

Ethical Wills



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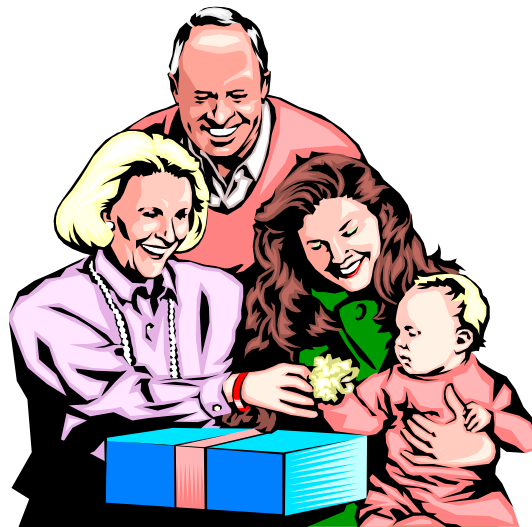
Elder Law Solutions
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What is an ethical will?

A modern incarnation of an ancient patriarchal tradition that men first transmitted orally and later wrote as letters to their sons to pass on their values.

Where did Ethical Wills originate from?

Ethical wills began as a Jewish custom. Parents would write a letter to their children wherein they would try to sum up all that they had learned in life. Ethical wills became a way to express what they wanted most for and from their children. The letters were left behind because they believed that the wisdom they had acquired was just as much a part of the legacy they wanted to leave.



Why an Ethical Will?

There has been a resurgent interest in ethical wills, spurred by the aging of baby boomers, the rising interest in family history, and the increased affluence in society that forces many people to realize they will be leaving their heirs a lot of money.

The baby boomers seek to bequeath more than material goods to the next generation and choose to pass on scripting documents that spell out their own stories. The stories of how they became who they are, what was important to them, what they want for the future.

Where do you begin?

Beginning to write your ethical will is not an easy task. First you must confront yourself and look inward to see what are the essential truths you have learned in your lifetime. It is important to consider what are the things that really count in life.

You can start by asking yourself the following questions:

- If you had to write just one letter, to whom would it be addressed?
- What would it say?
- What would you leave out?
- Would you chastise or rebuke?
- Would you thank, forgive, or seek to instruct?

Also important to consider...

- Ethical wills are not easy to receive
- Can be a temptation for parents to try to persuade after death what they were unable to persuade during life
- Can be temptation to repeat once more, to please once more, and to impose a burden of guilt from the grave

Who Should Write an Ethical Will?

Anyone who wants to impart a legacy to their children and future generations beyond what tangible goods they own or money they have should write an ethical will.

Think about the joy you would have if you had a letter from your mother or father, grandmother and grandfather, that spoke to you about how they thought and felt about living life.

When Should You Write One?

Right now! It is never too late or too early to begin writing your ethical will. Your ethical will can always be updated as your life changes and your thoughts and what you wish to impart change too. An ethical will can always be considered a work in progress.

When Should You Share Your Ethical Will?

You don't have to wait until you die to share your ethical will, but you may prefer it. The important thing to consider is keeping a copy with your will so that it does not get lost in the inevitable confusion after you go.

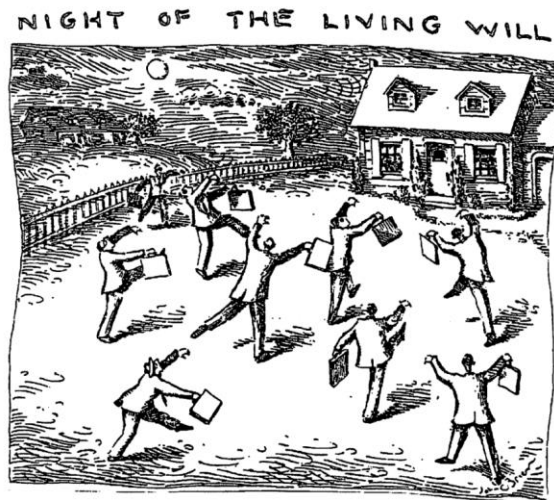


What About a Video Version?

Videoing your ethical will can add another dimension. Just like watching old home videos of your loved ones, it can help those you leave behind feel close to you. Just remember to write it down also to read in case technology is not available!

What Shouldn't go in an Ethical Will?

You never want to include any negative comments or criticism about your loved ones in your ethical will. You want it to include positive thoughts and memories to those close to you.



Is an Ethical Will a Legal Document?

An ethical will is not a legal document. It is strictly a personal message and is meant to be a compliment to your legal documents and not to contradict or interfere in any way with your estate plan.

Getting Started

As a reminder, to get started with writing your ethical will consider the following:

- To whom are you addressing this will? Children, grandchildren, the world at large?
- What do you want to say – do you want this to be personal history, thoughts about the future, a humorous memoir?
- Make an outline – start recording your thoughts and stories for a few weeks or months and then review them and then write from the heart.
- Revise your ethical will periodically. This doesn't mean to throw out what you already wrote, but it might be more interesting for your love ones to follow your development and growth – even after you reach an age where you're suppose to know everything!

Resources

There is a great guide for creating an ethical will written by Susan Turnbull called "The Wealth of Your Life". You can find her online at www.yourethicalwill.com.

Also AARP has information online about estate planning and writing an ethical will and how to help someone for whom you are a caregiver document their hopes, dreams, and life lessons.

Attached please find an example of an ethical will and a sweet story!

This will was written in the earlier part of the 20th Century. It has a very interesting history.

In the pocket of an old ragged coat belonging to one of the insane patients at the Chicago poorhouse, there was found, after his death, a will. According to Barbara Boyd, in the Washington Law Reporter, the man had been an lawyer, and the will was written in a firm clear hand on a few scraps of paper. So unusual was it, that it was sent to another attorney; and so impressed was he with it's contents, that he read it before the Chicago Bar Association and a resolution was passed ordering it probated. It is now on records of Cook County Illinois.

I, Charles Lounsberry, being of sound and disposing mind and memory, do hereby make and publish this my Last Will and Testament, in order, as justly as may be, to distribute my interests in the world among succeeding men.

That part of my interests which is known in law and recognized in the sheep-bound volumes as my property, being inconsiderable and of no account, I make no disposition of in this, my Will. My right to live, being but a life estate, is not at my disposal, but, these things excepted, all else in the world I now proceed to devise and bequeath.

ITEM: I give to good fathers and mothers, in trust to their children, all good little words of praise and encouragement, and all quaint pet names and endearments; and I charge said parents to use them justly, but generously, as the deeds of their children shall require.

ITEM: I leave to children inclusively, but only for the term of their childhood, all, and every, the flowers of the field, and the blossoms of the woods, with the right to play among them freely according to the custom of children, warning them at the same time against the thistles and the thorns. And I devise to the children the banks of the brooks and the golden sands beneath the waters thereof, and the odors of the willows that dip therein, and the white clouds that float high over the giant trees.

And I leave the children the long, long days to be merry in a thousand ways, and the night and the moon and the train of the Milky Way to wonder at, but subject, nevertheless, to the rights hereinafter given to lovers.

ITEM: I devise to boys jointly all the idle fields and commons where ball may be played, all pleasant waters where one may swim, all snow-clad hills where one may coast, and all streams and ponds where one may fish, or where, when grim winter comes, one may skate, to have and to hold the same for the period of their boyhood. And all meadows, with the clover-blossoms and butterflies thereof; the woods with their appurtenances; the squirrels and birds and echoes and strange

noises, and all distant places, which may be visited, together with the adventures there to be found. And I give to said boys, each his own place at the fireside at night, with all pictures that may be seen in the burning wood, to enjoy without hindrance and without any incumbrance of care.

ITEM: To lovers, I devise their imaginary world, with whatever they may need, as the stars of the sky, the red roses by the wall, the bloom of the hawthorn, the sweet strains of music, and aught else they may desire to figure to each other the lastingness and beauty of their love.

ITEM: To young men jointly, I devise and bequeath all boisterous inspiring sports of rivalry, and I give to them the disdain of weakness and undaunted confidence in their own strength. Though they are rude, I leave them to the powers to make lasting friendships, and of possessing companions, and to them exclusively I give all merry songs and brave choruses to sing with lusty voices.

ITEM: And to those who are no longer children, or youths, or lovers, I leave memory, and bequeath to them the volumes of the poems of Burns and Shakespeare, and of other poets, if there be any, to the end that they may live the old days over again, freely and fully without tithe or diminution.

ITEM: To the loved ones with snowy crowns, I bequeath the happiness of old age, the love and gratitude of their children until they fall asleep.

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