

## Memorial Donations Should Be Arranged Before Inclusion in an Obituary

We are very familiar with a decedent's desire to leave a legacy or to make one last expression of gratitude to an organization he or she supported during life or that supported the decedent during his or her final illness. We are often reminded of Walt Whitman's lines: "That the powerful play goes on, and you may contribute a verse." Sometimes we might even try to get in one last word even after our curtain falls.

That was the situation of an individual who recently wanted to ensure that after he died memorial contributions would be made to a particular charity. He wanted to know how to ensure his wishes were carried out after his death.

Memorial donations serve the purpose of honoring the deceased by financially supporting an organization or cause important to him or her. Usually, a surviving friend or family member makes the request for memorial donations at the end of a newspaper obituary that he or she drafts. Some obituary drafters say, "Memorial donations can be made to..." or "In lieu of flowers, send contributions to..."

People wanting to ensure such requests are included in their obituaries should not count on a provision in their last will and testament. There is a good chance this document will not be located or read before a death notice is sent to a newspaper. One service we provide to our estate planning clients is a document entitled "Survivor's Notebook." This can be used to summarize the pre-death arrangements a deceased individual made concerning his or her estate as well as other personal information and financial matters. It also contains the rationale behind these arrangements and steps survivors should take immediately after the individual's death. One of the "Things to Be Done" steps in the Survivor's Notebook is writing and sending an obituary report to newspapers. People could add to this step a designation for memorial contributions.

For people who have made pre-funeral arrangements, they could include in their contract with a funeral home a memorial donation provision. This method would make the funeral director legally bound to carrying out the memorial donation wishes, whereas family and friends are not legally obligated to carry out the instructions in the Survivor's Notebook. However, from personal experience, most survivors follow the instructions outlined in the notebook.

It is important to remember that memorial contributions serve the purpose of not only honoring the deceased but also easing the grief of survivors. A Harvard University study commissioned by the American Floral Endowment and the Society of American Florists Information Committee found that 49 percent of bereaved individuals surveyed said notices of memorial donations helped them with grief. Fifty-four percent of people surveyed said the same about receiving sympathy flowers.

To schedule a meeting with one of Tully Rinckey PLLC's estate planning attorneys call 1-888-LAW-4-LIFE.

