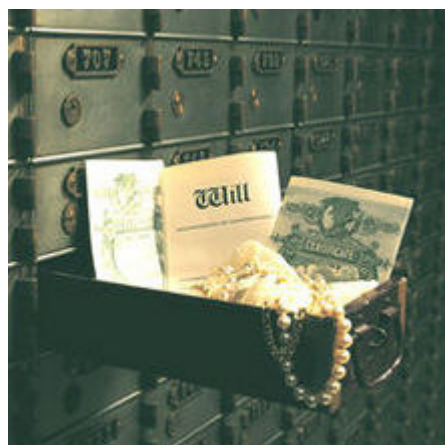


Distributing cherished objects

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by Mary Klest, Eons contributor

Billions of dollars are bequeathed each year in the United States, and about two thirds of that money passes from parents to children. Distribution instructions for money are usually well-defined through legal documents and state law. But what about all the "stuff"? Jewelry has no legal title; an oil painting cannot be split several ways.

Attorneys and families agree that the transfer of non-titled property (personal belongings) creates more challenges for family members than the transfer of real estate and IRAs. Bruce Roberts, an estate planning attorney since 1968, says, "Make it very clear in your will or trust what you want to go where." One of his first cases involved a wealthy woman whose estate was worth millions of dollars, yet her three daughters engaged in a bitter legal battle over a two-dollar glass boat trinket that their father had won at a fair.

Parents, he says, should anticipate problems and explain their reasons for distribution instructions. However, making decisions about personal belongings is perplexing for many people. In a study, Marlene Stum, professor of family economics at the University of Minnesota, found that most families wrestle with deciding what is fair and who should make decisions about transferring personal possessions.

She advises families to set goals and determine what they want to accomplish. Then, begin a conversation. Parents should ask children or other family members what they want, and children who don't know their parents' wishes should be sensitive but forthright. Stum suggests phrasing questions as "what ifs." For example: "Dad, have you given any thought about what you would want to happen to your things if you were to move to a smaller place? What concerns or special wishes would you have?" Or describe to your parent how a friend distributed his belongings and then ask, "What would you have done if you were in that situation?"

Preserving family history

One of your goals might be to preserve family history. If so, be sure to relate the background of a cherished object to someone who can appreciate it. Kathy Simonsen, the oldest in her family, remembers: "In my last conversations with my mother, she told me that she wanted me to have the Irish Belleek beehive honey jar because I understood its value. While I sincerely loved the piece, it was her trust in me to be the protector and caretaker of this family treasure that touched my heart."

Simonsen acted as the family historian, wading through piles of photographs, files, and furniture to help determine what would stay in the family and what could go to charity, a garage sale, or auction. When the value of family possessions is uncertain, an estate appraiser can provide an unemotional evaluation.

Family unity

Another goal might be to preserve family relations. Take a lesson from author Bryan Bell, author of the online book, *Lessons in Lifemanship*. "Relationships are more important than money or possessions," he says. "Siblings who may not feel very close at the time of an estate settlement find frequently that, with time, they grow closer together. It is unfortunate to destroy this possibility in a distribution feud, especially when the frequent result is that no one wins."

Remember: It is the sentimental meaning and memories that people attach to things which can cause either trouble or connection between family members.

Being fair

This key is that all family members must view the distribution method as fair. The Garvey family decided they would begin by offering the oldest first choice and then working down to the youngest. When they moved to the next room, the child whose turn it was would get first choice in that room. "It was the method used by our father in his family," explains Ann Garvey. "There was a loving fairness to it because some siblings picked objects to give to other relatives." For instance, her sister picked a sterling silver set to give to her niece as a wedding gift.

Other families pick from a deck of cards to see who will go first. Some hold a private or silent auction using fake or real money to "buy" items. This allows less assertive family members to have a say.

Whatever method you use, agree on who will participate. The best policy, experts say, is to include everyone; don't ask some in-laws or some grandchildren and not others.

Looking at how things were done in the past in your family may be helpful. Were the distributions always equitable? Think about any exceptions to the rules. Why were they made and how did your family get around resentments? Lifestyle should also play a part in distribution choices. Unlike money, belongings need space, and some people may have limited ability to house them.

Brian McGrath, a single apartment-dweller, described the intimacy he felt when his mother granted him a special gift: "My mom wanted to make sure I got the crystal wine

decanter. I'll never forget how touching it was that she knew I wanted it." Later, he learned that his mother had shared such a moment with each of her children, designating different objects for each one.

Keeping it in the family

The stamp collection that Franklin Roosevelt started at age eleven was sold at a public auction after his death. If your goal is to keep something in the family, tell someone, and write it down. Ben Berkley, author of *Last Wishes*, says, "You can make a note (handwritten or typed) that includes the names of recipients and descriptions of the items. Sign and date the note, and fasten it to the will." Talk with an estate planning attorney to verify whether your state accepts such documentation; some states do not.

Contributing to society

People who hold a broad view of the common good often think beyond their own families. Specialty museums and historical societies will preserve valuable collections and treasured objects for future generations. If none of the children can fit the family dining room set into their homes, donate it to a museum that collects such furniture or to a charitable organization that can auction it at a fundraiser. Many resale shops also donate proceeds to a worthy cause.

Funds for special things

For families who think they have nothing of value to leave, remember that money for college tuition, a wedding, or even babysitting is a gift that will keep on giving throughout a lifetime. My friend Trina said she doesn't care about getting possessions from her parents. What she relishes is a series of letters her dad wrote to her during a troubling time in her life.

Author Roy Peter Clark in a tribute to a friend and mentor wrote: "I've come to believe in the give and take of personal legacies, that life is primarily about the inheritance of things from those who come before us, and about sorting out the good from the bad, and about passing along to the next generation our own version of the good. The take and the give."

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