SOCRATIC FUNDRAISING "LEGACY EDITION"
HOW TO ASK FOR THE GIFT IN A WILL
The Socratic Fundraiser #12

Sure, asking for money is hard. But asking for an estate gift? Even experienced fundraisers can get squeamish. As Anne Melvin puts it,

> For many of us, asking for a bequest is akin to asking, *"So when are you going to die and what are you going to leave us when you do?*"[1]

And yet, it's critical. The right ask can be powerful. So, how can you do this? What are the right words and phrases? To answer this, let's start with theory.

Theory and death reminders

Why is this so… uncomfortable? Simple answer. Because it's about death. Death is an uncomfortable topic.[2] More than that, the reality of our own death is a serious psychological problem. #People use two "solutions" to the problem: [3]

1. Ignore the problem. (This is called "avoidance.")
2. Live on after death. (This called "symbolic immortality.")

Avoidance

Avoidance actively ignores personal mortality. It runs away from death reminders. It says, "This doesn't apply to me." It says, "I'll deal with that later." It's why most people don't have wills.[4] It's why attendance at "planned giving" seminars is so small.

Symbolic immortality

Living on after death isn't just about a religious afterlife. It means some part of one's identity – one's people, values, or story – will continue on after death. This continuation is called "symbolic immortality." Death reminders increase the desire for this "symbolic immortality." They increase interest in making a lasting impact. But to be meaningful, the impact must support one's people, values, or story.

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[1] Melvin, A. (October, 2011). *Mission possible: Get in the door and get what you came for*. Presented at The National Conference on Philanthropic Planning, San Antonio, TX. p. 8.

[2] Kastenbaum, R. (2000). Psychology of death. 3rd edition. New York: Springer. (p. 98 explains that there is "general agreement that most of us prefer to minimize even our cognitive encounters with death.")

[3] Kosloff, S., Anderson, G., Nottbohm, A., & Hoshiko, B. (2019). Proximal and Distal Terror Management Defenses: A Systematic Review and Analysis. In *Handbook of Terror Management Theory* (pp. 31-63). Academic Press.; Pyszczynski, T., Greenberg, J., & Solomon, S. (1999). A dual-process model of defense against conscious and unconscious death-related thoughts: an extension of terror management theory. *Psychological Review, 106*(4), 835-845.

[4] James, R. N., III. (2020). The emerging potential of longitudinal empirical research in estate planning: Examples from charitable bequests. *UC Davis Law Review, 53*, 2397-2431.

#Research experiments show this. For example, death reminders make people more protective of their social group – and more resistant to outside groups.[5] Group opinions and social "norms" become more powerful.[6] People become more interested in social prestige,[7] fame,[8] a positive life story,[9] personal heroism,[10] or putting their name on something.[11] Death reminders highlight the question, "What will they say about me when I'm gone?"[12]

Phrasing = preface + ask

Academic theory is fine. But how do you actually do this? What do you say? The legacy ask usually consists of two parts: a preface + an ask. The preface makes the ask more comfortable. It provides motivation. It justifies the question or the gift. The ask then triggers a response.

#The ask itself can be harder or softer. It can be simple and blunt. Or it can be softened at little by including a phrase like "would you consider." It can be softened further by simply asking for "thoughts" on the topic. Or it can merely be

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[5] *See* Burke, B. L., Martens, A., & Faucher, E. H. (2010). Two decades of terror management theory: A meta-analysis of mortality salience research. *Personality and Social Psychology Review, 14*(2), 155-195; James III, R. N. (2016). An economic model of mortality salience in personal financial decision making: Applications to annuities, life insurance, charitable gifts, estate planning, conspicuous consumption, and healthcare. *Journal of Financial Therapy, 7*(2), 62-82.

[6] *See, e.g.,* Fritsche, I., Jonas, E., Kayser, D. N., & Koranyi, N. (2010). Existential threat and compliance with pro-environmental norms. *Journal of Environmental Psychology, 30*(1), 67-79.; Gailliot, M. T., Stillman, T. F., Schmeichel, B. J., Maner, J. K., & Plant, E. A. (2008). Mortality salience increases adherence to salient norms and values. *Personality and Social Psychology Bulletin, 34*(7), 993-1003.

[7] van Bommel, T., O'Dwyer, C., Zuidgeest, T. W., & Poletiek, F. H. (2015). When the reaper becomes a salesman: The influence of terror management on product preferences. *Journal of Economic & Financial Studies, 3*(05), 33-42.

[8] Greenberg, J., Kosloff, S., Solomon, S., Cohen, F., & Landau, M. (2010). Toward understanding the fame game: The effect of mortality salience on the appeal of fame. *Self and Identity, 9*(1), 1-18.

[9] Dechesne, M., Pyszczynski, T., Arndt, J., Ransom, S., Sheldon, K. M., Van Knippenberg, A., & Janssen, J. (2003). Literal and symbolic immortality: The effect of evidence of literal immortality on self-esteem striving in response to mortality salience. *Journal of Personality And Social Psychology, 84*(4), 722.; Landau, M. J., Greenberg, J., & Sullivan, D. (2009). Defending a coherent autobiography: When past events appear incoherent, mortality salience prompts compensatory bolstering of the past's significance and the future's orderliness. *Personality and Social Psychology Bulletin, 35*(8), 1012-1020.

[10] McCabe, S., Carpenter, R. W., & Arndt, J. (2015). The role of mortality awareness in heroic enactment. *Journal of Experimental Social Psychology, 61*, 104-109; McCabe, S., Carpenter, R. W., & Arndt, J. (2016). The role of mortality awareness in hero identification. *Self and Identity, 15*(6), 707-726.

[11] *See* Burke, B. L., Martens, A., & Faucher, E. H. (2010). Two decades of terror management theory: A meta-analysis of mortality salience research. *Personality and Social Psychology Review, 14*(2), 155-195; James III, R. N. (2016). An economic model of mortality salience in personal financial decision making: Applications to annuities, life insurance, charitable gifts, estate planning, conspicuous consumption, and healthcare. *Journal of Financial Therapy, 7*(2), 62-82.

[12] *See, e.g.,* Cohen, D. (2017). *What will they say about you when you're gone? Creating a life of legacy* Deerfield Beach, FL: Health Communications, Inc.

implied by silence after introducing the topic. Examples from experienced fundraisers include,

1. Simple – Would you? Have you?
    - *"Would you be willing to include our organization in your estate plans?"*[13]
    - *"Say, Bill, does your will provide something for the [organization]?"* [14]
    - *"Would you join me as a member of our Legacy Society by making a planned gift?"*[15]
    - *"Have you remembered XYZ in your will?* [16]
    - *"Can you tell me if we are included in your will plans?"*

2. Soft – Would you consider?
    - *"Would you be willing to consider including us as one of the nonprofit organizations in your will?"*[17]
    - *"Would you consider… including us in your estate plans?"*[18]
    - *"Will you consider putting this organization in your will?"*[19]
    - *"Would you consider leaving a (specific amount or percentage) of your estate to our organization?"*[20]
    - *"Would you consider a pledge commitment that isn't paid until you pass or when you no longer need it?"*[21]
    - *"Would you consider making a legacy gift?"*[22]
    - *"Of the types of planned gifts that we've talked about, which one would you consider?"*[23]

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[13] Zou, H. & Schmitt, P. (2017). *The real reason donors aren't making planned gifts, and what to do about it.* Presented at the National Conference on Philanthropic Planning, Baltimore, MD. p. 37.
[14] Seymour, H. (1999). Designs for fund-raising. 2nd ed. The Gale Group: Farmington Hills, MI. p.134
[15] Sargeant, A. & Shang, J. (2010). *Fundraising principles and practice*. San Francisco, CA: Jossey-Bass, p. 427
[16] Ciconte, B. L. & Jacob, J. G. (2009). *Fundraising basics: a complete guide*. Burlington, MA: Jones & Bartlett Learning. P. 318.
[17] Zou, H. & Schmitt, P. (2017). *The real reason donors aren't making planned gifts, and what to do about it.* Presented at the National Conference on Philanthropic Planning, Baltimore, MD. p. 37.
[18] Shuba, J. J. (October, 2020). *Navigating planned gift conversations with your donors*. Presented at the Charitable Gift Planning Conference, online, p. 2.
[19] Samers, W. D. (October, 2011). *Creative bequests and the unalterable will: Soliciting and drafting bequests.* Presented at the National Conference on Philanthropic Planning, San Antonio, Texas, P. 10.
[20] Henson, R. (2016). *Planned giving: How to ask for transformational gifts*. Bloomington, IN: iUniverse. p. 54.
[21] Buderus, A. A. & Smith, G. P. (October, 2013). *Blended gift, eh? Making the most of this emerging workhorse for major and planned gift officers.* Paper Presented at National Conference on Planned Giving, Minneapolis, MN, p. 9.
[22] Lassonde, G. (October, 2013). *The "why" of giving & getting to the legacy ask.* Paper Presented at National Conference on Planned Giving, Minneapolis, MN, p. 6.
[23] Sargeant, A. & Shang, J. (2010). *Fundraising principles and practice*. San Francisco, CA: Jossey-Bass, p. 427

3. Softer – Thoughts?
    - *"What are your thoughts about making this kind of gift?"*
    - *-#"Do you know that we have a legacy society that recognizes our donors who have included our organization in their future plans?... Is that something you and I should be talking about?"*[24]
    - *-#"What would you say to someone who might be considering including us in their last will & testament?"*

4. Silence
   This approach begins with a preface. The preface mentions a gift in a will. This is followed by silence. Silence allows the other person to respond – or not – based on their comfort level.

You can use an ask phrase that fits your comfort level. Or you can begin with the softer approaches and gradually move to the more direct.

Research on word choice in the ask

Ask phrases are relatively simple. But words still matter. In one experiment, the likelihood of agreeing to,

- "make a gift to charity in my last will & testament."

dropped significantly when replacing "make a gift" with either,

- "leave a legacy gift" or
- "make a bequest gift"[25]

#In another experiment, people were twice as likely to want to read about,

- "gifts in wills,"

rather than

- "estate giving,"
- "legacy giving," or
- "bequest gifts"[26]

The same was true for "will planning" compared with either,

- "estate planning," or

[24] Tumolo, J. (2016). Simplify: A simple approach to building a sustainable planned giving program. P.44
[25] James, R. N. (2016). Phrasing the charitable bequest inquiry. *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations,* 27(2), 998-1011.
[26] James III, R. N. (2018). Creating understanding and interest in charitable financial and estate planning: An experimental test of introductory phrases. *Journal of Personal Finance, 17*(2), 9-21. Table 4.

- “legacy planning”[27]

#Some people perceive words like “estate,” “legacy,” or even “bequest” as a bit too grand.[28] Those are for wealthy people – like on Downton Abbey. Those don’t apply to “people like me.” But a “gift in a will” applies to everyone.

#If “gifts in wills” or “will planning” seems too narrow, don’t worry. People use these terms to refer to all estate transfers including,

- living trusts
- life insurance
- IRA transfer-on-death
- bank account transfer-on-death

Oddly, people were *more* likely to expect this full range of topics from clicking on

- “gifts in wills,” or
- “will planning.”

than from with either,

- “estate giving,” or
- “estate planning”[29]

#A long list can also work if it *starts* with “gift in wills.” For example, the share of people indicating they “might be” or “were definitely” interested in reading more on a charity website was,

- 26% for “Gifts in wills”
- 25% for “Gifts in wills, trusts, or retirement accounts”
- 24% for “Gifts in wills, trusts, retirement accounts, or life insurance”[30]

[27] James III, R. N. (2018). Creating understanding and interest in charitable financial and estate planning: An experimental test of introductory phrases. *Journal of Personal Finance, 17*(2), 9-21. Table 4.
[28] Sargeant, A. (May 2, 2014). Personal communication from Professor Adrian Sargeant, Plymouth University regarding unpublished focus group results.
[29] James III, R. N. (2018). Creating understanding and interest in charitable financial and estate planning: An experimental test of introductory phrases. *Journal of Personal Finance, 17*(2), 9-21. Table 5.
[30] Unpublished results from the study reported in James III, R. N. (2018). Creating understanding and interest in charitable financial and estate planning: An experimental test of introductory phrases. *Journal of Personal Finance, 17*(2), 9-21.

#For other planned giving instruments, simple words outperform technical ones.[31] Finally, it's important not to describe a gift with "death" language. People were significantly more willing to,

- "Make a gift to charity in my last will & testament," than to
- "Make a gift to charity in my last will & testament that will take effect at my death."[32]

The gift was the same. But the description was different. Death reminders can trigger an "avoidance" response.

The preface

The preface comes before the ask. But it's not mandatory. You can just make a "naked" ask. In one experiment, two thousand people were completing their will planning.[33] Half weren't specifically asked about charity. In this group, 4.9% left a gift to charity. The other half were asked, "Would you like to leave any money to charity in your will?" In this group, 10.8% included a gift to charity. Just asking the question, by itself, worked. It doubled the share of wills including charity.

#Asking works. But it's often more comfortable or compelling to start with a preface. Such prefaces include:

- The external issue preface [*from avoidance*]
- The identity preface [*from symbolic immortality*]
- The victory preface [*from symbolic immortality*]

External issue preface - examples

Many people tend to avoid estate planning. Why? Because it's a death reminder. So, it can help to have a *non-death* reason to start the conversation. You wouldn't normally bring it up. It's just that some outside issue is pushing the conversation. It can also help to have a *non-death* reason to sign the gift now. If you sign it now, something important happens. Examples include,

1. Campaign deadline

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[31] James III, R. N. (2018). Describing complex charitable giving instruments: Experimental tests of technical finance terms and tax benefits. *Nonprofit Management and Leadership, 28*(4), 437-452.

[32] James, R. N. (2016). Phrasing the charitable bequest inquiry. *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations,* 27(2), 998-1011.

[33] Cabinet Office (2013) Applying Behavioral Insights to Charitable Giving. London: Cabinet Office Behavioural Insights Team P. 22-23. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/203286/BIT_Charitable_Giving_Paper.pdf

- [Legacy campaign] *"We're in a campaign to get 100 new legacy society members before the end of the year, and we're making great progress… [ask]"*
- [Combined campaign] *"So far, we're at 72% of our campaign goal for current gifts and 68% of our goal for planned estate gifts. You've already helped us in the first goal…[ask]"*
- [Leadership campaign] *"As part of our new planned giving push, we'll be announcing our board participation percentages at the fall banquet. Signing your planned gift before then could really influence others to take this step...[ask]"*

2. Matching gift deadline

"If signed by May 1, planned gifts of up to $250,000 will be matched with a 10% cash donation in your name from The XYZ Foundation."[34]

[For several charities, this approach has doubled or tripled planned gifts.[35]]

3. We've got a problem

- *"We've run into a bit of an issue. The number of new people joining our legacy society has fallen off in the last year. Do you mind if I ask you a few questions about your thoughts on this topic?"*[36]
- *"We need your advice on some new legacy fundraising ads. Would you mind sharing your thoughts on a few examples?"*
- *"We held a planned giving seminar, but people didn't show up. We're trying to figure out why. So, we're asking donors like you to share your thoughts in a focus group…"*

4. My job is to help you

- *"I help donors plan gifts in their wills to the organization…"*
- *"Part of my job is to show donors how to make smarter estate gifts. For example, any IRA money inherited by family members triggers income tax. But naming [organization] avoids those taxes…"*

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[34] Modified from Bequest Matching Form at *https://www.aclu.org/sites/default/files/field_document/aclu_legacy_challenge_form.pdf*

[35] Kendrick, J. & Tsai, C. (2017). *Implementing a legacy challenge match program at a major, multifaceted institution.* Presented at the National Conference on Philanthropic Planning, Baltimore, MD; Lydenberg, J. (June, 2016). Meeting the challenge of raising more planned gifts. *PG Calc Featured Article*. https://www.pgcalc.com/pdf/0616-Featured-Article.pdf

[36] Bigelow, Bruce E. & Kolmerten, Carol A. (April, 2008) Focusing on planned giving: Using focus groups to find new donors, *Journal of Gift Planning, 12*(2), 18-21, http://charitabledevelopmentconsulting.com/s/Focusing-on-Planned-Giving-Using-Focus-Groups-to-Find-New-Donors.pdf

#These reasons are about external, non-death-related issues. They're about campaigns, matching gifts, influencing others, opinions on marketing, or tax benefits. The motivation isn't about death. This helps deflect the avoidance response. It makes starting the conversation easier.

Identity preface – back to theory

#A compelling fundraising ask (or "challenge") will include the steps of:

Original Identity → Challenge → Victory → Enhanced Identity

The resulting enhanced identity can be public (reputation) or private (personal meaning). Or simply,

Challenge
↗ ↘
Identity ← Victory

#Death reminders not only trigger avoidance. They also trigger pursuit of symbolic immortality. They trigger a resistance to disappearing. This increases attraction to ways in which one's identity – rooted in one's people, values, or story – can live on.[37] A gift in a will can help. It helps when it continues the donor's identity. It helps when it links to the donor's people, values, or history.

#The core message in the identity preface is,

"People like you make gifts like this."
[Original Identity → Challenge]

First, this means, "*You* are the kind of person who makes gifts like this." Why? Because of your history, behaviors, values, beliefs, or group membership. In other words, because of your identity.

It also means, "*Other people* who are similar to you make gifts like this." These are people who *share* your history, behaviors, values, beliefs, or group membership. In other words, they share your identity.

Identity preface - examples

What does this look like in the real world? Here are some examples.

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[37] This dual result from death reminders means we don't *always* want to avoid them. Certainly, if we want a larger audience, avoiding death reminders is important. If people can avoid the topic they will. But once we have a captive audience, avoidance may not be a concern. In that case, the death reminders can help. They can help because they also trigger a desire for pursuing symbolic immortality or a lasting social impact. Typically, this is expressed by an increased desire to benefit heirs (rather than personal consumption), but it can also fuel the desire to make an impact on one's community or in-group.

- *"Many donors who give as regularly as you have put our organization in their will; what are your thoughts about doing that?"*[38]
- *"Mrs. Jones, you are such a wonderful and loyal donor. Many of our most loyal donors are including Kent State in their estate plans in order to make an impact beyond their lifetime. Have you ever considered remembering Kent State in your will?"*[39]
- *"I can't say thank you enough for all your support for so many years. Would you consider extending your amazing legacy by including us in your estate plans?"*[40]
- *"Thank you so much for all your support for so many years – we truly appreciate it. Donors like you who have supported us for so long often include a gift in their estate plans. I'd love to say thank you for that as well if you've done so. Have you included us? Have you considered it?"*[41]
- *"John, you've been a terrific supporter of Friends of Shakespeare. I want to thank you for all you have done for us over the years. I'm curious: what are your thoughts about becoming a member of the Fortinbras Society?'* [Response:] *'What is the Fortinbras Society?'* This allows you to describe other committed members of the society, mention some that he knows…"[42]
- *"I've found the mission so compelling and the programs so meaningful that a few years ago I made a planned gift because I wanted to make certain that my support continued into the future. Other people I've met have wanted to make sure that their support continues as well and have let us know that they've made legacy gifts too. Could I take a few minutes before we're finished here and tell you, briefly, about our legacy giving program and how we plan to use these gifts?"*[43]

Identity preface research – people like you

Does this really work? Experimental results say, "Yes." In the previous experiment,

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[38] Melvin, A. T. (October, 2014). *The Art (and Science) of Persuasion*. Presented at The National Conference for Philanthropic Planning, Anaheim, CA. p. 9

[39] Aleman, M. (October, 2011). Harness the power of your phone center to increase planned gifts. Presented at The National Conference on Philanthropic Planning, San Antonio, TX. p. 4.

[40] Shuba, J. J. (October 2020). *Navigating planned gift conversations with your donors.* Presented at National Charitable Gift Planners Conference. p. 2.

[41] Shuba, J. J. (October 2020). *Navigating planned gift conversations with your donors.* Presented at National Charitable Gift Planners Conference. p. 2.

[42] Melvin, A. (October, 2011). Mission possible: Get in the door and get what you came for. Presented at The National Conference on Philanthropic Planning, San Antonio, TX. p. 7.

[43] Swank, K. (October, 2009). *What women want: Understanding the needs and objectives of women's philanthropic giving, including planned gifts.* Presented at National Conference on Philanthropic Planning, National Harbor, MD. p. 10.

- 4.9% left a gift to charity without being asked. [*No challenge*]
- 10.8% did so when asked "Would you like to leave any money to charity in your will?" [*Challenge*] But also,
- 15.4% did so when the ask began with, "many of our customers like to leave money to charity in their will…"[44] [*Identity → Challenge*]

Also, in the third group the average gift size was twice as large. Thus, asking the right question led to a 6-fold increase in giving.

#In another experiment, people read the story of another donor, Sara, who had made a planned gift. The effect of this story on their interest in making the gift depended on their response to one question,

> "How much do you identify with Sara?
> She is [a lot / somewhat / a little bit / not really / not at all] like me."[45]

If the example was about someone "like me," it was powerful. Otherwise, it wasn't.

Identity preface research – your life story

Another experiment showed the power of life story references.[46] It tested 24 bequest gift descriptions among nearly 10,000 participants. The phrase generating the highest intention to give was,

> *"Make a gift to charity in your will to support causes that have been important in your life."*

The gift connected with the donor's values and life story. #Similarly, the social norm statement,

> *"Many people like to leave a gift to charity in their will."*

Became much more powerful when it was changed to,

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[44] The full sentence was "many of our customers like to leave money to charity in their will. Are there any causes you're passionate about?" However, in subsequent testing, I found that only the first part increased bequest giving intentions. Thus, I exclude the second part here to emphasize the social norm statement only. Quoted from Cabinet Office (2013) Applying Behavioral Insights to Charitable Giving. London: Cabinet Office Behavioural Insights Team P. 22-23. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/203286/BIT_Charitable_Giving_Paper.pdf

[45] James, R. N., III. (2019). Using donor images in marketing complex charitable financial planning instruments: An experimental test with charitable gift annuities. *Journal of Personal Finance. 18*(1), 65-74.

[46] James, R. N. (2016). Phrasing the charitable bequest inquiry. *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations,* 27(2), 998-1011.

"Many people like to leave a gift to charity in their will because they care about causes that are important in their lives."

The social norm was no longer just about other people giving. It was about gifts connecting with values and life story.

#The donor's life story comes up in other types of research, too. This theme arises in qualitative interviews with bequest donors.[47] It even matches with neuroimaging research. Charitable bequest decisions engage "visualized autobiography" brain regions.[48]

Identity preface research – your people (family tribute)
A bequest gift in honor of a loved one links to the donor's people. One experiment used the following steps,[49]

1. Ask if there was a *"friend or family member who would have appreciated (or would appreciate) your support of [Cause Type] such as [Organization Examples]"*
2. Ask about that person's connection to the cause.
3. Ask about a bequest gift *"honoring a deceased [or living] friend or family member"*

These dramatically increased charitable bequest intentions. #Others suggests asking,

"Some of the people with whom I meet are interested in hearing about ways to honor and memorialize their loved ones. Would you like to hear more about this option?"[50]

Introducing this idea can be simple. Suppose a response card asks,

"Have you included [organization] in your will or estate plan?"

Under "□ Yes" simply add,

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47 Routley, C. J. (2011). *Leaving a charitable legacy: Social influence, the self and symbolic immortality* (Unpublished doctoral dissertation). University of the West of England, Bristol, UK. Page 220. ("When discussing which charities they had chosen to remember, there was a clear link with the life narratives of many respondents.")

48 James, R. N., III & O'Boyle, M. W. (2014). Charitable estate planning as visualized autobiography: An fMRI study of its neural correlates. *Nonprofit and Voluntary Sector Quarterly, 43*(2), 355-373.

49 James III, R. N. (2015). The family tribute in charitable bequest giving: An experimental test of the effect of reminders on giving intentions. *Nonprofit Management and Leadership, 26*(1), 73-89.

50 Brovey, A. P. & Roenigk, P. L. (October 25, 2008). *How old are you and did you know you could…. Initiating planned gift discussions and getting answers to key questions.* Paper Presented at National Conference on Planned Giving, Denver, CO. p. 14.

"□ in honor or memory of _________ (person) _________ (relationship)"

Whether or not the card is returned, it introduces the idea. In one experiment, just mentioning this option increased interest in a bequest gift for one out four people.[51]

Victory preface – research

The final justification for a bequest gift is the most powerful. This is the "victory" justification. A victory describes a visualizable, personally meaningful outcome.[52]

Such "victory" outcomes are powerful for any type of gift. But legacy giving responds best to outcomes with *permanence.* Death reminds donors that they are going to disappear. Legacy giving addresses this *if* it provides a way in which the donor's identity – their people, values, or story – can live on.

Drs. Claire Routley and Adrian Sargeant explain,

> "The choice of charity to receive a bequest gift could, therefore, be a way of extending one's autobiography, and thus a sense of self, forward in time beyond one's physical death."[53]

#The desire for permanence in such gifts shows up in experiments. In one, a poverty relief charity was described as either,

1. "meeting the *immediate* needs of people," or
2. "creating *lasting* improvements that would benefit people in the future,"

Normally, the first description generated more gifts. But for people reminded of their mortality, the results reversed.[54] Death reminders made the permanence language more attractive.

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[51] Unpublished results from an online survey conducted by author in November of 2014. After reporting interest in making any gift to charity in a will, respondents were then asked a second question. Some were asked to report interest in "Honor a family member by making a memorial gift to charity in my will." 24% (119 of 504) reported greater interest in this second gift. Others were asked to report interest in "Honor a family member by making a tribute gift to charity in my will." 29% (147 of 505) reported greater interest in this second gift.

[52] Anne Melvin shares this example, "We need you to establish a $100,000 charitable remainder unitrust for financial aid so that students in the future like Erick Pomeroy from Santa Fe who we just discussed can come here in the future, even if they have a father who passes away in their junior year, like Erick's did. Will you do that for us?" Melvin, A. (October, 2011). Mission possible: Get in the door and get what you came for. Presented at The National Conference on Philanthropic Planning, San Antonio, TX. p. 4.

[53] Routley, C., & Sargeant, A. (2015). Leaving a bequest: Living on through charitable gifts. *Nonprofit and Voluntary Sector Quarterly, 44*(5), 869-885, 876

[54] Wade-Benzoni, K. A., Tost, L. P., Hernandez, M., & Larrick, R. P. (2012). It's only a matter of time: Death, legacies, and intergenerational decisions. *Psychological Science, 23*(7), 704-709.

#Other experiments show similar results. In one, people with a preference were three times more likely to want a permanent fund for bequest gifts than for current gifts.[55] In another, the most powerful motivation to make a second gift in memory of a loved one was the chance to make the fund permanent.[56]

Victory preface – practice

The ultimate "victory" in legacy giving is symbolic immortality. The donor's identity – his people, values, or story – lives on after death. Once the fundraiser understands this, she can construct legacy "products" or giving opportunities that deliver this value.

Just using permanence language to describe the gift impact can help. But often, this will take the form of a permanent structure. This might be a scholarship, lectureship, or professorship. It might be an endowment funding a favorite part of operations. It might simply endow lifetime giving. (If the charity is new or unstable, an established community foundation might manage the fund.) The request might start with,

- *"Would you consider leaving a legacy of a $100,000 bequest to ensure that the help you provide these families will continue in perpetuity?"*[57]
- *"You've been such a wonderful friend to [the charity] over the years. Many people like you want to include a gift in their will. My job is to help them plan that out, so their gift will make a lasting impact. Do you mind if I share some options with you?"*

Victory preface – the competition

Your charity has competition. This may include older, more established charities. But mostly, it's the private family foundation.

In philanthropy, the most powerful permanent expression of identity is the private family foundation. It lives forever. It follows the donor's values and rules forever. It's typically named for the donor or the donor's family. For estates over $5

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[55] Unpublished results from an online survey conducted by author in March and April of 2013. Respondents chose between "an immediate expenditure of all funds to advance the cause of the charity" and "the establishment of a permanent fund generating perpetual income to advance the cause of the charity forever". Among 881 respondents, 319 reported a different preference for current and bequest gifts to the same organizations. Of these 243 (76.2%) preferred more permanence for the bequest gift and 76 (23.8%) preferred more permanence for the current gift.

[56] James, R. N. (2019). Encouraging repeated memorial donations to a scholarship fund: An experimental test of permanence goals and anniversary acknowledgements. *Philanthropy & Education, 2*(2), 1-28.

[57] Levine, J. & Selik, L. A. (2016). Compelling conversations for fundraisers: Talk your way to success with donors and funders. Chimayo Press. p.74

million, 78% of charitable bequest dollars go to private family foundations.[58]

Let that sink in. Public charities get only 22% of charitable bequest dollars from estates over $5 million. Charities are losing the battle. Many don't know they're even in a battle to start with. Many aren't even trying to compete.

Victory preface - barriers

Charities are losing to private family foundations. One reason is that few are even *trying* to provide value to legacy donors. They aren't offering *any* victory, much less a permanent one. Such suggestions are strongly resisted.

> "Deliver value to legacy donors? No, no, no. The donor's job is to deliver value to us! Besides, that just turns unrestricted money into restricted!"

#But here's the reality. Large estate gifts come with instructions. This isn't just about private foundations. In the 1800s there were no private family foundations. But donors could put instructions in their wills. In two studies of wills from the 1800s,[59] charitable bequests were restricted in,

- 14% of small cash gifts,
- 58% of real estate or large cash gifts, and
- 70% of gifts of a share of the entire estate.

It is the instructions – the story – that make large gifts compelling.

#Large gifts produce a specific, usually lasting, impact. That's the motivation for the *size* of the gift. And in estate giving, the dollars come almost entirely from these extreme gifts. For example, most charitable decedents (60%) leave less than 10% of their estates to charity. These are the "normal" donors. They transfer only 3.8% of all charitable dollars.[60] Charitable bequest *dollars* are dominated by extreme gifts.

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[58] Raub, B. G. & Newcomb, J. (Summer 2011) Federal Estate Tax Returns Filed for 2007 Decedents, *Statistics of Income Bulletin, 31*, 182-213, 191 https://www.irs.gov/pub/irs-soi/11essumbulestatereturns.pdf

[59] *See summary in* James, R. N., III. (2020). American charitable bequest transfers across the centuries: Empirical findings and implications for policy and practice. *Estate Planning & Community Property Law Journal, 12*, 235-285, 241-242 citing to Knaplund, K. S. (2015). Becoming charitable: Predicting and encouraging charitable bequests in wills. *University of Pittsburgh Law Review, 77*, 1.

[60] *See* James, R. N. III. (2020). American charitable bequest transfers across the centuries: Empirical findings and implications for policy and practice. *Estate Planning and Community Property Law Journal, 12*, 235-285, p. 280 citing to Joulfaian, D. (2019). *The federal estate tax: History, law, and economics*. Cambridge, MA: The MIT Press. p. 83.

#The identity preface works to get a bequest gift. The donor includes the charity because of the donor's people, values, and history. But it doesn't give a reason for making a gift *of a specific size*. It doesn't motivate the *large* bequest gift over the small one.

#Increasing the *size* of a planned bequest starts with victory. It starts by getting the donor to think about a meaningful victory.

"Tell me, 'What you would like to accomplish with your gift?'"
"Have you ever thought about how you would like your gift to be used?"[61]

If making a gift larger creates a specific lasting victory, then increasing the size makes sense. Otherwise, it doesn't. For real dollars, the charity must offer a real victory. It must deliver real value. It must deliver symbolic immortality.

Conclusion

There isn't just one magic phrase. There isn't just one magic story. Instead, there are unlimited expressions of the magic ideas. A compelling ask connects,

Original Identity→ Challenge→ Victory→ Enhanced Identity

A compelling estate ask considers both avoidance and symbolic immortality. Incorporate these core principles into whatever phrases you like best. Choose what makes you most comfortable. But you *can* do it. You can ask for the gift in a will!

Next up:
Socratic Fundraising in Bulk
Donor Surveys

Postscript: The 4S method - Stacking it all together

We've looked at the theory. We've look at the phrases. Hopefully, you've found some that feel right for you. But what if you haven't? What if you're still nervous about all this? Let me end with the easiest, softest, but still highly effective method. It's my favorite. Anyone can do it.

#I like to call it the 4S method. That's 3 Stories then Shut up. At some point in a conversation, it's common to give the donor an update. Suppose, for example, an alumnus asked, "What's new at Texas Tech?" I might respond by mentioning a new coach. Then, I might mention a new building. Then, I might say,

[61] Lumpkin, S. & Comfort, J. (2018). *How to Have the MOST Productive Conversations: From Here to Eternity...*, Colorado Planned Giving Roundtable, 30th Annual Summer Symposium, August 23, 2018, Denver, CO.

Oh, and Jon Smith did a neat thing. Did you know Jon? He graduated two years before you... No? Well, Jon spent his career helping other people get their finances in order. And he recently signed a new will that one day will endow a permanent scholarship for our financial planning students!

And then, I take a drink. Silence. Wait for a response. If the donor wants to pick up this conversation, he can do so. If he doesn't, I could choose to then move up the list of asking phrases. But even if I don't, just sharing this little story is powerful.

#Notice the details here. It's the third story. (I don't "lead with death.") It's about someone like the donor. (It shows that "people like you do things like this.") The gift reflects that person's life story. (It's an expression of identity.) The gift makes a permanent impact. (The identity "lives on.") The details match avoidance and symbolic immortality.

This works. It's not just a matter of speculation. I've tested many approaches to increase interest in a charitable bequest. The most powerful was this. Share examples of other living donors whose estate gifts reflect their life stories.[62] This brief story does this. It does this even if the conversation then moves in a different direction.

Of course, the details of the story can change. The person need not have graduated near the same time. They might be similar in some other way. Or you might simply say, "You remind me of another donor; he…" It might be a story of someone you know. It might be someone you only heard about. But as long as it incorporates the underlying principles, the story can be powerful.

Asking for a bequest gift can be scary. But anyone can learn to share three stories and then shut up!

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[62] *See* James III, R. N., & Routley, C. (2016). We the living: the effects of living and deceased donor stories on charitable bequest giving intentions. *International Journal of Nonprofit and Voluntary Sector Marketing, 21*(2), 109-117. Unpublished results from this same study showed that these "living donor stories" were significantly more effective than other messages such as statistical evidence indicating the people agreed with the practice of including a charitable gift in a will or evidence of heirs tendency to quickly spend inheritances.