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◆ The arts and science of charitable gift planning ◆

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Building a Bridge Between the Hard and Soft side of planned giving – for You AND Your Donors

BY KIMBERLEY MACKENZIE, CFRE

Do you avoid gift planning conversations because you are worried you may not know enough? I suspect the overwhelming majority of fundraisers would admit that they are like I was – timid about discussing legacies for fear they might not be able to answer some of the more technical questions.

Many generalist fundraisers, like me, fall into this business because we are driven by a passion to change the world – not because we have a fondness for the intricacies of gifts of insurance.

Are we still qualified to talk to our donors about their estate plans?

Absolutely!

There are two very different perspectives in this business of planned giving. There are the warm fuzzy fundraisers who like to visit our donors for tea, and perhaps shed a tear or two; and then there are those who like to keep things less emotional, meet at the office, and go into detailed explanations about the ins and outs of complex planned giving vehicles.

We most definitely have a 'soft' and a 'hard' side to gift planning.

I sit very comfortably on the 'soft' side.

I often get teary eyed with my donors and sometimes I cry quietly in my office when I read a will. When I called a donor in response to a note he had written in the hopes of planning a visit, and his wife told me he had died the month before, we cried together. For me, working with donors to plan the end of their lives is a deeply moving and emotional experience. I can't think of any greater privilege.

If we gift planning professionals are somewhat schizophrenic about our collective approach – how must our donors feel? They can't choose a hard or a soft side – they have to function with both.

I believe it is our job to help build a bridge for our donors between the harder aspects of estate planning, and the softer more emotional side of planning for their own death. This belief has recently been affirmed for me on two occasions. Both involve an only child, and the stakes for the donors are much higher for that reason.

Mr. Jackson's* story

Mr. Jackson called me to discuss leaving a gift to our organization in his will. He had a fairly specific idea about what exactly he wanted his bequest to accomplish, and he was anxious to finalize his estate plans. He wanted to move everything forward very quickly.

In spite of my offer to go visit, Mr. Jackson preferred to come into the city. In his early 80's he was still able to manage the hour drive to downtown Toronto. So there we sat, in our boardroom, looking at maps. As I listened to Mr. Jackson talk to our program director, I started to worry that this gift was going to be too restrictive. The conversation was going around in circles, and I was no longer sure where it was headed.

And then it occurred to me. The 'hard' and 'soft' side of gift planning was all muddled up…for Mr. Jackson.

We had to shift gears.

After a few open-ended questions, I learned his wife was going into surgery the following day, that they were going to move soon, and he had been researching nursing homes. His son was in the social services system, and would require daily care for the rest of his life; consequently their only child was unable to help. I also learned that he was a little tired and that he loved orchids.

Wow… the way forward became very clear. This is what I said:

"Mr. Jackson, I think we may want to tackle this two different ways. First, let's prepare you for the visit with your lawyer next week by deciding how to talk about this bequest in your will. It works better for us to keep the gift designated to the program you like generally, rather than to be too specific, since we don't know exactly what the priorities will be many years down the road. Does that sound okay with you?"

"Yes."

"Secondly, let's talk specifically about a place that you love. We have a nature reserve with over sixteen species of rare orchids; people travel for hundreds of miles to come and see them. We could thank you for your gift by putting a bench in a quiet place for people to sit and enjoy the orchids. Further, we could do that now so that you can go and find some peace of mind there.

Does that sound okay with you?"

My Jackson's eyes glistened, his face softened and he took a deep breath and said yes, he would like that very much. We then proceeded to tackle the hard side and soft side of Mr. Jackson's estate plans together.

Mrs. Smith*

A few months into my current job I had to write a thank-you letter to go with a receipt for payment of an insurance premium.

I had absolutely no idea what this was about.

In the red estate file I saw letters from lawyers and a really thick insurance policy. Upon the death of Mr. and Mrs. Smith, our organization would be the beneficiary of a million dollars. With that money we would create a nature reserve in the name of "Jim Smith".

I was over my head. Without any background or context, it was probably best to write the letter and send the receipt as had obviously been done the year before.

The following year I had to write the thank-you letter again.

Having been on the job for awhile, I had time and the mental space to become more curious about this annual transaction. I went back to the file, and learned that "Jim Smith" was the deceased son of Mr. and Mrs. Smith.

This year the tax receipt would be delivered in person.

Mrs. Smith was very pleased to welcome me into her home. We looked at her garden, talked about her dog, and settled in with a hot cup of tea and some cookies. At one point I said, "Can you tell me about Jim? Is it okay to talk about him?" Not only was it okay, it was welcome. Mrs. Smith told me about her son, who died tragically at the age of 19 from a rare form of bone cancer. We talked about his long battle with cancer, his friends, his funeral, and all the kids who came to it. We talked about the hole Jim's death left in their lives, as he was their only child. I learned about a boy who had good marks in school, a lot of friends, and loved nature. In fact, once Jim stopped a car full of teenagers to help an injured bird on the side of the road.

Mrs. Smith and I did more than share a cup of tea that day; we also shared a few tears while looking at pictures of her son.

On my way home I realized that every time Mrs. Smith writes a cheque for the premium on that life insurance policy, she remembers and grieves for her son. Her connection to our charity is a way to keep his memory alive. Knowing that one day a piece of nature in Ontario will be protected forever in his name will be a living legacy for Jim.

There was so much more to this red estate file than a thick insurance policy and letters from lawyers. When I got back to the office I phoned Mrs. Smith and thanked her again for her time. I explained that the estate file was pretty dry reading, and asked if she would consider writing down Jim's story and sending us a few pictures. That way everyone who comes across this file will know how very important the thank you letter is. Of course she was very happy to comply.

The planned giving program in my organization is extremely active this year, with well over twenty confirmed bequests in the past four months, and six conversations with donors about their estate plans in just a few weeks.

It is time for me to learn more about the technical aspects of planned giving. So last week I attended my very first Canadian Association of Gift Planning national conference. Sitting in Frank Minton's session was a little bit like what I imagine it must have felt like to hear Moses speak. I felt humbled and inspired to learn more about the technical side of gift planning.

I also felt reassured that I am pretty good at the soft side.

I hope we can all start to be more intentional about building a bridge between the hard and soft side of gift planning, regardless of which side you are starting on.

The hard side of fundraising does address the intellectual side of how to reduce the taxes on an estate so that our donors can leave more money to their families and to charities. We do need to have a basic understanding of the options available when a dialogue with our donors about their estate begins. However, I believe that really successful fundraisers aren't successful because they understand how to eliminate taxes on an estate. I believe fundraisers are successful because they are empathetic, emotionally intelligent, and are able to move beyond the intellectual aspects of gift planning to the emotional side of planning for the end of life.

The decision about WHICH charity to choose at that time isn't one that can be made from the head; it is one that is made from the heart and from the soul. A more important part of my job, and I believe yours too, is to offer our donors understanding and hopefully some peace of mind, knowing that their values will live on.

Please don't wait until you understand charitable gift annuities before you start talking to donors about their estate plans. Gather some basic legacy information, a few good advisors, find a mentor and jump in now. You will be glad you did.

**names have been changed to protect privacy*

Kimberley MacKenzie specializes in quickly building and restructuring fundraising programs to exponentially increase revenue.

In her ten years as a fundraiser she has worked for regional, provincial and national organizations. During her leadership, the Lake Simcoe Conservation Foundation increased revenue by an average of 35% per year for four years and received the small organization award for excellence in fundraising from the AFP Toronto Chapter. Kimberley was a key force in the development of the Showcase of Fundraising Inspiration and Innovation WWW.SOFII.ORG. She now serves as Director of Development for Ontario Nature. You can chat with Kimberley on twitter via @kimberleycanada or read her blog kimberleymackenzie.blogspot.com.

The Insurance Surprise
(What could possibly go wrong?)

BY LINDA CLEMOW, CFRE

I hope I'm not the only one who remembers the days when talking to potential donors I felt obliged to talk about every planned gift vehicle anyone could potentially care to ever consider making.

I was an enthusiastically brimming gift planner, full of theoretical knowledge, who could pull off my elevator pitch with any gift vehicle at the ready.

I knew how to market these gifts, too.

Once I had a 'live one', I would use my powers of persuasion to convince the individual to go public with the choice, resulting in encouragement for others to follow suit, ensuring the future of the charity they loved. I was quite convincing as I involved donors in writing about their legacy gifts, ensuring I had captured the essence of why they had made the gifts, while being careful not to scare them off.

While working at one charity, I made a presentation to the Board about the many benefits of planned giving and why someone would choose one type of gift over another. I included theoretical knowledge about bequests, life insurance, charitable gift annuities, real estate, trusts – *inter vivos* and testamentary. I encouraged each of them to consider how they might make their own gift – the one that made the most sense to them. I also asked them to allow their story to be told in the local well-read tabloid, and that they would be a pioneer and a hero for the future. Their story would inspire others to consider their own personal legacy.

What could possibly go wrong?

During a break at the Board meeting, one high-profile Director came to tell me he was interested in making a gift of life insurance! Better yet, he wanted to make his announcement to the whole Board immediately after the break, challenging them to decide what gift opportunity they would consider. He agreed to have an article written about his gift, and was going to move forward to speak with his insurance broker the very next day!

At the risk of repeating myself, what could possibly go wrong?

Right after the break, he made the surprise announcement to the Board. You could tell he felt very proud to be leading the way and knew he'd be an inspiration to others through his story. We agreed to speak further once he had met with his broker and the process was underway.

Several days later, I had a phone call from the Director. His voice was hushed as he told me he had been advised he no longer qualified to purchase life insurance. He had not passed the medical. I could hear he was struggling with this information, obviously for many reasons. He didn't see a way out for him and wondered what he would say at the next Board meeting.

We discussed other potential gift options, as he was steadfast in his decision to make a planned gift. As we talked, he told me about a million dollar policy he currently had in effect, and wouldn't it be great if he could gift that to the charity – but he needed it as it formed part of his estate plan. If he could gift this – but he couldn't – he would be able to announce to the Board that he had followed through on his stated commitment and made a gift of life insurance.

The wheels were turning as we talked about the possibilities.

We had an idea. What if he could take a portion of his current policy and make a gift of that? It would be a solution, and no one would ever have to know he didn't qualify for a new policy.

This time, nothing went wrong. Thankfully, after discussion with the broker, everything fell neatly into place.

One-quarter of the policy - $250,000 – was portioned off as a donation to the charity.

The gift was successfully made and the announcement celebrated in the charity's newspaper. The day was saved – as was the Board member's integrity. It was quite a learning experience for me.

That's when I decided my main focus in planned giving would shift to bequests.

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What Could Possibly Go Wrong (Continued)
Ask the price before signing the cheque!

BY JOHN WEBSTER HOCHSTADT

During my first year at a downtown Toronto hospital, I received a call from a very excited insurance broker who had just "funded an annual lecture using a life insurance policy!"

He came in to my office and explained how he and the chief of surgery had developed a plan to support an annual lecture in the surgeon's specialty, with a policy on the surgeon's life. He asked me to prepare the paperwork for him to sign it over to the hospital Foundation.

Stalling for time to think, I asked how this had happened below the radar of the all-seeing, all-knowing development team. 'Norm' told me he was the surgeon's patient, and had several scars to prove it. They had become if not friends at least acquaintances, and had worked out this idea between themselves.

The policy had a death benefit of $100,000 - nothing to sneeze at, but given the surgeon's age (around 40), I wondered how much income the fund might generate 3 or 4 decades in the future, and how far it would go toward achieving the stated objective.

Norm did understand the issues when I raised this question, and I asked for some time to explore an appropriate budget for the annual event the surgeon had in mind. We would then work back from there.

Looking at annual lectures and other events already funded, and the budget lines which were likely to increase over time, it looked like the policy would come up short.

Seriously short.

Attracting future stars to lecture in his specialty, our donor (and he had already been very generous to the hospital to that point) had to consider:

> a respectable honorarium;

> business-class travel, perhaps internationally;

> upper-end hotel accommodation; and

> a suitable venue with amenities laid on.

To be on the safe side, I suggested doubling the face value of the policy.

When I saw Norm again to explain this, he seemed a bit sheepish. I could see he was not looking forward to telling the surgeon he had to double up on his premiums.

I asked which he thought the doctor would prefer: paying more now, or having future attendees at his named lectures observe a clearly underfunded event, without the intended profile and amenities.

To soften the blow, I offered to join Norm in meeting with the doctor. I had never met our surgical chief, so I had my own agenda for getting invited along.

Our meeting went extremely well. The doctor didn't even flinch at the added cost, when I laid out a sample budget for him. The lecture would perpetuate his name at the institution, which had realized many world-class standards, and surgeons rightly see themselves at the forefront of the hospital's reputation and prestige.

His commitment was sincere, and he told me about past gifts to the hospital from patients he had encouraged. His gift-planning instincts were pretty good, and he was willing to learn more to make them even better.

John Webster Hochstadt (webster@jrtwave.com) is the Editor of Gift Planning in Canada - until the end of June.

The Hard & Soft Skill Discussion Series: *Splitting the Hard Side*

BY NORMA CAMERON, CFRE

In the field of Gift Planning, we often use the terms "hard" and "soft" to refer to the technical versus the relationship side of our work.

As any gift planner knows, you need to be well versed in both areas to provide the best possible service to donors. While there doesn't seem to be any doubt that we need to excel on the relationship side, when it comes to the technical side of the equation, there's a wide range of opinions as to how much is enough.

As someone who started their career in the financial industry before stepping over into the non-profit world, I am comfortable with numbers as well as technical and legal text. However, even with this level of confidence, I spent a long time trying to figure out what I really *had* to know about the "hard" side versus what was *nice to* know to serve my donors.

I found this was a common dilemma among fundraising colleagues.

How savvy do we have to be when it comes to financial information?

When are we crossing the line from providing information to providing advice?

Even with disclaimers posted on handouts and explained in conversations, there was always that nagging concern I might be overstepping the boundaries, or failing my donors.

Then, when I started to teach gift planning courses, this question turned into a quest for enlightenment – as I thought it only right to provide some guidance. And then, as if someone out there heard my plea, a couple of years ago, during a webinar that DeWayne Osborn C.G.A., CFP was presenting to a mixed audience of fundraisers and professional advisors, I heard him speak to this very issue in such clear and decisive language, I knew I'd struck gold.

By the way, for those of you who don't know DeWayne, he's the General Manager, Compliance Officer at Lawton Partners and the wizard behind ***A Charitable Guide to Planned***

Giving website resource, and someone I've known for years. So, I followed up and he said I could share his nuggets of wisdom with others.

It only seems appropriate to use this space to congratulate DeWayne Osborn on winning two CAGP awards this month - the Manitoba RoundTable Friend Award, and the 2011 Friend of CAGP-ACPDP (co-winner) - and to thank him for his significant contributions to the practice of gift planning, and for the increased understanding he has provided for many practitioners who have benefitted from his expertise and perspective, as evidenced by the clarification that follows.

For me, his approach to this topic provides guidance as to what a gift planning officer (or the charity, for that matter) needs to know when it comes to technical knowledge, versus what they need to be able to talk about, but only in general terms. I realize there's no such thing as "one size fits all", but this is one of the most concise descriptions I've come across and hope you find it interesting and useful.

DeWayne Osborn's Wisdom:

The *Direct* Savings – i.e. the tax receipt is the "domain of the gift planning officer/charity." In other words, the charity is directly responsible for valuation and issuance of the tax receipt and therefore the gift planning officer must be able to explain with comfort and confidence what the dollar amount on the tax receipt will be for each and every type of gift the donor makes (plus any additional information that would need to appear on the tax receipt – e.g. split-receipting info, etc.). This is the responsibility of the charity and the outcome (the tax receipt) provides the donor with a specific, known, amount that can be used by them for future tax savings related to their annual tax returns.

The *Indirect* Savings – the additional "tax savings" are the domain of the professional advisor (in other words, the PAs are responsible for calculating and advising on these topics - these will be in the form of refunds/savings related to their annual tax returns). While it's still important for the charity-based gift planner to be able to *explain the additional tax advantages of various type of gifts in a generic format* (e.g. illustrations and calculations) – it is not the responsibility of the charity-based gift planning officer to provide the actual valuation of, or the breadth of these tax advantages (e.g. tax effects on other investment holdings, personal corporations, business succession plans, trusts, and so on that are "indirectly" related) – nor are they licensed to do so.

This is a huge topic and I know I'm only skimming the surface with this offering, but I hope it will encourage others to share what has worked for them in coming to terms with the delicate balance of what a gift planner needs to have in his or her toolbox.

I'd love to hear your comments on this, as I know DeWayne would too, so please feel free to email either or both of us.

You can reach DeWayne at: dosborn@lawtonpartners.ca, and Norma at thenarrativecompany@telus.net

Norma Cameron, CFRE (thenarrativecompany@telus.net) works with clients across Canada as a fundraising and communications consultant through her business, The Narrative Company. She believes passionately in the need for clarity in vision, mission, and goals, plain language in all communications, and tapping into the unparalleled power of story to motivate teams and attract support. She is part of the CAGP Teaching Faculty and, as a speaker and seasoned storyteller, she has performed at conferences, concerts, and festivals in Canada, the USA, and the UK.

Whoopie! We're All Goin' to Die!

BY DAVID LOVE

This is a book review of Michael Adams' latest book: Stayin' Alive: How Canadian Baby Boomers Will Work, Play and Find Meaning in the Second Half of Their Adult Lives.

Why should you care about this book? Well, there are over 9 million boomers in Canada - almost 50% of the adult population of the country. And, in their unique way, these folks are going to be obsessed with leaving a legacy.

So, the boomers matter and this book is a must-read.

To get in the mood, do one of these three things:

Download Country Joe's "I Feel Like I'm Fixin' to Die Rag" from the Woodstock soundtrack;

Watch "Easy Rider";

Read Norman Mailer's Miami and the Siege of Chicago

In 1996, Michael Adams wrote Sex in the Snow: The Surprising Revolution in Canadian Social Values. In this delightful book, Michael took a different kind of look at people. Instead of looking at their demographics, he looked at their values.

In doing so, he determined there were three main groups: The Elders, the Boomers and the Gen Xers. He further broke down the groups into tribes, and, for the Boomers, he proposed four tribes: Disengaged Darwinists, Anxious Communitarians, Connected Enthusiasts, and Autonomous Rebels.

In his 2010 book, Stayin' Alive, Adams confirms his four boomer tribes. Here are the top-line facts for each tribe.

Disengaged Darwinists make up fully one half of the boomers. Most of them are men (58% to 42%) and these boomers wish the whole thing never happened. They prefer the world their parents lived in. They are most likely to be in their first marriage, they are risk-averse, and they respect authority.

Anxious Communitarians make up just 12% of boomers and most of them are women (61% to 39%). They are a fairly "straight-laced" bunch who yearn for status recognition and frown on sexual permissiveness.

Connected Enthusiasts make up 21% of boomers and most of them are also women (58% to 42%). They are self-employed and they like to be in control. They are avid social learners (they are on Facebook and Twitter) and they are tolerant of other ethnic groups and ideas.

Autonomous Rebels make up 19% of boomers and show no gender bias. They are the group most likely to be divorced and they reject authority and crave recognition.

These simplistic summaries barely scratch the surface. Each tribe is fascinating in its own right and each will respond to very different appeals. And with sparkling wit and energetic prose, Michael takes a closer look all of them.

If you have read this far, you may be wondering again what this has to do with gift planning.

Well folks, a decision to leave a legacy is driven by values. Not demographics and not necessarily wealth.

It seems all boomer tribes are interested in exploring leaving a legacy. It remains to be seen whether this will largely be through gifts to charities.

But it is our challenge to talk with each tribe in an inspiring way. Treating all boomers the same is a huge mistake. With Stayin' Alive by our side, we can target each boomer tribe to reflect their values.

But how do we find out which tribe a donor belongs to? Perhaps we can design online surveys that will determine which values are most important to each donor. (All boomers love being asked for and giving advice!)

This wonderful book provokes this and many more questions.

So go buy Michael's book, find a quiet corner and enjoy the read. The same generation that redefined being a kid, being a young adult, and being a concerned citizen in a crazy world is about to reinvent, among other things, retirement, health care, financial security, and yes, even death - which some boomers see as a curable disease.

But coupled with the infamous wealth transfer is a huge population of people with strong values that may translate into tremendous good being done for our ailing planet.

When considering the question: "Is that all there is?" the boomers will make a final grand gesture. As gift planners, we want to help them do it and we want to be there when they do.

David Love has been raising money for 35 years. He is currently the Executive Director of The Conservancy of Greater Toronto and a member of the GPIC Editorial Advisory Board. David would be delighted to hear from GPIC readers. Please call him at 416.667.6291 or email him at dlove@trca.on.ca.

THE LAST WORD

First-Ever Legacy Giving Day to Take Place in September 2011 - you heard it here first!

BY NATASHA VAN BENTUM, CFRE

International Legacy Giving Day 13.09.11

There must have been something in the air last fall and early winter when I was writing for GPIC about legacy awareness campaigns in other countries. (Please see GPIC September 2010: Switzerland and Spain; GPIC December 2010: UK).

Wheels have since been set in motion and so far Australia, Belgium, Canada, Ireland, Netherlands, Norway, Spain, Switzerland, and the

United Kingdom have joined forces to mark the first-ever International Legacy Day, to be held Tuesday, September 13. Canada will have two participants, the major national Leave a LegacyTM campaign, and the new Give Green Canada initiative promoting green legacies for conservation and environmental groups.

Participating countries and agencies are:

- **Australia** Include a Charity is "designed to raise awareness of the ease and effectiveness of leaving a gift in your will. It encourages people to consider leaving a gift to charities after considering family and friends. Include A Charity is the result of over 108 of Australia's favourite charities working together to do what no single charity has ever been able to achieve on its own - change the way Australians think about including charities in their will".
- **Belgium** Testament
- **Canada** Give Green Canada - green legacies for environmental and conservation organizations
- **Canada** Leave-a-Legacy TM – Canada's major national campaign from CAGP/ACPDP
- **Ireland** My Legacy "comes out of a partnership between Ireland's leading charities. Good causes that have come together to help kind and thoughtful people to make their mark on the world by leaving a legacy to their favourite charity. Leaving a legacy is something that everyone can do regardless of their income. MyLegacy.ie is here to help people from all walks of life to go on making a real difference to the causes they care about after they've gone".
- **Netherlands** Campagne Nalaten
- **Norway** Soria Moria
- **Spain** Legado Solidario – see GPIC article September 2010
- **Switzerland** MyHappyEnd –see GPIC article September 2010
- **United Kingdom** "Remember A Charity" formed in 2000 and now has over 150 members who work together to encourage more people to consider leaving a gift to charities in their will, after they've looked after their family and friends. Together, they aim to do what no single charity can do alone, making legacy giving a social norm. (See GPIC article December 2010.)

Who Started It?

Rob Cope, Executive Director of the UK's Remember a Charity, is lead instigator of the global alliance. The September date coincides with their Remember a Charity week.

Consultations were made with participating countries around choosing an international day. While many groups have their own legacy week or day, it was agreed a date that ideally suited everyone was unlikely, so the September date was agreed by all.

Rob told me, 'Many of our most loved good causes would not exist without legacies. This is the first time that charities from across the world are coming together to raise awareness of this vital form of giving. The awareness-raising day hopes to emphasize the value of charitable legacies and encourage more people to consider leaving a gift in their will in whatever country they reside. Both charity staff and the general public will be targeted by this message".

According to Rob, when it comes to legacies, unfortunately too many charities in the UK don't take legacy marketing seriously (or lack the means to do so). But he realizes this problem isn't just restricted to the UK. Charities across the world face the same challenge.

Sharing Lessons Learned

So it is also hoped this global alliance will allow the various legacy campaigns to work together and learn from one another.

Details are being worked out and a logo designed, but so far several participating countries will organize activities throughout the day, some working with will-writers and corporate partners.

Switzerland's "My Happy End" recently announced they will partner with the national Swiss association of notaries, and also move their TV ads to that week. The Australian campaign "Include a Charity", with 108 member charities, will broadcast tailored TV adverts, amongst other activities.

Let's wish all the participants well in this first-ever global initiative. Together there is wealth of talent and experience and hopefully we can learn from one another.

Look for more details on the *Remember a Charity* website, or you're welcome to contact the author for further information.

Natasha van Bentum, CFRE, is a member of GPIC's Editorial Advisory Board, and is Outreach Advisor and Director of Give Green Canada, http://GiveGreenCanada.ca. a project at Tides Canada Initiatives. Give Green Canada evolved from Green Legacies, in turn inspired by Leave a Legacy. So you could say Give Green Canada is the grandchild of Leave a Legacy. Natasha now mentors and teaches a new generation of fund development practitioners through the "Jumpstart" TOOLKIT, a resource for environmental NGO's focusing on gift planning with an emphasis on legacies. Natasha can be reached by email at vanbentum@gmail.com

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