

Bequeathing Values Rather Than Valuables

By Jeffrey Steele, Special Sections Advertising Writer

When Debby Bitticks thinks of what her 89-year-old father will leave behind for his heirs, she doesn't envision money or property. She thinks of wisdom, love and life lessons.

"My father, Meier Schimmel, happens to be a rabbi and is a survivor of the Holocaust," said Bitticks of Encino. "The lessons learned when he came to America with \$9 in his pocket were a love of humanity and forgiveness. He dedicated his life to teaching kindness, forgiveness and the dignity of differences [and] learning to respect people of all faiths and walks of life."

Thanks to Rabbi Schimmel's ethical will, a written expression of his values and life lessons, the wisdom he's accumulated over nearly nine decades will be preserved for his children and grandchildren.

"It's the most important thing he can leave his family," Bitticks said.

An ethical will is a bequeathal of values, rather than valuables, said Dr. Barry Baines, author of "Ethical Wills: Putting Your Values on Paper" (Perseus Publishing, 2002) and creator of the website, www.ethicalwill.com.

"It's a documentation of your values, beliefs, life lessons, hopes, love and forgiveness for family, friends and community," said Baines, who is chief medical officer for UCare Minnesota, a Minneapolis-based HMO, and associate medical director for Hospice of the Twin Cities.

Unlike a last will and testament or a living will, an ethical will is not a legal document, he said. It can be as simple as a handwritten letter or as complex as professionally produced videos in which older persons speak their thoughts and feelings. It's not one's life story, but lessons learned from the many experiences during the course of that life story, he said.

According to Baines, the recording of ethical wills dates back to Genesis Chapter 49 of the Old Testament in which Jacob says goodbye to his sons, according to Baines. The concept has been passed down in the Jewish religion and in other faiths, including Christianity, and in such cultures as Japanese.

It's now growing in popularity as more of a broad-based custom, said Sally Hurme, senior project manager with Washington, D.C.-based AARP, a national advocacy, membership and benefits group for people who are 50 and older.

"[The ethical will] strikes a chord with anyone, of any faith," she said. "One of the reasons may be the dislocation of families and the mobility of generations. Grandparents aren't around their grandchildren as they were when generations lived closer together. That scattering and lack of familial contact creates a void and fewer opportunities to pass along family traditions and values."

Baines believes the maturing of the baby boomers may also play a role. Boomers are watching their parents grow old and seeking to capture their legacy and spirit before they die.

At the same time, they are also increasingly interested in preserving their own life lessons for their children, grandchildren and succeeding generations.

One added factor may be the impact of 9/11.

"We've learned our mortality after 9/11," said Rabbi Jack Riemer, the Boca Raton, Fla.-based author of "So Your Values Live On: Ethical Wills and How to Prepare Them" (Jewish Lights Publishing, 1991). "You can be here today and gone today. We all have lawyers to make sure our property will be taken care of, but what will happen to our values after we've gone? People are starting to make an accounting of their lives, share with their children who they are, what they stand for and what they've learned in life."

Shared during life

Ethical wills are often intended as a means of expressing values of an individual after death. But in the past two decades, many people have shared them with loved ones during life — at such significant events as holidays, anniversaries or birthdays, Baines said.

"Some people do that, and there's nothing wrong with that," Riemer said. "There was one case where a family decided together to read the parents' ethical wills now, and the children said, 'We didn't realize this was so important to you.' The parents had thought they'd made the point many times, but seeing it in writing convinced the kids."

On the other hand, some people view their ethical wills as a means of communicating with members of younger generations. "Some do write letters to unborn children," Riemer said. "In some cases, children are named after their grandparents, but they

have no idea who they were. The ethical will tells them who their [grandparents were] and what they stood for.”

Used in estate planning

While ethical wills can be written by anyone without assistance and at no cost, they are increasingly being seen as an aid in producing estate plans, Baines said.

Estate planners have found having their clients' ethical wills on hand helps them customize estate plans, truly reflecting the views of those clients.

“When you identify people's values, it opens up a new way of looking at an estate plan, especially from the perspective of philanthropy,” Baines said.

For instance, a desire expressed in an ethical will to see the good of humankind benefitted in some way by the will writer's life might lead to the suggestion on the part of the estate planner that a monetary gift to a specific charity be part of the estate plan, said Tim Miniger, a senior financial with Univest Trust & Wealth Management in Souderton, Pa.

Several years ago, Miniger, who works with clients to formulate wills and trust agreements and to do estate planning, began hearing clients express a desire for wills that included statements of faith.

Miniger now conducts seminars on ethical wills and regularly raises the topic with his clients.

He said many older people not only want to pass their assets to their children, but their cherished beliefs as well.

“People who are getting into the last years of their lives dream about the good old days, wish life could be simpler and really have a desire in many cases to remind their children and grandchildren what's important to them.”

Jeffrey Steele is a freelance writer based in Chicago.

How to create an ethical will

Whether you create your ethical will using pen and paper or more sophisticated means, you're likely to touch on one or more topics common to many ethical wills, said Barry Baines, creator of the www.ethicalwill.com website. They include:

- Family relationships. Many writers of ethical wills focus on the importance of family and their wish that their survivors maintain close familial relationships.
- Religion. Religious faith and values are common themes.
- The importance of education, respect, honesty and giving as well as receiving.
- The importance of a good sense of humor.
- Personal reflections on life in general. A common reflection, Baines said, is that “one person can make a difference.”
- Forgiveness. Writers of ethical wills often specifically forgive those who they feel have failed them and ask forgiveness from those they may have wronged.
- Regrets. Some mention regrets and urge survivors not to repeat mistakes they made.
- Words difficult to say to family and friends. Many ethical wills are like love letters, containing words of love the creator may have difficulty expressing out loud, Baines said.

Baines' website offers a number of approaches to begin crafting an ethical will. One method is to work off an outline. Another is to write the ethical will in response to questions such as “What are your hopes for the future?” Still another approach is to draw ideas from journals or diaries.

Some who leave ethical wills hire experts to help them write the document or to produce audio tapes or videos of them speaking about their values, beliefs, forgiveness and hopes for their survivors. If you wish to go this route, Baines suggests visiting the website of the Assn. of Personal Historians (www.personalhistorians.org). Hiring an expert or a company to help you create an ethical will could range from several hundred to tens of thousands of dollars, he added.

“It's nice to have the voice of a person, or the image of a person. But I advocate that if you're using these technologies, you should also have something in writing.” — JEFFREY STEELE