), to the **TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS**, for Pathfinder Ministries.

ONE PERCENT (1%), to the **TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS**, Conroe Church for Adventurer Club.

ONE PERCENT (1%), to the **TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS**, Conroe Adventist Academy for worthy student fund.

ONE PERCENT (1%), to **SOUTHWESTERN ADVENTIST UNIVERSITY**, for Religion Department.

THREE PERCENT (3%), to **ADVENTIST DISASTER AND RELIEF AGENCY**.

Where Should I Keep My Last Will?

by Edward A. Haman, Esq., June 2016

Where is a good place to keep your will? Learn the pros and cons of various locations, such as in your home, with your executor, and in your safe deposit box. Also, learn more about special considerations for your **digital estate**.

A **last will and testament** might as well not exist if it can't be located when you die. As important as having a will may be, it is equally important to store it in a safe place and have someone you trust know where to find it. Storage of other documents related to **end of life planning** should also be considered.

Your Will and Your Executor

The executor is the person you designate in a will to be responsible for probating your estate, and one essential part of the probate process is to file the original will with the probate court. The most important consideration in deciding **where to store a will** is that your executor must know where it is and be able to get it when you die. The executor also needs to know where you **store personal information** of all types.

Disclosing the Contents of Your Will

If you have your executor or a beneficiary keep your will, that person will be able to read the will. This information could get disclosed to one or more of your beneficiaries, and they might not be happy with the decisions you've made. However, if you have already discussed your plans with everyone involved, this is not a concern.

Your Executor

Often, the best place to store your will is with your executor. Since your executor is someone you trust, no one else needs to know the contents of the will or that it even exists. If you don't want your executor to know what your will says, you can place it in a sealed envelope, and ask that it only be opened upon your death. Your executor should store it in a safe place, such as his or her safe deposit box or personal safe at home.

In Your Home

Keeping your will in your house creates the risk of others having access to it, and the possibility of it being destroyed by fire or other natural disaster. Your executor would need to know where you keep it, and have access to your house. The best option to guard against loss of the will is to keep it in a large, heavy fireproof/waterproof safe securely tied into the structure of the home. Your executor would need access to the safe (the key or combination). A form of "poor man's safe" used by some is placing the will in a waterproof bag in the freezer; however, this is not recommended as there is no certainty of either safety or confidentiality.

Safe Deposit Box

A safe deposit box is not recommended as a storage place for a will. Even if your executor knows it is there, and is authorized to have access to the box, once the bank is aware of your death it may secure the box and require a court order to open it.

Your Lawyer

Your lawyer may store the original—sometimes for a nominal fee. However, many people don't maintain an ongoing relationship with an attorney, and it is common for lawyers to dissolve law firms and form new ones, so it may be difficult for your executor to locate the will when the need arises. Also, if you move some distance away from where your attorney practices, it would be more difficult for your executor to obtain the will.

The Probate Court

Some states allow you to file your will with the probate court or the county clerk, usually for a nominal fee. However, this would create more of a hassle if you decide to change your will, and it will not be helpful if you move to another county or state.

Digital Archives

There are companies offering online storage of documents and personal information. Some of these include **password storage**. Such online archives may be a good place to store information for an executor, however, a probate court may not accept a printed copy from such a digital **will vault** when an original is required.

Your Digital Estate

The digital age creates some **digital estate planning** issues that have not yet been resolved by the legal system. If you have files (documents, music, photos, or videos) stored on discs, your executor can simply give the discs to the intended heirs. If they are stored on a personal electronic device, you would need to give your intended heir (either directly or through your executor) the website, username and password to access the files.

Potential problems regarding **digital property** occur with email, online shopping accounts, social media profiles, blogs and files stored on a remote server. Do you think you own the songs you paid for and downloaded from iTunes, or the books from Amazon.com for your Kindle? Think again. The terms of use for both Apple and Amazon only license you the right to use these digital files—you do not acquire ownership.

So far, seven states have enacted legislation dealing with inheritance of digital assets (Connecticut, Delaware, Idaho, Indiana, Nevada, Oklahoma and Rhode Island). Even if your state does not have a law, you should consider a **digital estate plan**. Options include naming a **digital executor** in your will (who can be the same as your nondigital property executor), having online accounts owned by a trust, or informally giving login information to someone you trust and tell them what you would like done. But a will can be problematic, since wills eventually become public record.

Checklist for Updating Your Will and Estate Plan

At a minimum, your estate plan should include a Will, a Power-of-Attorney and an Advance Directive.

The older these documents are when they need to be used, the greater the risk of a successful challenge to them, when you will not be able to defend your decisions.

Creating your estate plan is important, but after creating one, it is also essential that you review it periodically to maintain it.

Ideally, you should review your estate plan at least every two years and refresh it at least every 5 years so that you can ensure that it will perform the way that you want.

If you answer yes to any of these questions, then you might need to update your estate plan.

- Have any of your agents changed address?
 - Do you have changes in specific bequests?
 - Do you have a substantial change in asset-valuation?
 - Do you require a change in special provisions for children?
 - Are there any newly born or adopted children?
 - Are there any disabled or special-needs children?
 - Has there been a change in the status of any marriages in the family?
 - Has there been a forgiveness or cancellation of loans to children?
 - Has there been a change in any gifts you would like to give to minors or charities?
 - Has there been a change in your business interests?
 - Has there been a change in your guardian, personal representatives or trustees?
-

By keeping your documents updated regularly you can always keep your plan fully compliant with applicable laws and procedures.

Who Will Receive Your Property?

heir or heir-at-law: a blood relative who is potentially entitled to money or property after someone dies

- Intestate succession law determines who inherits property of a deceased person that did not leave a will. Several fact patterns and the corresponding Texas statutes are used to establish heirs at law of a decedent.

beneficiary: a person or organization who receives money or property because someone specifically names them in their Will or trust.

- Bequest: the act of giving or leaving something by will

Seven Ways of Giving Your Possessions

1. Primary Beneficiary: someone who you elect to receive specific property such as land, a home or a family heirloom outright.
2. Life Estate: giving a person a property for his or her lifetime
3. Final Beneficiary: the person who receives the property following the life estate.
4. Contingent Beneficiary: a person who will receive property if the first person is not living at the time of transfer
 - a. Per stirpes: divided equally among the surviving children with the portion of the predeceased to be divided equally among their line
 - b. To Children Per capita: divided equally among surviving children/ beneficiaries, survivors of predeceased children not included.
 - c. To heirs per capita: divided equally among all heirs
5. Trust for Minors: people in charge of assets to manage property for the benefit of children. Primarily the trust will distribute income and, if needed, principal to the child until each recipient reaches your designated age for distribution of the assets.
6. Debtor Beneficiaries: forgiving debt and giving back the note or other obligation.
7. Pet Beneficiaries: transferring a family pet to a friend and make a gift of sufficient funds to provide for care of the animal.

What is an Executor's Responsibility?

- Take care of the property which the deceased person owned, which was part of the estate.
- Receive payments which are owed to the deceased's estate, including:
 - Dividends from investments
 - Interest payments
 - Other types of income which are earned by estate assets
- Collect on debts which are owed to the deceased.
- Collect on outstanding notes due to the deceased person.
- Determine who all heirs are, including names, the degree of their relationship with the deceased person, and the contact information for heirs.
- Determine who all beneficiaries named in a will are, including their names, addresses, and ages.
- Investigate any and all claims which are made on the estate in order to determine if claims are valid.
- File tax returns as required and pay any and all taxes which are due.
- Follow the instructions of the probate court related to transferring assets and managing the affairs of the deceased.

10 Stressors to Avoid When Administering an Estate

Being an executor of a deceased estate can be a highly stressful task. Sometimes, the family and other beneficiaries might pressure you to do questionable things when it comes to administration of the estate. The following are examples of potentially dangerous demands frequently directed at nervous executors by pushy relatives and beneficiaries.

1. Obtaining a grand of probate as quickly as possible.
2. Taking shortcuts.
3. Not applying for probate.
4. Having a formal "reading of the will."
5. Not calling for accounting of expenditures made under power of attorney.
6. Forgiving debts owed to the estate.
7. Not dealing with the deceased's debts and liabilities.
8. Immediately distributing the estate after probate.
9. Not honoring the terms of the will.
10. Not instructing an expert specialist lawyer.

As an executor of a deceased estate, you should not give in to these pressures. It may be helpful to seek the help of a qualified expert.

Estate Planning Fiduciary Roles

A *fiduciary* is a person in a position of trust with respect to another's property. It is a general term used to refer to an executor/ executrix, trustee, guardian, or agent. *Making Tough Choices*. Creating a comprehensive estate plan requires you to make some very tough decisions. Deciding who will receive which assets requires effort and makes it a tough process, however, choosing WHO to appoint in fiduciary roles should be afforded a significant amount of thought as well.

The Role of the Executor/ Executrix

- Oversees the probate process
- Locates beneficiaries, and transfers estate assets.
- Pays claims and files taxes
- Represents estate in any litigation

Things to Consider When Choosing Your Executor/ Executrix

- Background, education, skills
- Location
- Time commitment/ availability
- Emotional impact of your death
- Willingness to serve

The Role of Guardian

- Responsible for training your child
- May have control over child's assets
- May be recipient of child's state/federal benefits

Things to Consider When Choosing a Guardian

- Parenting styles
- Religious beliefs
- Proximity or willingness to relocate
- Familiarity with your child
- Stability and capacity to serve
- Willingness to serve

The Role of the Trustee

- Administers a trust
- Controls and invests trust assets
- Distributes trust benefits

Things to Consider When Choosing a Trustee

- Financial and legal background or knowledge
- Proximity to trust assets
- Potential for conflict of interests
- Availability and willingness

The Role of Agent

- Authority to act on your behalf in legal and/or financial matters
- Ability to make healthcare decisions for you under a Medical Power of Attorney
- Can have narrow or broad authority

Things to Consider When Choosing an Agent

- Location and availability in an emergency
- Capacity to honor your wishes
- Ability to separate emotions from decisions

Wills Vs Trusts¹

Wills and trusts are both useful estate planning tools. Each has advantages and disadvantages. Determining which is right for you depends on your goals and circumstances.

Let's define each then we can compare the two side by side.

What Is a Will?

A will (also called Last Will and Testament) is a written legal document that is signed and witnessed. You, the testator, direct how you want your assets to be distributed after your death. In your will, you name an executor who will be responsible for finalizing your estate in accordance with your wishes and the law. A will allows you to name beneficiaries and make bequests (i.e. who gets your stuff), appoint guardians for minor children and choose someone to manage property left to minor children.

After your death, your will is filed with the court and this begins the probate process. The court will determine the validity of the will and appoint the executor. The executor is responsible for publishing a Notice to Creditors and providing an inventory of assets to the court. When all debts are paid, the executor will distribute remaining assets according to the terms of the will. This process can take anywhere from a few months to a year or more and can be very complex. Because of the important duties of the executor, most courts in Texas require that the executor is represented by an attorney.

What Is a Trust?

The definition for a trust is the legal relationship created when one person (the "grantor") places assets under the control of another person (the "trustee") for the benefit of some other person or people (the "beneficiaries") or for a specified purpose.

In layman's terms, a trust is created by the grantor (that's you). The grantor writes the rules governing how the trust is to operate, what it is to do, and how and when to do it. If the trust is revocable, you can change the rules at any time. If the trust is irrevocable, you can't. (Each form has advantages and disadvantages, including tax implications.)

When creating the trust, you appoint a trustee, who will have the job of managing the trust and its assets. (People often appoint themselves to serve as trustee.)

A trust does cost more to set up and requires management after it is created. For the trust to be effective, it must be funded, meaning assets must be placed into it. Assets in the trust are not subject to the probate process.

¹ <https://www.livinglegacycenter.com/post/2017/04/11/wills-vs-trusts>

Wills Vs Trusts

	Will	Trust
When is it effective?	A will is effective upon death of the maker (testator). It can be revoked or changed at any time prior to death as long as the testator has mental capacity.	The trust becomes effective upon execution. Assets are transferred to the trust. The trust becomes the legal title owner. This process is called "funding".
What is the method of distribution?	The will must be filed with the court to determine validity. This begins the probate process. Assets covered under the will are distributed after debts are paid and inventory is completed. Real estate in another state may require a separate probate.	Distribution is defined by terms of the trust. The terms are dictated by the maker (grantor). Assets in trust are not subject to probate process regardless of location.
Who's in charge?	The executor is responsible for legally administering the estate. They ensure that all debts are paid, and assets distributed according to the wishes of the deceased.	The trustee manages the assets and terms of the trust and the distribution of the assets. You can be the trustee of your own trust and name a successor trustee in the event you are unable to act in the trustee capacity.
Other than my loved ones, who knows about my estate?	Once the will is filed with the court, it becomes public record. Additionally, the executor is required to publish a Notice to the Creditors and file an inventory of the estate assets.	A trust is not filed with the court and remains private. No inventory of assets or Notice to Creditors is required.
What happens if I become disabled or incapacitated?	If you become disabled or incapacitated, a power of attorney allows you to choose who makes decisions for you. Otherwise, the court may need to appoint a guardian. A new will cannot be executed by a guardian.	Management of the trust transfers to a successor trustee if you become disabled or incapacitated.
Would I need additional documents if I become disabled or incapacitated?	There is no provision for disability in a will. You will need separate documents for powers of attorney, health care directives, etc.	The successor trustee manages the assets that are in the trust. Separate documents (powers of attorney, healthcare directives, etc.) are needed for anything not included in the trust.
Can I name a guardian for my minor children?	You can nominate a guardian for minor children in a will.	You can nominate a guardian for minor children in a trust, however it is recommended that you do this in a separate document.
Can I give certain things to certain people and dictate the terms of the bequest?	You may designate beneficiaries for specific items, but more detailed instructions may be required in your will.	The grantor has greater control of terms of distribution such as beneficiaries, amount, method, timing, and parameters.
How much time and money will it take to set up?	A will is less expensive and requires less effort to prepare. Probate expenses add to the cost later. Any changes require a new will and execution.	There is more expense and effort to prepare a trust now, but it is generally less work and cost later. Changes only require an amendment to the trust.



Ancillary Documents

A friend loveth at all times, and a brother is born for adversity.

Proverbs 17:17

Advance Directives in Texas¹

Note: Texas law now allows an option for a person's signature to be acknowledged by a notary instead of witness signatures and for digital or electronic signatures on the Directive to Physicians, Out-of-Hospital Do Not Resuscitate Order, and the Medical Power of Attorney, if certain requirements are met. Please have your attorney review the law in Health and Safety Code Chapter 166 for the details.

Advance directives are legal documents that allow you to convey your decisions about end-of-life care ahead of time. They provide a way for you to communicate your wishes to family, friends and health care professionals, and to avoid confusion later on.

- Declaration for Mental Health Treatment — This document allows you to make decisions in advance about mental health treatment and specifically three types of mental health treatment: psychoactive medication, convulsive therapy and emergency mental health treatment. The instructions that you include in this declaration will be followed only if a court believes that you are incapacitated to make treatment decisions. Otherwise, you will be considered able to give or withhold consent for the treatments.
- Directive to Physicians and Family or Surrogates Form — This form is designed to help you communicate your wishes about medical treatment at some time in the future when you are unable to make your wishes known because of illness or injury.
- Medical Power of Attorney Form — Except to the extent you state otherwise, this document gives the person you name as your agent the authority to make any and all health care decisions for you in accordance with your wishes, including your religious and moral beliefs, when you are no longer capable of making them yourself.
- Out-of-Hospital Do Not Resuscitate Information & Form (PDF) — This form instructs emergency medical personnel and other health care professionals to forgo resuscitation attempts and to permit the patient to have a natural death with peace and dignity. This order does **NOT** affect the provision of other emergency care including comfort care.
- Statutory Durable Power of Attorney — This form is for designating an agent who is empowered to take certain actions regarding your property. It does not authorize anyone to make medical and other healthcare decisions for you.

¹ <https://hhs.texas.gov/laws-regulations/forms/advance-directives>

IS A DNR THE SAME AS A LIVING WILL IN TEXAS?¹

Posted by Chris Peterson | May 01, 2014 |

A DNR, or do not resuscitate order, is not the same thing as a living will. Essentially, a DNR is a directive noted in the medical chart by your attending physician after consulting with you or your legal representative. Ideally, a physician only takes instructions from your legal representative if you lack the mental capacity to understand the nature and consequences of consenting to a DNR order.

WHO GETS TO MAKE THE DNR DECISION?

If you are critically injured or have a life-threatening illness, your loved ones will probably be asked by hospital staff at some point if a DNR order is in place. All hospitals have procedures for issuing a DNR, including determining whether there is a legally authorized health care proxy. If a proxy has been appointed, the doctor and the proxy discuss the situation and arrive at decision. If no proxy has been appointed, a family member may be allowed to participate in the decision-making process, depending on hospital rules.

A LIVING WILL IS A PROACTIVE PLANNING TOOL

A living will, sometimes called an advance directive for medical care, is prepared prior to the onset of a debilitating illness or injury, much like a last will and testament is made prior to death. In addition to making it clear how you feel about life-sustaining medical intervention, a living will can designate a health care proxy to communicate your wishes to medical personnel and even authorize your proxy to make the final decision regarding life support, tube-feeding and other medical intervention.

YOUR LIVING WILL IS A GIFT TO YOUR LOVED ONES

One of the best features of a living will is that it gives your health care proxy and other loved ones proof of your wishes, in the event friends and family disagree about whether you would want have wanted life support or artificial nutrition under certain circumstances. Many people feel strongly about whether they would want to be kept on life support if there were no hope of recovery or regaining a meaningful quality of life, and many a family feud has been waged over whether to remove a loved one from life support. Make sure your family knows what you would want by having a living will.

¹ <https://www.brazoslawyers.com/dnr-living-will-texas#:~:text=A%20DNR%2C%20or%20do%20not,you%20or%20your%20legal%20representative.>

What Is the Difference Between a Living Will & an Advance Directive?¹

By: Beverly Bird | Reviewed by: Alicia Bodine, Certified Ramsey Solutions Master Financial Coach | Updated May 10, 2019

Legal jargon can be confusing, especially when you're dealing with potential life-and-death health care decisions. Several documents can help you plan for a time when you might be incapacitated or dying, but choosing the one that's right for you can be complicated because their meanings overlap. In general, advance directives refer to a variety of documents you can use to state your wishes in advance of becoming too ill or too injured to make them known.

Tip

An advance directive is a set of instructions someone prepares in advance of ill health that determines his healthcare wishes. A living will is one type of advance directive that becomes effective when a person is terminally ill.

Different Treatment Options

State laws regarding advance directives vary, but the information typically included in a living will is pretty uniform. A living will tells your health care provider what types of treatment you want or don't want should you become incapacitated.

A DNR order — another type of advance directive — is similar. DNR stands for "do not resuscitate" and it instructs your physician not to take life-saving measures, such as cardiopulmonary resuscitation.

However, another type of advance directive — a medical power of attorney — puts these decisions in someone else's hands. In a medical POA, you name an agent who will decide treatment options and resuscitation for you in the event you cannot make that decision.

Limitations for Certain Conditions

A living will can only address the exact conditions mentioned in the document. For example, it might state that you don't want CPR, but what if what you actually need is a feeding tube?

¹ <https://finance.zacks.com/difference-between-living-advance-directive-2095.html>

If your living will doesn't specifically mention feeding tubes, your physician is in the dark regarding how you'd like to deal with this issue.

An advance directive such as a POA isn't subject to this limitation. The person you've named as your health care agent will make the decision as to whether you should have a feeding tube.

Enforceability of Advance Directives

Your living will is ironclad and you are the only one that can change the terms. Technically, your family members cannot override it if the time comes when you're unable to speak for yourself. However, it doesn't always work this way in practice. If a family member is emphatic, desperate and emotional enough, it's possible that your health care provider could capitulate to her wishes rather than follow those you've explained in your living will.

Your doctor could be justified in doing this if your living will is too vague and doesn't expressly and exactly address the problem you're suffering. Other types of advance directives are much more binding on physicians. For example, your DNR order addresses a specific treatment, so it probably won't be ambiguous. Your agent under the terms of a medical POA has the right to instruct your doctor regarding all methods of treatment, so nothing is left up to your doctor's interpretation.

Advance Directive Options

Because a living will is just one kind of advance directive, you're not limited to using only this document. You can write a living will, create a medical POA and draft a DNR order as well. However, you might want to confer with an attorney in your particular state first.

Depending on where you live, the health care agent you name in your medical POA may or may not be bound by the terms of your living will. He may be able to override them. In this case, and especially if there's no one you feel you can trust with your life to fill this role, you might be better off with a very explicit living will instead.



Beneficiary Designations

A good man leaves an inheritance to his children's children, but the wealth of the sinner is stored up for the righteous.

Proverbs 13:22

TERM LIFE INSURANCE BY DAVE RAMSEY

Don't Leave Your Family Unprotected

How Much Coverage Should I Get and for How Long?

I recommend carrying 10-12 times your income in term life insurance. This amount will be enough to replace your income and allow your family to continue their financial journey. As for length, 15-20 years is a safe bet. That's enough time for you to get out of debt, build savings, and eventually eliminate the need for life insurance altogether. Younger families who are just starting out may need a bit more time to accomplish their financial goals. In these cases, a 30-year term may be advisable if it fits into their budget.

Why Term Life Instead of a Cash Value Policy?

Term life insurance is cheaper because you're only paying for a set amount of time. Cash value policies are based on the myth that you need life insurance for your whole life (which is why they're sometimes called "whole life" plans). If you're paying off debt and saving money, you won't need life insurance for your "whole life" – so why pay for it? Cash value plans are full of fine print and savings gimmicks with a low rate of return. There are way smarter ways to invest your money.

Which Company Should I Choose?

Since term life plans are pure protection with no savings plans or other gimmicks, you should select the least expensive option that addresses your needs. We only offer plans from the financially top-rated companies, so even if you haven't heard of them, they are worth your consideration if their pricing is the best for you.

For How Long Should I Be Tobacco Free Before I Can Save Money?

Typically, you can qualify for tobacco-free rates after 12 months. It depends on the company – the folks at Zander are familiar with the rules for different companies and can help you find one with competitive rates for your situation.

Should I Have Child Rider on My Policy?

Dave is okay with adding child riders to one parent's policy, but does not advise having a separate policy for your children for either savings purposes or guaranteeing their future insurability. Child riders tend to be very inexpensive (\$50-60 per year) and cover all children in the household to adulthood – the age varies by company – with coverage amounts up to \$20,000.

Should I Have a Living Benefit Riders on My Policy?

No – riders tend to be high in cost and low on value. Living benefit, accidental death, critical illness, and other riders are emotionally charged gimmicks that only pay off for the agent and company who sells them.

Do I Need Life Insurance?

If anyone depends on your income, you need life insurance. If you're single with no kids, it only makes sense to get a policy if you don't have enough saved up (or are in too much debt) to cover burial and final expenses.

10 tips for choosing a life insurance beneficiary¹

Posted in [Life](#)

Although it may seem like one of those “required fields” you could be tempted to glaze over, specifying who will receive the proceeds of your life insurance policy is an important decision.

Learn some tips to help you choose a beneficiary, and how to avoid some common missteps.

1. Keep the purpose of the policy in mind.

The reasons why you’re buying life insurance should drive your choice. Do you want to provide financially for your family after you’re gone? If so, your spouse might be the best choice. If you want your company to continue, it might be your business partner.

2. Know your options.

When choosing a beneficiary, there are more options than your spouse or kids. Generally, you can designate any one or more of the following examples as a beneficiary:

- One person
- Two or more people (and you decide how the benefit is split among them)
- The trustee of a trust you’ve established
- A non-profit or charity
- Your estate

3. Have a back-up.

On your policy, the primary beneficiary is the person(s) or entity you select to receive the life insurance proceeds upon your death. However, if your primary beneficiary can’t be located, refuses the proceeds or is deceased at the time of your death, then a secondary (or contingent) beneficiary becomes the recipient. Make sure you follow the same advice for selecting a secondary beneficiary as you would for choosing the primary one.

4. Keep it up-to-date.

One of the most common oversights with a life insurance policy is not keeping the beneficiaries up-to-date. Say you’re single and name your mother as the primary beneficiary, but later on you get married. If you didn’t update the beneficiary on your policy, then the proceeds will still go to your mother.

5. Be specific.

¹ <https://www.grangeinsurance.com/tips/how-to-choose-life-insurance-beneficiary>

In addition to keeping your beneficiaries current, remember to be specific when you name them. If you name “my children” as beneficiaries and one of them dies before you, do you want the other child(ren) to get the entire benefit or the deceased child’s heirs to get their parent’s share?

6. Avoid designating a minor.

State regulations may limit if or how much a minor child can receive from life insurance proceeds, so the court may have to appoint a [guardian](#) to administer the funds. That can be a lengthy process, and one that typically requires multiple court dates. To avoid this, think about either setting up a trust or designating an adult you trust to oversee the distribution of the money to the minor.

7. Don’t unwittingly disqualify your beneficiary from other benefits.

According to the Social Security Administration, a person who is aged, blind or disabled and receives Supplemental Security Income (SSI) and/or Medicaid could potentially have their monetary benefits reduced or suspended if their inheritance increases their income, based on program eligibility. If one of your beneficiaries needs to use these benefits after your death, take federal regulations into consideration before adding them as a beneficiary.

8. Don’t count on your will to override your beneficiary choices.

Make sure your wishes are honored by having your will match your life insurance policy. If you update your will, take the time to update your life insurance beneficiaries (and vice versa). In the event your will and life insurance beneficiaries do not match, your life insurance beneficiary designations will win out every time. Remember, life insurance is a contract and will be enforced as it is written.

9. Be aware of state laws.

Typically, in community property states, your spouse would have to sign a waiver if you designate someone else to be the beneficiary. Check with your [independent Grange Life agent](#) for details on this and any other questions you have surrounding designating your life insurance beneficiaries in your state.

10. What happens if you don’t designate a beneficiary?

If you neglect to designate any beneficiaries (or all of them predecease you), the life insurance proceeds will be paid to your estate. If that happens, the probate court will decide how to handle the funds. This could take a while and possibly chip away at the proceeds. So, in order to get the money into the hands of those who need it as soon as possible, designating a beneficiary is the way to go.

Six Important Estate Planning Considerations – Part 4: Beneficiary Designations¹

May 16, 2018 by [Steve Hartnett](#)

Beneficiary designations are a powerful tool in estate planning. They are a simple way to direct that specific assets go where desired. However, they must be used with care and coordinated with the overall estate plan to meet the client's objectives.

Life insurance and retirement accounts, such as IRAs, have beneficiary designations which determine to whom the assets go at death. Bank, brokerage, and other financial accounts may also have such beneficiary designations. Additionally, in many states, real estate may also have a transfer on death designation which works like a beneficiary designation to transfer the asset at the death of the current owner.

In other words, these accounts go automatically to the designated individuals, regardless of what the Will or Trust provide. In other words, it's a very blunt instrument. This is often confusing to clients.

Let's look at an example which illustrates one common problem with beneficiary designations. Mary has a Will prepared by an excellent attorney. Mary's Will provides for everything to go to her two children, John and Sally. Mary has \$2 million in assets. She believes \$1 million will go to each of her children, as her Will provides. Her children just turned 18.

Mary's assets include a brokerage account which she opened 25 years ago, before she had children. That account designates her sister, Peg, as the beneficiary. Mary also has a home which has a transfer on death designation to her mother.

Mary dies in an accident. Her brokerage account goes to her sister, Peg, due to the beneficiary designation. Mary's home goes to her mother due to the transfer on death designation. In other words, Mary's children are left with no mother, no home, and no money. Maybe Mary's mother and sister would give the assets to Mary's children, or maybe they wouldn't. They'd be under no legal obligation to do so.

Another common problem with beneficiary designations (and other specific designations) is that the assets could change in value. Let's say, in the example above, John had been the beneficiary of the brokerage account and Sally had been the transfer on death beneficiary of the home. Mary's intent would have been realized had the assets been comparable in value at her death. However, assets fluctuate in value. Let's say Mary had invested in the next Amazon or Apple and the brokerage account increased from \$1 million to \$10 million. Meanwhile, her home increased in value only a little to \$1.2 million. Thus, at Mary's death in this scenario, John would receive the \$10 million brokerage account and Sally would receive the \$1.2 million house. Mary certainly never intended John to receive more than nine times the inheritance Sally would receive. This unintendedly lopsided bequest would sow the seeds of bitterness in the relationship between John and Sally.

The beneficiary designations avoided probate, but they introduced other problems. A better way would have been to have Mary's assets owned by her revocable trust without beneficiary designations. This would have avoided probate and provided incapacity planning, which the beneficiary designations did not. Further, the trust could have left the assets proportionately to the two children, rather than subject their future inheritances to the roulette wheel of chance. Finally, the trust could have added layers of protection for John and Sally to provide divorce protection, asset protection, or estate tax protection.

Beneficiary designations can be a simple solution in the right situation. However, often a revocable trust can provide a solution which is better at achieving the client's goals.

¹ <https://www.aaepa.com/2018/05/6-important-estate-planning-considerations-part-4-beneficiary-designations/#:~:text=Beneficiary%20designations%20are%20a%20powerful,specific%20assets%20go%20where%20desired.&text=Life%20insurance%20and%20retirement%20accounts,the%20assets%20go%20at%20death.>

Passing on Assets Outside of Probate: **PODs and TODs¹**

For a variety of reasons, people sometimes want some or all of their assets to pass directly to specific individuals upon their deaths, outside of probate. One way to accomplish this is to set up a “payable on death” (POD) account for money in a bank account or a “transfer on death” (TOD) account if funds are in a brokerage account.

Probate is the process through which a court determines how to distribute property after an individual dies. Some assets are distributed to heirs by the court (probate assets) and some assets bypass the court process and go directly to beneficiaries (non-probate assets). With POD and TOD accounts, the account owner names a beneficiary (or beneficiaries) to whom the account assets are to pass when the owner dies. Generally all that is required to get the money or control of the account is for a beneficiary to show the bank manager or the brokerage firm an original death certificate. The funds pass outside of probate, meaning that the beneficiaries can receive the money quickly without the involvement of the probate court. The account assets also receive a “step-up” in basis when the original owner passes away, meaning that no capital gains tax should be due if investments are liquidated in order to be transferred.

Only the account owner has access to the assets while alive; the named beneficiaries have no control over the account, and the owner can change beneficiaries at any time, if competent to do so. If the named beneficiary predeceases the account owner, then the assets are distributed to the remaining beneficiaries or to successor beneficiaries, depending on what the owner writes on the beneficiary designation form or online. If there is only one beneficiary and he or she predeceases the owner, and the owner makes no subsequent changes to the beneficiary designation, the assets go into the account owner’s probate estate.

But receiving assets could be a problem for certain beneficiaries, such as a child with special needs who depends on Medicaid and other public benefits. If the account amount is large enough, it could be advisable to do special needs planning to avoid the assets interfering with the receipt of public benefits. (For more on special needs planning, visit Special Needs Answers.)

Also, some attorneys discourage passing assets through accounts like these for the simple reason that people sometimes forget about the accounts, and their existence can confuse an individual’s estate plan. For example, the will may say that everything should be distributed equally to the account owner’s three children, but the POD or TOD account passes assets to only one child, creating unequal shares among the children. If avoiding probate is the goal, it may be better to put all assets into one revocable trust that clearly states who should get what. But these potential problems are much less of an issue if the estate is a simple one – for example, one surviving parent with only one child.

For more on POD accounts, [click here](#).

For more on TOD accounts, [click here](#). (Also, note that according to Kiplinger News, TOD accounts are not an available option in Texas and Louisiana.)

Some states allow transfer on death deeds, through which a house or other property can be passed outside of probate. For more information, [click here](#). Another way to accomplish this, at least in some states, is through a “Lady Bird deed.”

The best course before using any of these account or deed options is to speak to your attorney about your overall estate planning goals.

Last Modified: 03/23/2018

¹ <https://www.elderlawanswers.com/passing-on-assets-outside-of-probate-pods-and-tods-15137#:~:text=With%20POD%20and%20TOD%20accounts,pass%20when%20the%20owner%20dies.&text=The%20ofunds%20pass%20outside%20of,involvement%20of%20the%20probate%20court>.

Naming a beneficiary: What you need to know¹

Make sure your benefits go to who you want to receive them

An important part of owning life insurance and other financial products is designating your beneficiaries — the people or entities who receive the benefits from your policy or accounts when you die.

Choosing who will receive your assets or the payout (called a “death benefit”) from your life insurance policies is a decision you should consider carefully, because a beneficiary designation can’t be changed or corrected after you’re gone.

It's important to keep you beneficiary designations up to date as your life changes (marriage, children, divorce, etc.). Here is some basic beneficiary information that may help.

What is a beneficiary?

A beneficiary is the person or entity that you legally designate to receive the benefits from your financial products.

For life insurance coverage, that is the death benefit your policy will pay if you die. For retirement or investment accounts, that is the balance of your assets in those accounts.

Primary and contingent beneficiaries

There are two types of beneficiaries: primary and contingent.

A primary beneficiary is the person (or persons) first in line to receive the death benefit from your life insurance policy — typically your spouse, children or other family members.

In the event your primary beneficiary dies before or at the same time as you, most policies also allow you to name at least one backup beneficiary, called a “secondary” or “contingent” beneficiary. If the primary beneficiaries are all deceased, the secondary beneficiaries receive the death benefit.

Why do I need to name a beneficiary?

Many financial products — including life insurance benefits — are generally not governed by your will, so the only way to make sure your policy's benefits are distributed how you intend is to make sure you've named a beneficiary for all of your policies and accounts.

Although it is not mandatory that you name a beneficiary, it is usually the reason people buy life insurance in the first place — to provide a benefit to the people they care about. And your other assets can also provide a benefit to the people you care about when you die.

What happens if I don't name a beneficiary?

If you don't designate a beneficiary, it may be unclear who is entitled to the funds, which can delay the benefit payment.

For retirement accounts like a 401(k), if you die without a beneficiary named, your assets will likely be held in probate — a legal process where a court has to sort out your financial situation and determine how to distribute your assets.

¹ <https://www.securian.com/insights-tools/articles/naming-a-life-insurance-beneficiary.html>

Most life insurance policies have a default order of payment if you do not name a beneficiary. For many individual policies, the death benefit will be paid to the owner of the policy if they are different than the insured person and still alive, otherwise it will be paid to the owner's estate. For group insurance policies, the order typically starts with your spouse, then your children, then your parents, and then your estate.

If there is no default order specified in your policy, the payout may be paid to your estate, or may also be held in probate.

In either case, the probate process can be lengthy and complicated, and it may take years before your loved ones can access your assets — which can be avoided if you designate them as beneficiaries.

How to name a beneficiary

Most financial services companies provide a form or website for you to designate your beneficiary so they have it on file with your other account or policy information.

If you have life insurance or retirement accounts through your employer, they may keep your beneficiaries on file for all of your employee benefits — life insurance, retirement plan, profit-sharing plan, or other benefits.

If you have investments, retirement accounts or life insurance through a financial professional, check with them to make sure you have beneficiaries on file.

What information do I need to provide?

When you name your beneficiary, be specific. Most beneficiary designations will require you to provide a person's full legal name and their relationship to you (spouse, child, mother, etc.).

Some beneficiary designations also include information like mailing address, email, phone number, date of birth and Social Security number.

Providing as much information as possible will help the financial services or insurance company verify and locate your beneficiaries, if needed — making it easier and faster for them to pay your benefits.

Your loved ones may need access to those funds immediately for your final expenses — particularly life insurance benefits.

Can anyone be named as a beneficiary?

Your beneficiary can be a person, a charity, a trust, or your estate.

Almost any person can be named as a beneficiary, although your state of residence or the provider of your benefits may restrict who you can name as a beneficiary.

Make sure you research your state's laws before naming your beneficiary. If you are a resident of certain states, you may be required to list your spouse as your primary beneficiary and designate him or her to receive at least 50 percent of the benefit. In some states, you can name someone else with your spouse's written permission.

Immediate family as beneficiaries

Anyone who will suffer financially by your loss is likely your first choice for a beneficiary. You can usually split the benefit among multiple beneficiaries as long as the total percentage of the proceeds equal 100 percent.

Some people name a trustworthy adult — their spouse, for example — and rely on their judgment to consider giving money to benefit other family members or loved ones.

Naming minors as beneficiaries

Children under age 18 can be named as a primary or contingent beneficiary. However, if you were to die while they are still minors, the proceeds may be sent in their name to the legal guardian of the minor child's estate.

Another common solution to make accommodations for children is through the creation of a trust. In that case, you can name the trust as the beneficiary.

Whatever arrangement you choose, minor children may not be able to access your assets or life insurance proceeds until they reach the legal age of consent — so if you want the payout used for their benefit while they are still children, you may want to set up a trust or custodial arrangement. Talk with an attorney for help in setting up the best vehicle for your situation.

Special needs and other lifelong dependents as beneficiaries

It would seem logical to name someone who will need financial support throughout their lifetime as your beneficiary, but doing so could make them ineligible to receive government assistance — which might mean a significant loss in financial support for them.

Establishing a special needs trust and naming the trust as beneficiary is one way to channel your assets or life insurance death benefit to someone with special needs without triggering laws that may work against them. Consult an attorney who specializes in estate planning to learn more about your options.

Naming charities or organizations as beneficiaries

Many people name charities and other cause-related organizations as beneficiaries.

If you have a nonprofit you feel passionate about, you can name it as a primary or contingent beneficiary to receive all or a percentage of your assets or life insurance payout. Doing so can be an impactful way to leave a legacy.¹

Can you change beneficiaries?

In most cases, you may change the beneficiaries named on a life insurance policy or other financial account at any time.

Changing beneficiaries is usually easy to do — the challenge is often in remembering to do it. Contact your employer, financial professional or financial services company to learn how.

When to update your beneficiaries

Beneficiary changes are often overlooked following divorce, remarriage or after the death of a loved one who may be listed as one of your beneficiaries.

Divorce may revoke a designated spouse's right to receive a benefit in some jurisdictions, so you may need to re-designate with an updated relationship (from "spouse" to "ex-spouse") if you would like the designation to remain in effect.

An easy way to remember to keep your beneficiaries up to date is to use your employer's annual benefits enrollment to revisit the details of your accounts and insurance policies.

If you don't have benefits through your employer, set a date that you will remember each year — May Day, Labor Day, your birthday — and spend ten minutes checking your accounts and policies.

Special circumstances for changing beneficiaries

In some circumstances — like in specific terms of a divorce or if you made what's called an "irrevocable designation" — you may not be able to change or name a new beneficiary without getting your current beneficiary's consent.

Similarly, if you have transferred ownership of an account or life insurance policy to someone else, you are no longer the owner of it — so you cannot change the beneficiary. Generally, you, your financial professional or your attorney will know if any of these cases apply to you.

Can the wrong person receive your benefits?

If you fail to keep your beneficiaries up to date or make a mistake in documenting them, someone other than who you intended may receive your assets or policy proceeds. This is why carefully designating and remembering to update beneficiaries is so important.

If you are worried about making a mistake when naming your beneficiaries, consult a financial professional or attorney to ensure your intentions will be carried out the way you wish.

1. Insurance companies may have limits on the amount you are able to designate to a charity based on your past giving history to the organization.

Life insurance products contain fees, such as mortality and expense charges (which may increase over time), and may contain restrictions, such as surrender periods.



Other

Houses and wealth are inherited from fathers, but a prudent wife is from the LORD

Proverbs 19:14

What is a Charitable Gift Annuity?¹

A contract that provides the donor a fixed income stream for life in exchange for a sizeable donation to a charity.

A charitable gift annuity is a contract between a donor and a charity with the following terms: As a donor, you make a sizeable gift to charity using cash, securities or possibly other assets. In return, you become eligible to take a partial tax deduction for your donation, plus you receive a fixed stream of income from the charity for the rest of your life.

How does a charitable gift annuity work?

Many large nonprofit organizations, including a number of universities, offer charitable gift annuities. First, you make a donation to a single charity. Then, the gift is set aside in a reserve account and invested. Based on your age(s) at the time of the gift, you receive a fixed monthly or quarterly payout (typically supported by the investment account) for the rest of your life. At the end of your life (as well as your spouse's, if you're giving as a couple), the charity receives the remainder of the gift.

Individuals or couples can set up a charitable gift annuity. (You are the "annuitants," which is the specific name for beneficiaries of annuities and many insurance policies.) Depending on the charity, your annuity can be funded with cash donations, but potentially also securities and gifts of personal property. Minimum gifts for establishing a charitable gift annuity may be as low as \$5,000, but are often much larger.

In addition to the income stream, annuitants may also be eligible to take a tax deduction at the time of the original gift, based on the estimated amount that will eventually go to the charity after all the annuity payments have been made. A portion of the payments you receive may also be tax-free for a period of time based on your statistical life expectancy.

What is a gift annuity agreement?

A gift annuity agreement is a lifelong contract, not a trust, between a single nonprofit organization and an individual or couple, who are referred to as annuitant(s). The terms of this agreement will lock in the rate, amount and timing of all payments the annuitant(s) receive. The fundraising or planned giving department of the nonprofit you are interested in supporting will be able to provide information about whether it offers charitable gift annuities and at what rate; the fundraising or planned giving departments are typically the point of contact.

Because a gift annuity agreement is a contract with a single charity, there is no way to establish a charitable gift annuity that can support multiple charities at the same time.

Charitable gift annuity payments

Charitable gift annuity donors (annuitants) receive payments for the rest of their lives. The size of your payment is determined by many factors, including your age(s) when you set up the charitable gift annuity. (For example, younger donors will typically receive more payments but they'll be smaller.) The amount is fixed and will never fluctuate or adjust for inflation. But it's also guaranteed, backed by the charity's entire assets, not just your gift, and will continue for the lives of the donors no matter how well or poorly the investments of the annuity perform.

Taxes

You may be eligible to claim a partial charitable tax deduction for the year in which you set up the charitable gift annuity. Why only a partial deduction? The IRS views one portion of your contribution as a gift, to be used immediately by the charity for its tax-deductible charitable purposes. The other portion is viewed as an investment for you, which ultimately generates your payments.

A second tax benefit may come by donating long-term appreciated stock or other property if the charity is able to accept these assets in place of cash. By donating non-cash assets directly, it is possible to reduce or eliminate the capital gains tax you'd ultimately pay if you sold them first and then donated the proceeds. This capital gains tax benefit is not exclusive to establishing a charitable gift annuity; it also applies when you gift long-term appreciated securities or personal property to any public charity that's equipped to accept them, including Fidelity Charitable.

¹ <https://www.fidelitycharitable.org/guidance/philanthropy/charitable-gift-annuity.html>

However, there is a potential tax drawback of a charitable gift annuity: part of your annuity income is taxable at the federal level, and possibly at the state level as well, depending on whether the state you live in has an income tax. The rules can be complex, so consider discussing the specifics of your situation with a tax advisor.

Annuity rates

Charitable gift annuity rates vary from charity to charity and are based on several factors, including the amount of the gift, as well as the donor's age(s) at the time of the gift. Younger donors may often see significantly lower rates based on the longer expected term.

For illustrative purposes, a 60-year-old who donates \$10,000 may receive a rate of 4.4% (paying \$440 annually) while an 85-year-old will see a rate of 7.8% (paying \$780 annually) for the same gift. Some charities offer higher rates for donors who agree to wait a number of years before starting to receive payments.

Compared to a traditional, non-charitable annuity, though, rates of return may be lower because the primary purpose of a charitable gift annuity is to benefit the charity. This is a consideration for anyone thinking about how to best balance their charitable goals with their financial plans.

Benefits of a charitable gift annuity

- Income stream for the rest of your life
- Immediate (partial) tax deduction, based on your life expectancy and the anticipated income stream
- Potential for a portion of the income stream to be tax-free
- Possibility of donating many types of assets: cash, securities plus personal property
- Reduced or eliminated capital gains tax liability for gifts of appreciated securities and personal property
- Supporting an organization you care about

Potential drawbacks

- Parting irrevocably with funds donated to create the annuity
- Subject to income tax on the income stream (payments from the annuity)
- Payments are fixed and won't be adjusted for inflation
- Payments may be lower than with a non-charitable annuity because the primary purpose is for nonprofit support
- Cannot be used to support multiple charities unless you set up multiple annuities

Compared to a Charitable Remainder Trust

Another way to support a charity while collecting a steady stream of income is to establish a charitable remainder trust or CRT. A CRT works in a similar way to an annuity with a few key differences: You make a large donation to an irrevocable charitable trust. Depending on how it's set up, you (or any beneficiary you name) receive a set percentage of the trust's value on a specified basis, for example, 5% annually. After a predetermined time frame or the death of the last known beneficiary, any remaining CRT assets are distributed to the charity or charities of your choice. Adding another strategic layer, a [donor-advised fund](#) may be named a beneficiary of a CRT, easily allowing the support of multiple charities or a charitable legacy for heirs.

Charitable remainder trusts will likely require a greater minimum contribution to establish than a charitable gift annuity, typically \$250,000, but also offer other benefits. Read more about [charitable remainder trusts](#).

Other considerations for selecting a giving vehicle

Anyone considering their options for charitable giving will want to consider them in the context of an overall wealth or financial plan. With the goal of making a difference for a chosen charity or charities as a given, are other factors key to the decision? For example, is an income stream more valuable than a current tax deduction for your situation—or are both needs equally important to address? Donors will also want to consider how any vehicle they may select might impact their estate plans.

With this in mind, donors are wise to explore the full range of charitable vehicles to choose the method or combination of methods that best serves their charitable and financial goals. For example, a donor-advised fund, which is a dedicated account at a charity that exists for the sole purpose of supporting charitable organizations, will not generate an income stream. But it may be a better way to claim a full current tax deduction or take advantage of the full tax benefits of [donating appreciated securities or non-publicly traded assets](#), compared to a charitable gift annuity. Plus, there's the added benefit of supporting multiple charities at once.

A wealth advisor or other advisors specializing in tax and estate planning will be able to provide advice specific to your priorities and can be a valuable source of information in making the right choice for your situation.



Introduction

If you listen to the media, you might have a certain impression of emergency preparedness. You might see it as an activity enjoyed by eccentrics, crazy people or fanatics; those prepping for a Zombie Apocalypse, Doomsday or a day when our own government turns on us. Unfortunately, this movement has polluted the true concept of preparedness and out of fear of being grouped with “Fanatic Preppers” or a lack of understanding, most people don’t prepare at all. What has been lost is Common Sense. Life never goes according to plan. Cars break down, jobs are lost, storms cause damage, homes catch on fire and people get sick. Statistically, things go wrong from time to time. Some of them are man-made and some caused by nature. If you live in Oklahoma, you have greater odds of experiencing a tornado. In Phoenix, Arizona the summers are going to be hot. The Gulf coast will be hit by hurricanes regularly. Most everyone will lose their job at some point in their lives and loved ones may die due to health problems.



Emergency Preparedness is about common sense preparations for the things that commonly go wrong in your life or in your area. It is about self-reliance. Those who are self-reliant do not need to rely on assistance from others when there is a bump in the road of life. Self-reliant people will have some cash on hand if they have an unexpected car repair, flashlights with fresh batteries if the power goes out and an emergency kit assembled and ready if they have to evacuate. Those who are self-reliant are also in a position where they, not only can help themselves, but can lend assistance to those around them. Family, friends and neighbors might be saved from inconvenience or serious harm because you decided to prepare.

For those that have started preparing, most will say that it can easily become over-whelming. It might seem impossible to the beginner to accomplish all that is recommended. As the saying goes, “Eating an elephant starts with the first bite” any large project will never be successfully completed unless you become organized and break it into small manageable tasks, preferably in priority order and then get started on the first one.

EPPIC Preparedness is a plan designed for those that need a little help getting prepared. Many of us, when we think about preparing become overwhelmed, don’t know where to start and fail to really start at all. EPPIC Preparedness is a checklist of items in priority order of what you need to do to see results. Upon completion of the program, you can call yourself prepared! Alongside each checklist item will be information explaining each principle along the way. This brief guide will provide you with the basics needed to understand the concepts and direct you to other sources should you choose to learn more.

Keep in mind that every person/family is different and has different needs. Certainly, this plan won’t cover everything you need to do, but, by following it you will have covered the basics and learned the vision of what is needed to be more fully prepared. Some items in the list might not apply to your family, that’s ok! Just skip it and go on to the next one. All items are optional, especially those outside your scope and comfort zone. At times you might feel tempted to jump around, and complete a later task first and then go back to do an earlier one. That is fine too, but remember the plan is designed to be in priority order and many tasks build on what you have done in earlier tasks. There are several levels to the program. Just stop when you have gone as far as you want to go.

Preparedness is difficult when each person has to develop their own plan and often times “reinvent the wheel” along the way. Make your life easier and ensure your preparedness journey is EPPIC!



Vital/Medical Records

- Birth Certificates
- Death Certificates
- Marriage Certificate/License
- Medical Records
- Immunization Records
- Prescriptions
- Dental Records

Identification

- Licenses, Passports, Visas
- Child ID Kits
- Membership Cards and Information
- Military Records
- Voter Registration
- Adoption, Custody or Foster Care Records
- Naturalization / Immigration Papers

Finances

- Cash
- Checkbook
- ATM/Debit Card and Pin Numbers
- Credit Cards, Information and Contacts.
- Bank Account Passbooks
- Checking Account Info.
- Paycheck Stubs
- Debts
- Stocks
- Bonds
- Student Loan Records
- Investment Account Statements
- Investment Portfolio
- Brokerage Statements
- Credit Reports
- Tax Returns

Retirement

- 401K Plan Information and Contact
- Pension Plan Information and Contact
- Social Security Information

Valuables

- Safe Combinations
- Safety Deposit Box Information and Contact
- Jewelry
- Treasured Books
- Home Inventory (On video Preferably)
- Collectibles
- Serial Numbers of Valuable Products
- Manuscripts
- Firearm Licenses and Serial Numbers

Business/Employment

- Business Licenses
- Business Insurance
- Business Records
- Business and Important Client Contact Information
- Employee Benefits Records

- Employment Contract
- Employment Records
- Résumés

Homes/Vehicles/Property

- Loan Information
- Mortgage Records
- Titles
- Deeds
- Home Purchase or Re-finance Records
- Lease Agreements
- Automobile Registration, Title, Bill of Sale, License Plate # and Vin #
- Automobile Insurance Policy and Agent Contact Information
- Deed to Cemetery Lot
- Home Security Codes and Contact Information
- Keys - Home, Cars, Safes, Business, RV, Mailbox, etc...
- Property Tax Records

Education

- Diplomas
- Academic Records and Transcripts

Legal

- Contracts
- Court Documents
- Divorce Information
- Living Wills , Last Wills and Testaments
- Trust Information and Contact
- Inheritance Records
- Power of Attorney

Church

- Church Records and Certificates
- Patriarchal Blessings

Family

- Awards, Certificates or Accommodations
- Backup of Computer Files
- Books of Remembrance
- Diaries and Journals
- Family History (Genealogy)
- Family Videos
- Favorite Pictures (Scan and burn to CD)
- Favorite Recipes
- Scrap Books

Insurance

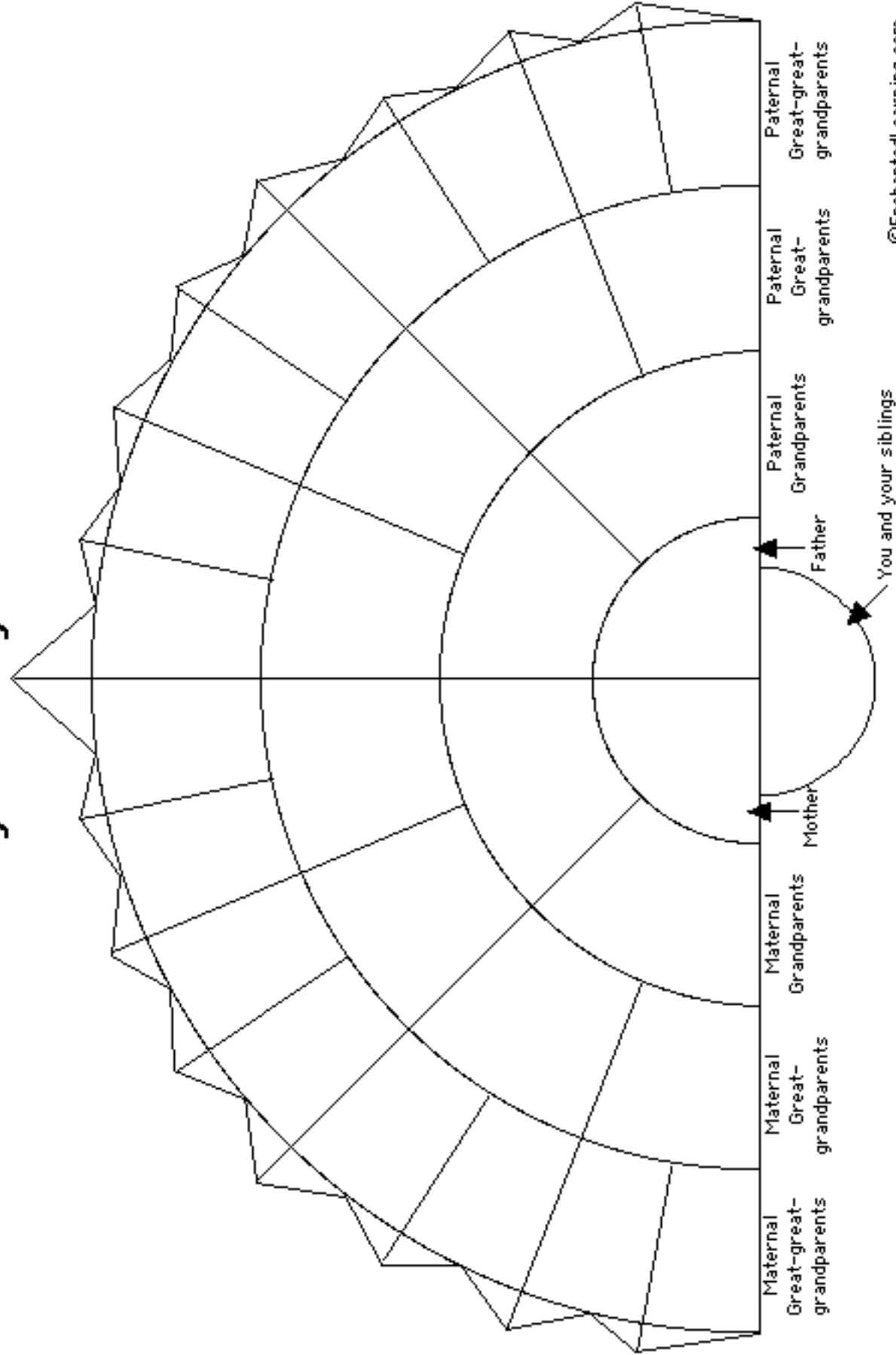
- Insurance Policies
- Life Insurance Information and Agent
- Guarantees and Warranties
- Medicare, Medicaid and Food Stamp Info

Emergency

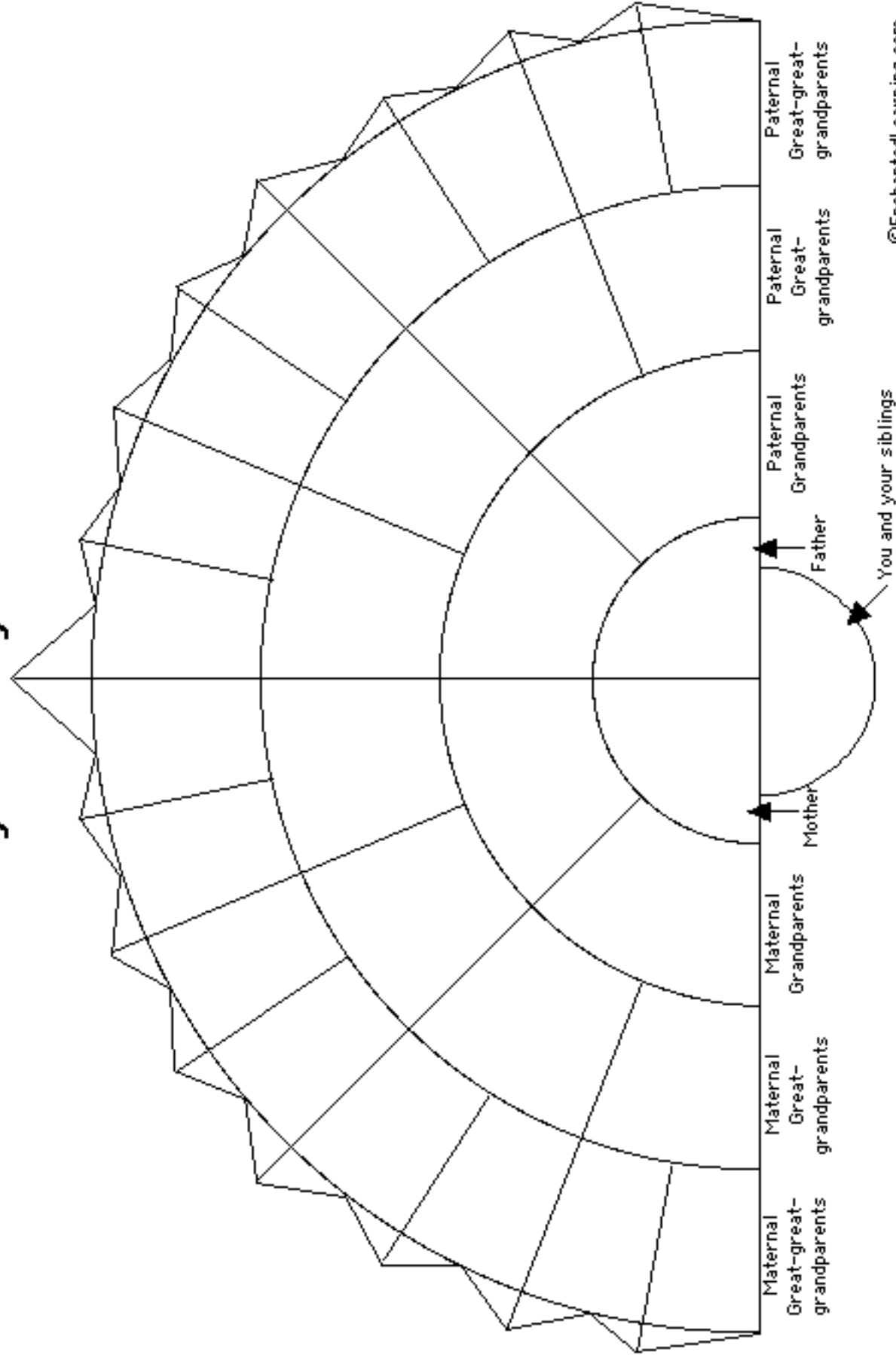
- Family Emergency Preparedness Plan
- List of Emergency Contacts with Addresses and Phone Numbers
- Special Needs Contacts and Instructions

For more information go to www.iwillprepare.com

My Family Tree



My Family Tree



Provide & Protect: Important Life and Death Decisions

Book by A. Charles Schultz

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The Shortest Day

Your Gift, Your Legacy

Having an estate plan is a gift that helps your family have some level of peace in a less-than-ideal situation. However, as helpful as real estate, life insurance, gold coins and motor vehicles may be, information is also a valuable gift. Sharing what you know of your history and family can be a priceless legacy for your descendants. Below are a few examples

- Genealogical information for your family to treasure
 - Your family tree
 - Ancestry.com: ancestral chart
 - Genogram: share your family's information (the good, bad and ugly) with your descendants
 - Medical genogram: share your family's health information (the good, bad and ugly) with your descendants
- DNA Sequencing: if you printed all your DNA (6.4 billion letters), it would fill 4,200 books
 - 23andMe: looks at less than 1% of your DNA
 - Veritas: sequences your whole genome; www.veritasgenetics.com
 - More useful information
 - More actionable insights: make better health and lifestyle decisions with clinical-grade results
 - A resource for life: sequence your genome once and learn more and more as science progresses
- Timeline: you can start by sharing your places of residence
 - Add exciting vacations
 - Achievements
 - Births and important events.
- Photos with Notes: Scanning your photos can be tedious but it makes it easy to share. Notes and dates help paint a picture of your adventures and make it easier to create a timeline of your history.
 - Portraits
 - Family portraits
 - Share your greatest achievements and hobbies

AFTER DEATH COMPREHENSIVE CHECKLIST - 47 THINGS TO CONSIDER

As a result of popular demand to our November 2020 article entitled "After Death Comprehensive Checklist" in (somewhat) chronological order, the following checklist are things to do or consider:

1. Get a pronouncement of death. More difficult if death occurs at residence. Consider: Out-of-Hospital Do Not Resuscitate Order (different than a living will) so paramedics will not resuscitate. This one-page document should be kept at residence.
2. Disposition of remains. Transportation of remains to funeral home, mortuary, etc. Consider: Disposition of Bodily Remains document giving specific instructions (i.e., cremation, etc.) and order of who is in charge of the body (particularly important if there is disagreement between family or with the funeral home).
3. Contact family and friends. Personal contact should be made to those closest to the deceased. Consider: Contact list on phone or computer (someone trusted should have access to passwords, etc.) can be used for blast email, Facebook, or other social media to notify others.
4. Contact clergy or ritual director. Funeral arrangements should be coordinated.
5. Determine if there are existing funeral plans or arrange funeral plans. Some have pre-need funeral contracts including everything from a burial space and funeral to markers, caskets, urns, etc. If there are no plans, then funeral arrangements should be coordinated. Consider: Purchase pre-need funeral during life.
6. Veteran benefits. Military Veterans and their surviving spouse may be entitled to assistance (i.e., marker and space) if desired. Contact Veterans Administration if this assistance is desired.
7. Is there a document or other writing (other than pre-need funeral contract) that gives specifics as to the burial or funeral? Some give instructions in their will and others have instructions in a document or have handwritten instructions as to their burial or funeral and even posts funeral gatherings.
8. Choose Pallbearers.
9. Determine who will give eulogies.
10. Write obituary. Sometimes the deceased will have written own obituary. If newspaper obituary is too expensive, consider online publication. Do not publish address of deceased to reduce risk and theft.
11. Determine who is in charge of making a list of gifts, contributions, food, etc. received and who is in charge of acknowledgement or thank you notices. Sometimes cards are provided by funeral home.

12. Gather information needed for funeral home for death certificate including:

- a) Full name of deceased including maiden name (if applicable);
- b) Date of birth of deceased (birth certificate) including place of birth;
- c) Date of death;
- d) Gender;
- e) Marital status;
- f) Surviving spouse (if applicable) name;
- g) County and location of death;
- h) Residence address and county of residence at time of death;
- i) Occupation of deceased;
- j) Cause of death;
- k) Full name of parents of deceased

13. Order death certificates. If there is a funeral, this is normally handled by the funeral home. Otherwise, information in item 12 above would be needed. If many accounts or other assets require death certificates for transfers, you might order extra death certificates initially to reduce costs.

14. Secure residence. If deceased lived alone, there is increased risk of burglary or vulturous heirs taking personal property items. Police or security patrol may be notified.

15. Arrange care of dependents. Sometimes a child or elderly parent or a disabled dependent of the deceased needs care arrangements if they were depending on the care of the deceased. Consider: Will or Trust may have addressed care of dependent.

16. Arrange care of pets (especially if exotic). Sometimes pets end up in a shelter if arrangements are not made in advance. Exotic birds or pets can often live for longer than their owner (i.e., the life expectancy of a Kakapo parrot is 95 years). Consider: Will or Trust (sometimes a pet trust) for explicit details on care of pet (i.e., grooming, diet, exercise, medications, payment to caregivers).

17. Notify communal organizations of deceased and immediate family members. Communal organizations (i.e., church or charity) in which deceased or his or her immediate family members have been active will often notify organization members of the death.

18. Notify employer. May need to collect paychecks, commissions or bonuses and cease premiums for group life insurance, health insurance, vision or dental insurance and terminate coverage.

19. Cancel subscriptions received by mail and forward mail. Reduces risk of burglary if the deceased was living alone.

20. Dispose of food, refrigerated items (if there is no one else lived at residence).

21. Locate legal documents and other information needed.

- a) Trusts and/or original Will;
- b) Advance Directives (medical power of attorney, directive to physicians);
- c) HIPAA Authorization (access to medical records due to privacy laws);
- d) Disposition of Bodily Remains (see 2 above);
- e) Organ donation card;
- f) Driver's license;
- g) Social Security card or number;
- h) Pre- or post-nuptial agreements;
- i) Marriage certificate (especially if no Will or Trust);
- j) Birth certificates of all possible heirs if no Will or Trust;
- k) Passport or proof of citizenship;
- l) Military discharge papers (DD-214) for dates of service, service number if deceased was veteran and veteran burial benefits.

22. Locate all financial accounts and check ownership and beneficiary designations.

- a) Checking, savings, money market, CDs;
- b) Retirement accounts (IRAs, 401ks, 403bs, etc.);
- c) Investment accounts including stocks and bonds;
- d) Annuities;
- e) Credit cards;
- f) Cryptocurrency (bitcoins, etc.)

23. Locate all insurance policies.

- a) Life insurance (including VA life insurance and group insurance through employer);
- b) Accidental death insurance;
- c) Cancer insurance;
- d) Mortgage insurance;
- e) Credit card insurance;
- f) Health insurance (including Medicare, Medicare supplement, dental, vision, long-term care insurance or hybrid life insurance/long-term care insurance policy);
- g) Pre-need funeral insurance or burial policy;

- h) Car insurance;
- i) Workmen's compensation insurance

24. Locate username and password information for

- a) Computer access;
- b) Cell phones;
- c) Email accounts;
- d) Social media accounts;
- e) Financial accounts.

25. Locate titles, loans, leases, mineral rights, and deeds.

- a) Vehicle titles (car, boats, mobile homes, etc.) as you will need to change ownership;
- b) Notes (either loans made by the deceased or payable to the deceased);
- c) Deeds to any property owned by deceased including mineral and royalty deeds, timber rights, as well as warranty deeds, transfer on death deeds, life estate deeds, etc.;
- d) Leases including rental properties, business properties (either rented by or to the deceased), oil and gas, timber, etc.;
- e) Membership certificates (club, etc.)

26. Determine debts. If there are debts such as credit cards, utilities, mortgages on real estate, security for loans, lawsuits, etc., this should be determined for the executor, administrator, or other personal representative. Consider: Trustee of trust of deceased usually can act without court involvement.

27. Cancel services. Cell phone, internet, cable, iTunes, Netflix, etc. It should be noted that if the deceased was married and only the deceased was named on the service, the surviving spouse may have problems. For example, if the deceased spouse's name was the only one on the phone bill, the surviving spouse may have to get a new phone number.

28. Contact Estate, Elder Law or Probate attorney as guidance may be needed for.

- a) Probate (if there is a Will and there is need to transfer property and pay creditors);
- b) Administration assistance;
- c) Notification of government entity providing public benefits;
- d) Determination of heirship (if no Will or Trust);
- e) Potential contesting of estate planning documents

29. Probate Will or determine heirship and appoint personal representative: If assets need to be transferred if there is no trust or beneficiary designation, Letters of Testamentary or Administration or a Small Estates Affidavit and Order may be needed to transfer property or pay bills.
30. Cancel credit cards not needed.
31. Notify major credit reporting agencies and get a copy of credit report. When you notify one of the credit reporting agencies (TransUnion, Experian or Equifax), the receiving agency will notify the other two. Major credit reporting agencies information is provided below.
32. Notify Social Security. Usually, funeral homes notify Social Security of the deceased if they are handling the funeral, etc. Widower or widows should be sure to collect a one-time \$235 payment after the death of their spouse. If deceased received payment electronically and an extra payment was received, Social Security will electronically withdraw from that account the amount paid in error. See contact information below.
33. Notify Veterans Administration. If deceased was receiving disability income from VA which should cease, had life insurance policy through VA or is seeking burial benefits from VA, then VA should be notified. If surviving spouse needs care, he or she could possibly receive benefits from VA. See contact information below.
34. Notify Texas Health and Human Services Commission. If deceased was receiving certain Medicaid benefits (such as long-term care and drug costs), the state should be notified of the Medicaid recipient's death. Elder law attorneys can often assist with avoidance of successful claims from Medicaid Estate Recovery (the state often has a right to make a claim against a homestead or car and other exempt resources of the deceased). See contact information below.
35. After any collections or benefits due, terminate insurance policies of the deceased.
36. Cancel driver's license, utilities to the residence (if deceased was single), voter registration, etc. and notify Department of Motor Vehicles.
37. Delete or memorialize social media accounts (i.e., delete Facebook account or memorialize the account). Estate planning documents should mention authority to handle social media accounts and other digital assets of deceased.
38. Close email accounts to prevent fraud.
39. If an estate is established or trust becomes irrevocable, get a tax ID Number for the estate or trust.
40. Make tax elections. Sometimes tax elections are made to the IRS for beneficial tax treatment. Attorney or accountant can give guidance if applicable on elections, as well as use of disclaimers, handling of retirement accounts, etc.

41. Valuation of Assets, Real Estate, etc. Determination of valuation of assets of deceased (such as stocks and real estate) as of the date of death.
42. Cancel prescriptions of deceased. If Medicare D is received and it is withdrawn from Social Security, then it will be cancelled when Social Security is cancelled.
43. Register deceased on Do Not Contact list.
44. File final tax returns (individually or for estate or possibly a trust).
45. Send out thank you notes. For flowers, contributions, etc., to clergy, pallbearers and other appropriate individuals.
46. Beneficiary might update will, trust, etc. if deceased was personal representative, fiduciary or beneficiary.
47. Beneficiary might update beneficiary designation of life insurance policies, retirement accounts, etc., if deceased was primary beneficiary.

CONTACT NUMBERS

- Credit Reporting Agencies:
 - Experian – Phone: 1-888-397-3742 / Website: www.experian.com
 - Equifax – Phone: 1-800-685-1111/ Website: www.equifax.com
 - Trans Union – Phone: 1-877-322-8228 / Website: www.transunion.com
- Social Security Administration:
 - Phone: 1-800-772-1213 / Website: www.ssa.gov
- Department of Veteran’s Affairs:
 - Phone: 1-800-827-1000 / Website: www.va.gov
- Texas Health & Human Services:
 - Phone: 1-800-252-8263 / Website: www.hhs.texas.gov

If interested in learning more about this article or other estate planning, Medicaid and public benefits planning, probate, etc., attend one of our free upcoming **virtual** Estate Planning Essentials workshops by clicking [here](#) or calling 214-720-0102. We make it simple to attend and it is without obligation.

Compiled by Attorney:

MICHAEL B. COHEN



Planned Giving & Trust Services
Seventh-day Adventist Church
Texas Conference

Estate planning documents are like batteries on a smoke detector.

You want them ready to respond in an emergency.

Review and replace your documents periodically.

At most, review every two years and replace as needed.

As important as having estate planning documents may be, it is equally important to store them in a safe place and have someone you trust know where to find them.

The purpose of this folder is to provide general gift, estate, and financial planning information. It is not intended as legal, accounting, or other professional advice. For assistance in planning charitable gifts with tax and other financial implications, the services of appropriate advisors should be obtained.

P. O. Box 800 | 1211 W Hwy 67 Alvarado, TX 76009

office 817.790.2255 x 2104 | fax 817.783.2698

texasgiving.org

trust@txsda.org

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