



The Basics of Estate Planning for Fundraisers

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Presenter



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Senior Gift Planning Consultant
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- 25 years of experience in estate and charitable planning
- 13+ years at Stelter, advising clients on technical planned giving matters and ensuring the accuracy of nonprofit marketing communications
- Regularly presents technical webinars for Stelter, speaks at conferences nationwide on a variety of planned giving topics and authors Stelter's *Expert Insights*, a client publication covering trends and research in planned giving
- Published in *Planned Giving Today* and *The Journal of Gift Planning*
- Past president and current board member of the Mid-Iowa Planned Giving Council (2014–present), past chair of the National Association of Charitable Gift Planners' Leadership Institute, current board member of the National Association of Charitable Gift Planners and member of its Development and Government Relations and Advocacy Committees, current editorial board member of *Planned Giving Today*
- Earned B.A. in economics and communication studies from the University of Iowa and J.D. from the University of South Dakota School of Law

Agenda

- Estate Planning Basics
- Key Takeaways from the 2025 Trust & Will Report
- Next Steps

Who Needs an Estate Plan?

Chances are, you do.

- It is not just for the wealthy.
- Without an estate plan, you cannot control what happens to your property if you become incapacitated or when you pass away.
- An estate plan makes your wishes clear and helps with family disputes.
- Proper estate planning can preserve assets and provide for loved ones and charities.

Proper Planning Will Allow You to...

Give what you have...

- To whom you want
- When you want
- In the way you want

And pay less for...

- Court costs
- Attorneys' fees
- Taxes

5 Key Components of Estate Planning



Asset Titling

How your assets are titled (individually, jointly)



Beneficiary Designations

Naming who will receive assets such as life insurance or retirement plans upon your death



Wills and Trusts

Legal documents that formalize how your estate will be managed and distributed



Power of Attorney

Designating someone to make financial decisions on your behalf if you are unable



Health Care Directives

Instructions for medical care if you are unable to communicate your wishes

Asset Titling

Most Common Forms of Ownership

Individual Ownership

- Asset is in your name alone
- Will likely be subject to probate or small estate administration

Joint Tenancy

- Ownership by two or more people with rights of survivorship
- Asset passes automatically to the survivor; no need to probate

Tenancy in Common

- Ownership by two or more people without rights of survivorship

Beneficiary Designations

Types of Assets

- Payable-on-death (POD)/transfer-on-death (TOD) accounts
- Life insurance
- Commercial annuities
- Donor advised funds
- Retirement plan assets

Things to remember

- Simple, fast, convenient
- Percentages work best
- Primary vs. contingent

Importance

- Ensures assets pass directly to designated beneficiary

Last Will & Testament

The cornerstone of your estate plan, it allows you to decide how you want to leave your legacy.

Things to remember

- Provides for asset distribution
- Provides for a guardian for minor children or other dependents
- Designates an executor or personal representative
- Provides for flexibility—can be revoked or modified at any time

Importance

- Ensures individually titled assets pass directly to designated beneficiary

Do You Currently Have
a Will and/or Trust?



Create Your Last Will & Testament

in 6 Easy Steps

1. Inventory your assets
2. Determine your goals
3. Identify your individual and charitable beneficiaries
4. Consult with an estate planning attorney
5. Create and sign your documents
6. Review regularly

How do I find an estate planning attorney?

- Ask friends, family or coworkers for a referral.
- Use online resources like The American Council of Trust and Estates [ACTEC](#) or National Association of Estate Planners & Council ([NAEPC](#)) for some local recommendations.



Revocable Trust

Reasons You May Want a Trust

Offers a more comprehensive approach to managing your assets during your lifetime and distributing them after your passing



Protect your privacy

Unlike a will, which becomes a public record upon probate (a court-supervised process to administer an estate), assets placed in trust bypass the probate process. This allows you to keep your matters private.



Plan for incapacity

You can appoint a successor trustee to step in and manage the trust on your behalf should you become unable to do so.



Ensure management of a complicated estate

If you own complex assets or real estate in more than one state, a trust can help streamline the management and distribution of these assets.

Revocable Trust

What should you transfer into a trust?

Essentially, any asset that you want to protect, manage and distribute can be placed into a trust. This could include real estate, bank or investment accounts, or business interests.

Who manages the trust?

A trustee is responsible for managing the trust assets. You can name yourself, a trusted friend or a financial institution as trustee.

Will vs. Trust

Know the Difference

	WILL	TRUST
Probate and privacy	Subject to probate; your will becomes public record in these proceedings	Provides faster, more private distribution of assets by bypassing probate; all details remain confidential
Asset management and distribution	Specifies how assets are distributed after your lifetime	Outlines asset management and distribution during and after your lifetime
Control over distribution	Limits control over timing and method of distribution	Allows for greater control over timing, method and conditions of distributions
Executor/trustee	Requires appointment of executor or personal representative to administer will	Requires appointment of trustee to manage trust assets
Incapacity planning	No instructions for managing assets in the event of incapacity	Trustee will manage your assets if you are unable to handle your financial affairs
Costs	Generally lower initial cost compared to trusts	Likely to have higher initial cost but can offer potential savings by avoiding probate

Testamentary Trust

What is a testamentary trust?

- A trust created through a will, activated upon your passing.
- Holds and manages assets for designated beneficiaries – typically minor children.
- Overseen by a trustee until the beneficiaries reach a specified age.

Testamentary Trust

Benefits of testamentary trust:

- **Financial Protection** – Ensures assets are managed responsibly for the child's well-being.
- **Structured Distribution** – Prevents minors from receiving a lump sum before they are financially mature.
- **Education & Care** – Funds can be used for education, healthcare, and other necessities.
- **Control & Oversight** – The grantor designates a trusted individual to manage the assets.

If You Do Not Have a Will...

- The state in which you reside dictates who receives your assets.
- There is no provision for charitable gifts
- Foundation or other organizations.
- There are no tax-saving strategies.

Planning for Incapacity

- Incapacity can strike anyone at any time.
- Failing to plan may mean a court would have to appoint a guardian and/or conservator.
- Lack of planning increases the burden on your guardian and conservator.
- Your guardian's and conservator's decisions might not be what you would want.

Planning for Incapacity

Power of Attorney (financial)

You designate an agent to make financial decisions on your behalf in the event you are unable

Qualities to look for in your agent

- Trustworthiness
- Reliability
- Understanding of your wishes

Do You Currently Have
a Financial Power of Attorney?



Planning for Incapacity

Health Care Directives

Living will (advance directive)

Puts your end-of-life instructions in writing

Power of Attorney (health care)

Lets you designate an agent to make health care decisions on your behalf

Qualities to look for in your agent

- Trustworthiness
- Reliability
- Understanding of your wishes

Do You Currently Have
a Power of Attorney for Health Care?



Do You Know Where Your Original Documents are Located?



If your original documents are in a safe deposit box subtract 10 points. If they are in a fireproof safe add 5 points.

Does Your Executor Know Where to Find Them?



Key Takeaways from the Trust & Will 2025 Estate Planning Report



Report Overview

Released on February 25, 2025

Sample size: 10,000 respondents across the U.S

Complete report can be found here:

<https://trustandwill.com/documents/2025-estate-planning-report>

Key Takeaways:

- Estate planning is no longer confined to legal documents and financial wealth
- Estate planning has become a reflection of evolving cultural values, technological advancements, and shifting economic realities

High Awareness, Low Action = Planning Gap

- 83% of respondents say estate planning is important.
- Yet only 31% report having a will. 11% have a trust (or trust arrangement).
- 55% have no estate planning documents at all.
- This gap is fueled by procrastination, lack of knowledge and perceived cost barriers

Action Step: Make starting easier. Partner with an online will-planning platform such as Giving Docs or host an estate planning seminar.

Who's Planning and Who's Not

- **Age:** Older generations are far more prepared—66% of the Silent Generation have a will vs. just 15% of Gen Z.
- **Income and Education:** Those with higher income and advanced degrees are more likely to plan—but also more likely to procrastinate.
- **Race:** Black and Hispanic respondents report higher confidence in their estate knowledge but are less likely to have documents in place,
- **Gender:** Men are more likely to have a plan than women (34% vs. 29%), though the gap is closing as women take on greater financial leadership.

Action Step: Get a better grasp of demographics. Understanding these demographic gaps can help planned giving professionals tailor outreach, especially to underserved audiences.

Motivated by Love, Not Just Wealth

Top Motivators for Creating an Estate Plan

- Peace of mind: 50%
- Protecting loved ones / family: 50%
- Less commonly cited: minimizing taxes, avoiding probate, leaving charitable legacy.
- Charitable giving (bequests) is a relatively low motivator (7%).

Action Step: Donors may be more motivated by aligning legacies with values, mission, impact rather than purely financial considerations. Phrases like “a gift that protects your values alongside your loved ones” resonate more than tax-heavy language.

Expanding Definitions of Legacy

- Americans increasingly define legacy beyond wealth
- Nearly 1 in 5 say their most meaningful legacy is passing down values or life lessons—equal to the number who prioritize financial assets
- Gen Z is leading this shift, placing more emphasis on impact, memory and social good. They are also three times more likely than older generations to see charitable giving as a core part of their legacy.

Action Step: Talk about legacy. This signals a strategic opening: legacy messaging that goes beyond tax benefits to include personal values, family stories and community impact may resonate more deeply, especially with younger and more diverse supporters.

Legacy Redefined:

Estate Planning is No Longer About People

- 62% of Americans believe pets should be treated with the same level of importance as humans in estate plans.
- Younger generations lead this shift, with 69% of Gen Z believing pet care should be formally documented



Digital Legacies & AI: The Future Is Now

- Estate planning is also entering new frontiers.
- Digital legacies from social media accounts to AI-generated “digital selves,” are gaining attention. While older Americans largely reject AI-driven tools, 34% of Gen Z say they trust AI more than human attorneys for estate advice.

Action Step: Embrace new technology. Importantly for fundraisers, these trends underscore the need to understand and adapt to the ways supporters—especially younger ones—interact with estate tools and define “what matters.” Consider offering an interactive “Get Started with Your Will” quiz that links to resources, including your nonprofit’s bequest language.

Other Notable Statistics

The Shifting American Dream

- Nearly 60% of Americans no longer believe in traditional economic opportunity.
- Younger generations value fulfillment, social impact, and digital legacy over wealth.

Inflation and Long-Term Planning

- 78% say inflation makes life goals harder to achieve.
- Rising costs are reshaping views on homeownership, retirement, and financial security.

Strategic Recommendations

Here are suggested strategies to leverage insights from the report:

1. Educational outreach
 - Host estate planning webinars or in person presentations (in partnership local attorneys)
2. Embed legacy messaging
 - In donor communications, emphasize leaving a legacy
3. Segment & personalize outreach
 - Tailor messaging to legacy donors and top PG prospects differently than broad PG prospects, like a high-net-worth campaign

Next Steps



Estate Planning Mistakes to Avoid

- Lack of planning
- Unorganized finances
- Not having an estate plan
- Having out-of-date estate plan documents
- Not coordinating your beneficiaries with your estate plan
- Not sharing the location for stored passwords
- Not coordinating life insurance ownership with your estate plan
- Not coordinating property titles with your estate plan
- Not having enough life insurance
- Not providing executors or personal representatives and trustees with a location sheet
- Procrastination

Have you left an inventory of your assets
for your executor?





Our Top Resource

This comprehensive estate-planning kit will help you protect loved ones, organize everything in one place and save on taxes.

[Download My Kit](#)

Have you reviewed or updated your
estate plan in the last 2 years?



Do you have a secure place for your
stored passwords that your executor can
access?

Notify Your Beneficiaries

Many people and charities are not aware that they have been named to receive a gift.

- Inform your beneficiaries and preserve your intentions. It will help ensure that your beneficiaries are able to follow your wishes.

Protect the people and charities you love by following these simple steps:

1. Review your beneficiary designations periodically, as circumstances may change throughout your lifetime.
2. Alert your beneficiaries that you have a life insurance policy or have named them as a beneficiary of a retirement plan.
3. Share the location and details of the policy or plan with your beneficiaries.

Have you notified the beneficiaries under
your life insurance or retirement plan
assets?

Lost Legacies

Your nonprofit may have “lost legacies” waiting to be claimed

Bequests, insurance proceeds and other assets sometimes go unclaimed

Action Steps:

- Visit your state’s unclaimed property website
- Search using your nonprofit’s legal name and any known variations
- Claim any funds that rightfully belong to your organization

Impact:

- A quick search of your state’s unclaimed property site or <https://missingmoney.com/> could reveal hidden funding for your organization

Questions / Comments



This webinar is for informational purposes only and is not intended to provide, and should not be relied on for, tax, legal or accounting advice.

You should consult your own tax, legal and accounting advisors before engaging in any charitable giving plan.



Thank You!

