

Presentation Notes for Untapped Potential: Tools for Your Strategic Legacy Program

SLIDE #2 – AGENDA

- How to develop, manage and build a legacy program including stewardship and recognition of donors.
- Some tips for communications and marketing.
- The types of legacy gifts with a focus on bequests.
- The aspects of estate administration are important for an organization to know.
- Policy development as the foundation for your program.

SLIDE #3 – SETTING THE STAGE

- Over 1 trillion in assets have been transferred from older to younger generations between 2016 and 2026.
- Whether passed between spouses and partners or from parent to children, this transfer of wealth will most likely rest in the hands of women before being passed along to the next generation. Some inheritors belong to younger generations, but this wave is partly driven by life expectancy: generally, women over the age of 75 outnumber men due to their good fortune in living longer. It is these women, along with the generations that follow, who will play a key role in the charitable sector.
- Men and women have different approaches to charitable giving.
- Women are driven by issues and have confidence in the charitable sector to get to the solutions. They appreciate the social aspects of giving and are active in supporting causes that are important to them during their lifetime.
- It has been suggested that men equate wealth with achievement and prestige. Women view wealth in terms of financial security and their ability to influence the well-being of their family and those less fortunate.

- Women are also more likely to involve their children and grandchildren in their giving. In terms of causes, research suggests that women are more engaged with relief of poverty, health issues, children, women's rights and education. Men, on the other hand, often focus on large organizations and international causes.

SLIDE #4 – SETTING THE STAGE (CONT'D)

In March 2026, the Canadian Association of Gift Planners ("CAGP") released [Legacy Giving in Canada](#) (the "2025 Report"), a national study examining trends in charitable bequests, gifts in wills, and estate planning. The research was produced by the CAGP Foundation for its Will Power campaign, aimed at encouraging Canadians to leave charitable gifts in their Wills.

The Report found that the number of Canadians leaving charitable donations in their wills has doubled from 5% in 2019 to 10% in 2025, with 44% of Canadians saying that they are likely to leave a gift in their will to a charity.

It also found that 51% of Canadians have a will from the age of 35 and up. When factoring that in, people are more likely to write a Will as they age, they saw that once Canadians are 65 and older, the vast majority have a will, and by the time they are 75 years or older, they are less likely to change their Will.

It also identifies a notable shift toward younger donors, Canadians from diverse cultural backgrounds and middle-income households showing greater interest in leaving charitable donations in their wills to create a lasting impact and support causes align with their values.

However, it was also noted that many remain in the decision-making phase or cite practical barriers such as needing more information about estate planning, or choosing which charities to support.

SLIDE #5 – WHAT IS GIFT PLANNING?

What we are talking about is strategic charitable giving.

Key elements – focussed - thoughtful – more than cheque-book philanthropy. Often a gift of assets involves working with professional advisors such as lawyers, accountants and financial planners.

All with the donor in the centre of the conversation with the goal of meeting their intentions while taking into account their personal and family needs.

Why gift planning matters to your organization?

- Legacy gifts can be game-changing.
- They can provide future growth and strength of your organization.
- Legacy gifts are excellent return for relatively little cost or upfront investment.
- And they have the ability to sustain certain programs, add capacity, establish endowments, or launch major new initiatives.

Some characteristics of a legacy gift are:

- That they are future gifts.
- They are generally larger gifts that can make a significant impact.
- The donors generally tends to self-identify.
- The gifts can be revocable – meaning that the donor can change their mind at any time and change the beneficiary – this plays into your role in stewarding the donor and the gift.
- For the most part, people give because they are touched by your cause and the impact of the work of your organization on their lives or the lives of those they care about.
- Tax considerations are generally low on the list of “why” – tax will drive the type of gift and the timing of that gift, but it is generally not the reason a donor wants to give.

SLIDE #6 – HOW TO GET STARTED

To establish a legacy program, there are three things to consider to ensure the success of your program.

1. **Strong donor base** - the size of your donor base is the most important variable in deciding to implement a legacy program.
2. **Strong Board commitment** - Board and senior management must understand and support a legacy program.
3. **Strong infrastructure** – your organization needs to invest time and resources to develop gift acceptance and investment management policies, as well as systems to market and administer legacy gifts.

SLIDE #7 – STRONG DONOR BASE

What makes up a strong donor base?

- Your most loyal donors – the ones that have been giving to your organization year after year. The gifts may be small, but they have been consistent.
- Donors who have given to one of your annual or capital campaigns.
- People who have benefitted from the services and programs of your organization or whose friends and family members have benefitted from those services or programs.
- Don't forget about your board and volunteers. They obviously are already committed to your organization.

Generally, when we think of the typical legacy donor:

- They are aged 60 plus; single or widowed.
- They have a history of larger gifts; strong affinity with the charity.
- They have secure financial status with appreciable property
- Those who have been previously stewarded.

SLIDE #8 – STRONG BOARD COMMITMENT

Legacy gifts are future gifts and will not meet the immediate needs of your organization.

Considerations for Board Commitment include:

- Whether the Board understands the benefits vs. the realistic time frame of a legacy program? As unrealistic expectations can doom a legacy program before it ever gets off the ground.
- Are you able to provide an example of an estate gift that your organization has received that proves the financial benefits of implementing a legacy program?
- The Board will need to know the potential costs of launching a legacy program. Create a proposal for approval by the Board.
- Establishing a legacy program is of relatively low fundraising cost; with a high return on investment over time

SLIDE #9 – STRONG INFRASTRUCTURE

- You need to have a way to capture data. Many charities use Raiser's Edge to track gifts made, phone calls received, what letters or cards have been sent, what events donors been invited to and who came, etc.
- Establish gift acceptance policies that address:
 - What types of gifts will your organization accept
 - What circumstances can a gift be accepted
 - Through what means can a gift be accepted
 - Who has authority to accept a gift for your organization
- Have some draft Will wording prepared ready to send to donors or professional advisors when they call.
- Create a simple legacy brochure, which it can be done in-house
- Familiarize yourself with the different types of legacy gifts and the tax advantages of giving. You don't need to be an expert, just be aware of the options available.
- Ensure your staff, volunteers, and board members also know about gift planning so if they receive an inquiry that they know who to direct the donor to within your organization.

SLIDE #10 – TALKING ABOUT LEGACY GIVING

When you are talking about legacy gifts with a potential donor, your role is to listen for clues. Listening to them and exploring how you can help them plan their gift will be through the questions you ask and the conversations that flow.

You will want to ask open-ended questions, such as:

- What is their connection to your organization
- How has your organization helped them or a family member
- How do they want to be remembered
- Have they been the recipients of someone else's generosity

Over time, with your knowledge of your organization's programs and funding needs, and the types of gifts that you can accept, you can guide the donor to seek the appropriate advice to structure the gift.

As you listen, you build trust for the long-term and can start to tailor your approach.

SLIDE #11 – DONOR CENTRED APPROACH

The focus of your cultivation and stewardship activities is the donor, not your organization. You need to be donor-centered.

Your role is to engage the donor in meaningful conversations.

By listening, you will understand WHY that donor is wanting to support your organization. Understanding the 'WHY' is paramount to help them realize their philanthropic objectives.

It is with a listening ear and an authentic interest in the donor's goals and interests that you will come to the point where their interests meet your organization's goals.

Yes – share information about your organization but listen first.

By learning more about the donor, their motivations and what they want to achieve personally and for your cause, you can better match your mission with their interests and ways that work for them to give.

SLIDE #12 – CULTIVATION TO COMMITMENT

- Cultivation is all about relationship building between a donor and your organization.
- Always follow up on new inquiries and ensure that your response to your donors is timely.
- Meeting a donor face to face is the most effective process; but after 2020, I have found that many donors also want to reach out in different ways; phone calls, virtual visits, and e-mails.
- The purpose of cultivation is to show prospects that by leaving a legacy gift, it is both beneficial to them as the donor and to your organization.

- You want to make the donor feel appreciated and keep them invested in your cause for the long term.
- Working with the donor and, if possible, their advisors, will ensure that they understand the commitment that they are making to your organization, and they will follow through.
- Be mindful, that the topic of legacy giving may be sensitive to some donors.

SLIDE #13 – CONFIRMING LEGAL COMMITMENT

How do you know when a donor has included you in their legacy plans?

It can be challenging to determine whether the donor has made a future gift to your organization, either by Will, or an RRSP designation, Life insurance, or other giving vehicles.

A lot of legacy gift commitments can be vague.

Generally, you will only be aware of 20% of future legacy gifts, so there are an additional 80% of gift commitments that you likely don't know about.

SLIDE #14 – WHEN IS COMMITMENT A REAL COMMITMENT

When determining if a donor has made a legacy commitment to your organization, here are some of examples that you can rely on:

- If they checked the box on a direct mailing piece indicating that they have included you in their Will.
- Did they request some sample Will wording from you?
- Did they verbally tell you?

When you consider a donor to be in “Commitment” use your best judgment and if you steward the donor properly, chances are they won't change their mind and your organization will receive a future gift.

SLIDE #15 – ONGOING STEWARDSHIP

Whether your donor has verbally let you know that your organization is in their Will, or they checked that box on your direct mail piece, you will want to maintain an ongoing relationship with the donor.

The purpose of stewardship is to keep the donor interested in your organization, so they remain a committed legacy donor.

Some stewardship activities include an invitation to an annual donor tea, or recognition on a donor wall.

Some organizations create a legacy circle to recognize a donor's commitment.

I recommend four stewardship touch points per year, these can include:

- A phone call to say thank you for their recent gift
- Sharing annual newsletters and impact stories
- Sending a card (holiday, birthday or anniversary)
- Invitation to events – not just fundraisers
- Invitation for a tour of your organization or a means to connect with your mission
- Receiving your Annual Report or being invited to your AGM

These types of contacts will keep your organization in the forefront of that donor, but you don't overdo it.

If you have a donor that indicates they don't want to receive such invitations or mailings, or they wish to be anonymous, you must honour that request.

SLIDE #16 – COMMUNICATIONS & MARKETING

In your communications and marketing plan you want to be Donor Centred – understand your market – do you have an older donor base? Are you trying to engage millennials?

You want to be Impact Centred – show how the gift impacts the cause - for example, if you are a school: educating children and the thought leaders of tomorrow. Use testimonials from students, teachers, and alumni.

And be Future focused – think long-term – how will their future gift impact your organization.

There will always be a need for people who rely on your organization and the programs that you are delivering.

When you are thinking about your marketing program for legacy gifts think about your donor demographic, who are you serving?

Tell the story. Write about the impact of the gift and the donor who made it possible in your newsletter, blog post, or other ways that you communicate with your donors

SLIDE #17 – COMMUNICATIONS & MARKETING (CONT'D)

While you want to be creative, you also have to be consistent. Make sure that your organization's branding is the first thing the donor identifies with.

Keep your communications and marketing simple. Don't over complicate it with design.

Also, think about the cost and the donor's perception that you are wasting valuable money on high-end marketing material.

Use real people in your marketing material. Use donor stories, show the impact those gifts make.

Pitch "estate or legacy gifts" NOT "planned gifts" – most people don't know what we mean by a planned gift or planned giving.

Even keep it simpler by saying "You can leave a gift in your Will" – people know what that means.

And to further build your legacy prospect donor base –

- Include the simple phrase "you can leave a gift in your Will to our cause" at the bottom of your letterhead or email signature.
- Piggyback "bequest" options in all your marketing material
- In direct mail reply forms, provide a check box so donor can ask for more information about leaving a gift to you in their Will.
- On your website, include pages about ways to give.
- Share stories of impact.

SLIDE #18 – DON'T FORGET ABOUT THE LIFE-STAGES OF GIVING

As you are talking with donors and legacy prospects, remember that there are various stages in our lives: our lifestyle and financial situation change as we age and so do the ways we support charities. Your donors will be reviewing their goals and aspirations and priorities as different life events happen - new job, marriage, children, grandchildren, divorce, retirement, health challenges and so on. At each stage, there are times when giving makes more sense.

In the early years, there won't be much disposable income. But youth and young families can be engaged in community and start to think about helping others.

In the earning years of say 30 to 55, deferred gifts can be put in place through wills, life insurance and designation of RRSPs. There may also be some gifts of securities at this stage.

As we age, we can consider a life insurance policy that is no longer needed for its initial purpose, and which can be gifted.

And as we enter retirement and end of life planning, we look at bequest gifts and other designations of plans and policies.

It is interesting to view the perception with the research by the Will Power campaign and the engagement of younger donors in their planning. It may depend on the cause and the demographics of their donors.

SLIDE #19 – TYPES OF GIFTS - CURRENT

Thinking back to the definition of strategic charitable giving, there are several types of gifts – and they are not all in the future.

Many are current gifts where there is some planning and thought involved. The gifts may be made and received now such as cash and gifts of securities.

Or the gifts may be put in place with the ultimate interest **vested** in the charity now while still providing benefits to the donor.

While I don't often hear about a charitable remainder trust much these days they are still in existence.

SLIDE #20 – TYPES OF GIFTS DEFERRED

These are the gifts that are put in place during the donor's lifetime but are not received until after the donor's death.

Some may be revocable such as bequests and gifts of life insurance or retirement plan accumulations where the charity is the beneficiary only.

Others may be irrevocable such as where the charity is the owner and beneficiary of the life insurance policy.

For most of these gifts, the relationship you build with your donors will be long standing . You will have the opportunity to steward **the donor** during this time, letting them know through your actions and your program reports how important these types of gifts are to your on-going mission. You are telling the story of the impact of their gift before it is received.

You don't have to be an expert, but it is important to at least know the other ways that a donor can support your cause with a legacy gift.

SLIDE #21 – BEQUESTS, BEQUESTS, BEQUESTS,

The easiest, most effective, and common type of legacy gift is the BEQUEST GIFT. If nothing else, this is the type of gift that you should be promoting for your organization.

- A bequest gift is simply a distribution of cash from an estate to a charitable organization through the donor's Last Will.
- A specific bequest is where a donor has provided for a specific dollar amount or a particular asset to go to an individual or organization. They are generally paid (or transferred) to the organization before debts, taxes, or residue is dealt with.
- A residual bequest is when a donor intends to leave a portion (or all) of "whatever" is left over after all specific bequests have been paid, debts satisfied, and taxes paid, and the estate is ready for distribution.
- Contingent bequests are when a donor has named a beneficiary, and your organization has been named as an alternate beneficiary should something happen to the first named beneficiary. If the first named beneficiary predeceases the donor, your organization becomes the beneficiary.
- Contingent bequests also can be found in trust arrangements in a Will. For instance, the donor may have named a beneficiary but that beneficiary is only entitled to income during

his or her lifetime, and after they pass away, the capital of the estate goes to your organization.

SLIDE #22 – YOUR RIGHTS

The rights of the charitable beneficiary are common to all beneficiaries under a will. These include the right to:

- Receive a copy of the will and notice of who is applying to probate the will.
- Be kept informed of the progress of the administration and of significant events that impact the charity's interest.
- Receive an accounting from the executor and to ask questions about the accounts.
- Apply for a passing of accounts before the court registrar when disputes cannot be resolved.
- And the right to receive a copy of the disclosure statement – which is the statement of assets, liabilities and distribution – if you are a residual beneficiary.

SLIDE #23 – YOUR OBLIGATION

As the steward of public funds, you, as the charity, have both fiduciary and moral obligation to the donor, to your supporters, and to the people who rely on your services or programs.

These obligations include:

- To safeguard the charity's interest in the estate.
- To ensure the appropriate financial benefit is derived from the gift and not diminished or lost due to the lack of knowledge, expertise or unsubstantiated financial loss by the executor.
- To use the gift in accordance with the donor's wishes.
- To conduct yourself in a reasonable and fair-minded manner throughout the administration of the estate.

Note, as a charity will you need to balance the public relations aspects of receiving these generous estate gifts with taking too strong a stance when something goes awry in the administration.

SLIDE #24 – POLICY DEVELOPMENT

This is all about the governance and infrastructure that surrounds your legacy program and your organization as a whole.

Whether it be board governance, finance and administration, fundraising, or staff and volunteer management, having policies and procedures in place provides the framework for consistency for your organization, your staff and volunteers and your interactions with your donors and those who are leaving a gift for the future.

Being accountable and transparent now provides the assurance to the donors of the future.

SLIDE #25 – POLICY DEVELOPMENT TYPES

The gift acceptance policy is the key. However, as you can see there are other policies that can be put in place. Address them one by one as necessary.

Use resources such as the Imagine Canada Standards program examples and customize to what works for your organization.

SLIDE #26 – POLICY DEVELOPMENT – GIFT ACCEPTANCE & BEQUESTS

Gift acceptance policies should be established to address:

- The types of gifts the charity is able and willing to accept.
- Establishes ethical standards.
- Protects the charity and donor from undue risk.
- Defines who has the authority to solicit and accept gifts on behalf of the charity.
- Prevents over-valuing of gifts in kind.
- And permits the charity to decline unacceptable gifts.

It is important to recommend that donors obtain independent legal advice. You can provide a short list of professional advisors where requested but do not recommend any particular one as you do not want to be seen to be in a conflict of interest.

Generally, charities do not act as executor of an estate or trustees of a trust or residual gift.

The policy will outline the gift acceptance and valuation matters for each type of gift.

It may also deal with what to do with unrestricted gifts often seen to be a windfall for the charity. Do they go to operations? Program development? Your Endowment? Do you allocate to all three?

It is important to outline who in the organization is authorized to accept gifts, sign gift agreements, sign estate releases and other documents.

Beyond this you may need representation of a legal or accounting nature so it is good to have one or two of them on call.

And finally, you will want to think about how you will recognize donors during their lifetime, such as legacy circles and involving them in your donor activities. Remember that their bequest is revocable, so stewardship is vital.

With recognition of the estate, you may have the chance to thank the family, if appropriate.

SLIDE #27 – POLICY DEVELOPMENT – THINGS THAT GO BUMP IN THE NIGHT

This is the start of a list of some interesting estate gifts and challenges over the years.

What do you do when your charity has been named the executor?

What if an executor has left the country with no forwarding address?

How do you value the collectibles as the residual beneficiary? Do you let them go to the family or friends? How do you know if that vase is a Ming vase?

What about shares that are thinly traded – how do you value them and how do you liquidate them?

Be wary of people carrying large amounts of cash – do not accept more than \$10,000 – money laundering options!

Your policies will include valuation issues for tax receipting purposes – keep up on those rules.

We haven't talked about contentious estates – in BC, these can be a claim by a spouse or child to vary the will to make a larger provision than what was written; or they may be claims of

undue influence on the will maker and claims of incapacity. You will need to decide who will represent your charity both internally and externally on these claims; confer with other charities and watch the public relations aspects.

SLIDE #28 – CONCLUSION

In conclusion, I would strongly recommend that you focus on bequest gifts. While it is important to know the various types of legacy gifts, you don't need to be an expert.

Starting a legacy program is not expensive. When compared to the costs of direct mail, major gifts, and events, it is the least expensive program to implement, and it can potentially yield the biggest financial benefit for your organization.

The earlier you start messaging that your organization can accept legacy gifts, you will be surprised how many donors will advise you that you are in their Will. Most legacy donors self-identify and donors want to know that their commitment is important to your organization and will make an impact.

You will be touched by some of the donors you meet and the stories that they share with you as to why your organization is so important to them.