

# Reading Between the Lines: Crafting A Compassionate Letter of Instructions for Your Testamentary Wishes

There is something deeply human about wanting to leave a legacy. We strive to ensure that our loved ones are taken care of, our cherished assets find the right home, and the causes we champion continue to flourish. It is an intrinsic need to create ripples of impact that resonate long after our time. This is where comprehensive estate planning documents come into play. They are not just legal papers, but more like a blueprint of your legacy, ensuring your assets reach the people and organizations you value most in a tax efficient manner.

However, legal documents often do not provide ample room for expressing personal wishes, preferences, and instructions. To ensure that your wishes are communicated clearly, one can consider drafting a letter to family members capturing the nuances of your personal wishes and preferences and a separate letter of instructions to your executor/trustee that may help them make decisions to carry out your intentions over the years to come.

Letters of wishes are not legally binding nor are such letters meant to replace or supersede your will or trust. However, read in conjunction with legal documents, these types of letters may prove helpful in making sure your intentions are carried out in the spirit that was intended and prevent or reduce discord among family members after you are gone.

If you are looking for a starting point in drafting letters of instructions, here are some suggestions:

## Begin with a Personal Introduction

Start the letter by addressing your loved ones or designated executor/trustee personally. Express your gratitude, share your intentions, and provide reassurance. This introduction sets a compassionate tone and helps your recipients connect with your wishes on a deeper level.

## Topics to Cover

There is no set format for letters of wishes and the content should be driven by your personal wishes and your loved one's circumstances. Some categories that may be appropriate to include are the following:

1. **Funeral and Memorial Instructions:** If not specified elsewhere, include your preferences regarding funeral arrangements, burial or cremation, and any specific requests for the memorial service. Whether you wish for a traditional ceremony or desire something unique, clearly outline your preferences to help your loved ones honor your wishes respectfully.
2. **Guardianship and Dependents:** If you have minor children or dependents, discuss your wishes regarding their guardianship and care. Clearly specify your preferences for their upbringing, education, and general welfare.
3. **Special Items or Sentimental Possessions:** If you possess sentimental items or valuable family heirlooms, make a note of their history and significance, and express your wishes regarding their distribution. There are now inventory apps, such as Thingology.com that allow you to take an item's photo, hit record and tell its story, and/or value, and state who should receive it. This can help prevent family disputes and ensure that these cherished items find their way into the right hands.

4. **Arrangements for Pets:** If the well-being of your pets is a concern, include arrangements for their care in your will or trust. Outline specific instructions regarding their routine, medical needs, and any preferences you have for their future living situations. Regularly update this plan to reflect changes in circumstances and communicate these wishes clearly to the caretaker, providing peace of mind for both you and your beloved companions.
5. **Charitable Contributions:** If you wish family members to continue to support charitable causes after your passing, outline your preferences for charitable donations. Specify the organizations or causes important to you and explain the motivations behind your choices. With the current high estate tax exemption, for many testamentary charitable deductions provide no tax benefit and charitable contributions made in your memory may provide an income tax deduction for the donor.
6. **Nuances in Your Estate Plan:** If your beneficiaries are not treated equally in your estate plan, shed light on the reasoning behind it. For example, focus on the financial situations and abilities of each child, their levels of responsibility and accountability, and or personal or professional challenges each has faced to make it clear your decisions addressed the specific needs and circumstances of each and is not intended to be a reflection of favoritism or lack of love and affection.
7. **Instructions to Trustees:** If you have multigenerational trusts or trust provisions granting greater trustee discretion in making distributions, your letter to your trustees may highlight your vision for proper distributions, such as buying a home, starting a business, or even paying for weddings or vacations.

## Concluding Messages to Loved Ones

Consider including personal letters or messages to specific individuals in your life. Express your love, gratitude, and any last thoughts you would like to share. These heartfelt messages can provide comfort and closure to your loved ones during a difficult time. To be clear, letters of wishes are not meant to amend or replace the terms of your legal documents and therefore should not conflict with the terms of the trust and create confusion. Also, remember to regularly review and update your letter to reflect changes in your family situation.

By crafting a compassionate letter of instructions alongside your legal documents, you can help ensure that your testamentary wishes are communicated clearly, fostering understanding and harmony among your loved ones.

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