



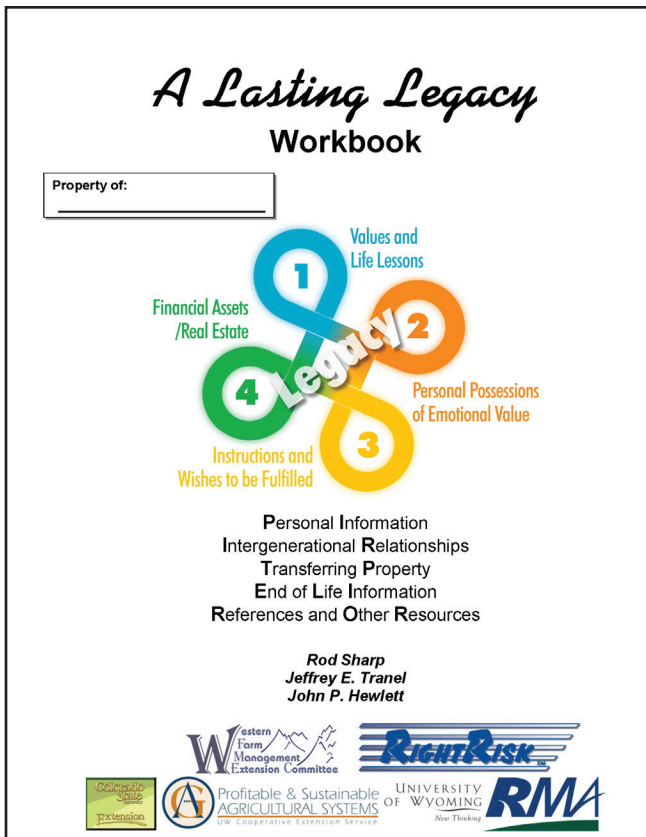
Planning for the Passing: Carl and Cathy Call for a Family Meeting

Carl and Cathy live on the ranch they inherited from Cathy's mother. They run 25 beef cows and 50 ewes and sell about 100 tons of hay. Carl also has a job in town. They have three adult children and six grandchildren. Their eldest son is within a few years of retirement from the military, and he and his wife would like to move back home. One daughter, her husband, and their three teenagers live and work on a nearby ranch. Their youngest daughter and three children live in a town about 25 miles away.

Carl and Cathy recently participated in an estate planning workshop conducted by

the people from RightRisk. Consequently, they have begun to fill out the pages in their "Leaving a Lasting Legacy" workbooks, but they have not talked with their children. Cathy is adamant that they make plans sooner rather than later, especially for the ranch. She is concerned about being forced to sell the land in order to cover assisted living costs.

At the RightRisk estate planning workshop, the speaker and other participants talked about having facilitators for family meetings. While some families get along very well and speak freely, other families may have someone who will dominate con-



The facilitator met with Carl and Cathy for a few hours before the family meeting was scheduled to begin. They talked about the way in which the family interacted and Carl and Cathy’s desires for retirement and their legacies. The facilitator also learned that while Carl and Cathy had legal Wills, they had not talked with their children about the contents of their Wills, who would be their Medical Powers of Attorney, who would get their personal possessions, and who would take over the ranch.

Family Meeting

The family meeting began on time with everyone being quite congenial. Everyone talked about the history of the family and desire to keep the ranch operating as a family business. Carl expressed an interest in not having to be responsible for the day-to-day activities of the ranch, so he and Cathy could travel and spend time with the grandchildren. The two daughters said they supported their brother’s desire to return to the ranch. They had moved on with their lives and were not positioned to take over the business. As long as Carl and Cathy had enough money to do what they wanted to do in retirement, they would be okay with whatever succession plan they designed. It was decided that Carl, Cathy, and their son and his wife would meet on another day with the people at RightRisk to determine a plan.

The facilitator then moved the discussion to Carl and Cathy’s Medical Powers of Attorney. The facilitator

versations or members who will not express their opinions. Thus, a non-family facilitator may be useful for getting all family members to talk openly and for the family to reach consensus.

Since their three adult children and families were coming home for Thanksgiving, Cathy asked them to come two days early. She and Carl wanted to have a family meeting to discuss their legacies, who might be interested in taking over the ranch, and who might want certain personal possessions. They also need to decide who should be given medical power of attorney and be their personal representatives (formerly known as executors of their estates).

Facilitator

As the meeting date approached, Cathy and Carl discussed whether they might need a facilitator for their family meeting. They decided that a RightRisk professional could provide some ideas they hadn’t thought of and to make sure that everyone, especially their one very quiet daughter in-law, shared his or her opinion.





tor asked both Carl and Cathy to describe their “best passings”. As they shared their hopes and desires, the youngest daughter began to cry. She did not like thinking about the possible suffering her parents might experience in their last days and a life without them being there for her and her children. The facilitator and Cathy calmed her and the discussion was able to proceed. Some family members thought the son, as Carl and Cathy’s eldest child, should have the legal authority to make medical decisions on behalf of Carl and Cathy, while others said it should be the eldest daughter. Everyone was in agreement that the youngest daughter should not have to potentially make any difficult decisions due to her tender heart. After some discussion about which child would most likely carry out their parents’ wishes, it was decided that the eldest daughter would be both Carl and Cathy’s Medical Power of Attorney and their son would have the authority to make important medical decisions if she was unavailable.

Personal Possessions

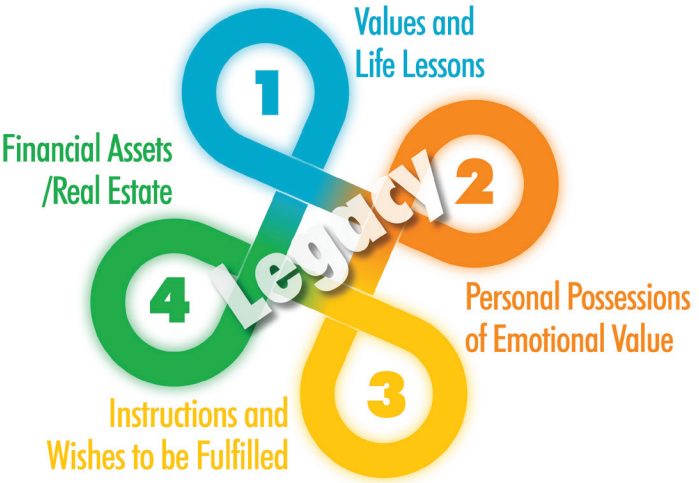
The family then talked about Carl and Cathy’s personal possessions. Carl wanted to give his eldest grandson his spurs. Because two of his granddaughters hunted with him, Carl wanted to give them the pick of his rifles with the grandsons getting the other guns. He said he wanted his son to have his ceremonial drum. It is important that the family be represented at the community festivals. Cathy wanted her daughter-in-law to have the dining table, because it

represents the importance of family and eating together and she would be living on the ranch. She wanted to give each granddaughter a piece of the jewelry that had been in her family for several generations. They agreed to take time after Thanksgiving dinner to share the history of each piece of jewelry and decide who would take each item.

Finally, they talked about Carl and Cathy’s wishes regarding end-of-life issues and important medical concerns. Cathy was very healthy with a family history of people living well into their late 90s. Carl, on the other hand, has diabetes. He did not want to extend his life with certain medical procedures, and the family was hesitant to support his choices. Their son became agitated during the discussion, but calmed down with the support of his wife and the knowledge that his sister – not he – would be responsible for helping Dad make the difficult decisions when that time came.

Attorney Input

The facilitator brought the meeting to a close by encouraging Carl and Cathy to consult with their attorney as soon as possible. They would need new Wills, Advanced Directives, and Powers of Attorney which reflected the decisions made by the family. Carl, Cathy, their son, and their daughter-in-law would need to meet with someone from RightRisk to analyze Carl and Cathy’s personal finances and



the financial potential of the ranch and to devise a plan for the smooth transition of the ranch business. The RightRisk professional indicated that they may want to grant financial Power of Attorney to their son so he could make business decisions when Carl and Cathy are unavailable. All the children and grandchildren thanked Carl and Cathy for having a family meeting and for sharing their wishes and plans with everyone.

Additional Resources

RightRisk Courses

<http://RightRisk.org> > Courses

RightRisk Risk Analysis Tools

<http://RightRisk.org> > Resources

USDA Risk Management Agency

<http://www.rma.usda.gov>

USDA Farm Service Agency

<http://www.fsa.usda.gov>



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