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SHOULD I HAVE AN ETHICAL WILL?

By Thomas D. Begley, Jr., Esquire

How do you want to be remembered? What will be said about you in your eulogy?

Creating an Ethical Will is a way to learn about yourself, to reflect on your life, to affirm who you are, and to affirm what others mean to you. Ethical Wills also articulate what you stand for, they tell stories to illustrate your values, and stories for perpetuity. Surviving family members love Ethical Wills and many people believe that passing on the writer's values far exceeds any benefits from passing on worldly possessions.

A legal Will bequeaths your property. An Ethical Will bequeaths your values. Ethical Wills go back to at least to biblical times when values were passed orally from one generation to the next. An Ethical Will should always be a written document, but can be supplemented by photographs, voice and film. Ethical Wills typically include:

- Values
- Beliefs
- Life lessons
- Hopes for the future
- Love
- Forgiveness

An Ethical Will can be addressed to immediate family or to individual family members or non-family loved ones. Ethical Wills draw from past experiences by utilizing personal or family stories and lesson learned, as well as triumphs achieved and regrets for actions or lost opportunities. Ethical Wills also focus on the present, including personal values and beliefs, values and beliefs of the writer's faith community, and expressions of love and gratitude as well as apologies for wrongs committed. Most of all Ethical Wills focus on the future. They contain blessings, dreams and hopes for present and future generations, as well as advice and guidance and requests. Drafting an Ethical Will also helps the writer provide meaning to his or her own life.

There are three ways to draft an Ethical Will. I like to consider them stages. Stage 1 is to get started. My goal is to assist you in preparing the first draft. The easiest way to do this is through a structured approach. Identify the items that are important to you. Develop an outline or structure based on those individual choices. The second phase is to flesh out the outline with specific writing exercises. Use stories—particularly stories that are important to you about events that touched your life in some significant way. Let the reader know how important they are to you and why. If you had only a short time to live, what would be important for you to do during that time? What will be said at your funeral? This is your real legacy to your loved ones and to future generations.

Begley & Bookbinder can help you in getting started in writing an Ethical Will and guide you through the process.



Begley & Bookbinder, P.C. is a law firm that specializes in Elder & Disabilities Law. We are based in Moorestown, NJ, with offices in Stone Harbor & Lawrenceville.

If you have any comments, e-mail us at ccaruso@begleylawyer.com

Our web site contains a library of firm newsletters, articles, on-line forms for Medicaid, Estate Planning and Guardianship, as well as our upcoming speaking engagements, our products, and other relevant information.

If you are interested in having an Elder & Disabilities Law Attorney from Begley & Bookbinder speak at an event, please contact Colleen Caruso at (856) 787-4237.

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