



Integrating Legacy Planning into Your Practice

By: Teresa Nuccio



WealthCounsel attorneys distinguish themselves in a number of ways but most significantly by being trusted advisors who care more about relationships than transactions.

I often hear the question, “How do I bring more value to the planning experience by helping clients leave meaningful legacies rather than financial inheritances?” Having been on such quest for the last six years, I’ve finally developed the Wealth Legacy Process that integrates values based planning into my practice. I believe the process is valid whether working with clients of modest means or millions.

The idea of legacy planning is not new. Ethical wills date back to biblical times. They bequeath life lessons, values, blessings, hopes, dreams and love to family and friends. They are an express recognition that wealth is so much more than the material assets you leave behind, it’s the very essence of who you are and the road you have traveled. Historically, such work has not typically fallen within the domain of attorneys. That trend is changing and a growing number of attorneys – including many WealthCounsel members - combine legacy tools with legal ones, finding it deepens the bond between lawyer and client, provides a rewarding experience for both and reduces after-death squabbles.

We are in an era in which people are seeking meaning. A 2006 survey commissioned by Allianz Life Insurance found that non-financial items – wisdom, life-lessons, stories, values, morals and faith are ten times more important to both baby boomers and their parents than a financial inheritance. The study also identified “four pillars” at the core of a true legacy: values and life lessons; fulfilling final wishes and instructions; personal possessions of emotional significance; and financial assets/real estate. Significantly, financial assets/real estate ranked last in importance among baby boomers and their parents. When surveying individuals who settled parents’ estates, the greatest source of conflict reported was with fulfilling last wishes and distribution

of personal possessions. Distribution of finances was at the bottom with only 3% reporting such conflict. (Complete report at www.allianzlife.com)

When changing your practice model, remember that expectations are important - clients may be confused and taken aback if you begin discussing legacy concepts when they merely want to “update their will.” Marketing materials should describe your unique process, educate prospective clients and referral sources, and help attract perfect clients. Similarly, questions on your client questionnaire should identify those with a predisposition for values-based planning.

There are six distinct phases of the Wealth Legacy Process - Share, Capture, Implement, Record, Preserve and Enhance. The initial meeting starts with us describing our practice and process. We gain agreement on the agenda and on the definition of estate planning. In addition to the standard definition, I include “and leave a meaningful legacy that preserves your values, stories and heritage for future generations.” After that, the most important part of my job is to listen to the client and provide incisive questions to elicit the client’s stories, goals and desires paving the way to a plan of action. All-inclusive fees are discussed and agreed upon in advance. Fees for legacy planning are added to the base planning fee in much the same way as you would add on estate tax planning or asset protection features. We currently offer a Personal Legacy Declaration (PLD), instructions to guardians and trustees, and interview sessions on meaningful topics preserved on CD or MP3 format, and family meetings.

In phase two we design the details that transform the client’s wishes into a sound legal plan. Taking a clue from the Allianz findings, we spend significant time discussing distribution of personal possessions and have revised the Personal Property Memorandum to include an item’s history or origin, sentimental import and appraised value. Phase three is the implementation of the legal plan, when

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documents are reviewed, signed and the funding process undertaken.

Phase four focuses entirely on the legacy aspect. We hold one or more sessions to shape the client's PLD and record interviews that preserve the client's cherished stories and memories for future generations.

Phase five is not an isolated session, but on-going communications and follow-through on funding issues, refinement of the PLD, a review meeting, and if desired, a family meeting. It provides closure to the initial engagement.

At phase six, we invite clients to join our membership program. In addition to keeping the legal plan up to date, clients can add to their library of recorded interviews and capture the highlights of each year.

Even if clients fail to opt for enhanced planning, I truly believe that discussion in the initial meeting sets a tone and allows you to connect quickly and deeply. Finally, I must give credit to Scott Farnsworth of Sunbridge and Nancy Kline of Time to Think for providing me with training, tools and skills to develop the process.

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