

*“I don’t want to end up simply having visited this world,” said poet Mary Oliver, speaking about the human desire to leave a legacy. The efforts of Metropolitan State University alumni enhance the lives of their families, their neighborhoods, faith communities, and beyond. During the coronavirus pandemic, we’ve seen many acts of caring and humanity. We wish you and your family continued safety and health. We hope this information helps you plan for a vibrant life and your enduring legacy.*

Completing a will may be intimidating, but that should not deter you. Planning your estate is no less important, time consuming, or costly than planning a wedding, significant birthday, or anniversary. *Estate planning is not only for the most affluent; it applies to anyone who has accumulated assets or property over the years.*

Leaving a portion of your estate to a nonprofit can have a significant impact on the causes you cared about or benefited from during your life. An estate gift can help advance education, alleviate poverty and suffering, and prevent and treat disease.

Leaving a legacy requires intentional stewardship of your resources. You work hard, budget, save, and determine meaningful expenditures throughout your life. So, why not make a plan to ensure that your legacy reflects your wishes after your death?

*A thorough estate plan can ensure that you have the income and assets you need during your lifetime and that your resources will be distributed according to your wishes after your death, including to family and organizations like Metropolitan State University Foundation.*

### Ensuring the Future

For many of our alumni and supporters, their most significant investment in the future of Metropolitan State happens through a provision in their will that directs a percentage or specific amount of their estate to the Metropolitan State University Foundation. This issue of the *Legacy Bulletin* describes the reasons for having a valid will, keeping your will current, and how to make an effective bequest (gift via your will) to Metropolitan State University Foundation.

### Estate Planning Begins with a Will

Preparing a will should be done carefully and with the help of an attorney who has the appropriate experience and expertise to help you carry out your wishes. It is your attorney’s job to have up-to-date knowledge of current estate tax law and guide you through the process of constructing your will so that you leave the legacy you want and avoid needless complications for your loved ones. *Unless you want the distribution of your assets determined by your state, you must have a valid will.*

Once you make your will, consider it a living document. Many factors can influence your will and may necessitate adjustments, including federal and state tax laws, the form of your assets, and circumstances related to your heirs.

## The First Step in Making a Will – Determine Your Objectives

For some people, a primary objective is to pass assets to the surviving spouse and then to children and grandchildren. Other goals may include gifts to organizations whose missions and purposes are extensions of your lifelong beliefs and values.

If you are married, you and your spouse will each need a separate will. Together, the two of you will want to discuss your estate planning objectives. You may also find it helpful to discuss your charitable intentions with the chief executive or development staff member(s) at the charitable institutions you wish to include in your will. *The development staff at Metropolitan State University Foundation can provide insight into strategies that can accomplish your objectives. You'll find contact information at the end of this newsletter; we welcome all opportunities to speak with you.*

The process of making your estate plans will go more quickly if you have inventoried your assets before your first appointment with your attorney. We'd be happy to provide you with a sample form to help you organize your thoughts, as well as provide your attorney with the information that they need to help you meet your estate objectives.

It is important to remember that your will may not distribute life insurance and retirement accounts (pension, IRA, 401k, 403b, etc.). Instead, these types of accounts must name a specific beneficiary or beneficiaries in the plan documents. Therefore, these items also need to be kept current.

## The Living Trust

Many individuals will create a *revocable "living" trust*, in addition to their will. A living trust is a legal document that contains provisions of the individual's estate plan and specifies how the individual's assets will be distributed before, at, or after death.

A living trust (sometimes called an "inter vivos trust" or a "revocable trust") places your assets into a trust for your benefit during your lifetime. In this case, you (the trust "grantor") serve as the trustee of the trust during your lifetime. Then, upon your death, your chosen representative (called a "successor trustee") transfers your assets to designated beneficiaries.

With a living trust, your successor trustee and beneficiaries may avoid probate court proceedings after your death for assets that you transferred to the trust during your lifetime; this also protects your privacy. This process also avoids proceedings to appoint a guardian to take over your assets if you become incapacitated.

## Making a Charitable Bequest by Will

Many individuals have directed resources to Metropolitan State University Foundation over the years by making a specific bequest through their wills. The funds that have been directed to establish endowments memorialize the donors, their parents, or other family members. The income from these endowments has provided student scholarships, emergency aid, and funded programs for college and community initiatives. We have also received legacy gifts in a form other than cash, such as real estate, tangible personal property, and stocks and bonds. We liquidate these assets and invest the funds to generate income for the donor's intended purposes.

There are several ways to include a bequest to the Metropolitan State University Foundation in your will. The following are some methods used in making a gift by will:

**Outright Gifts** – A gift made by bequest can be an outright gift of a percentage of your estate, a specific sum of money, a particular piece of personal property, or it can be a share of such property. Two or three percent of your estate can make a significant difference to Metro State students without negatively impacting

your heirs. Alternatively, you could designate a specific sum, such as \$3,000 for the Metro Fund or \$50,000 to endow a scholarship in your name. Another option is to give all or portion of your shares in XYZ Corporation stock to Metropolitan State University Foundation.

**Residual Gift** – What is left in your estate after all outright, specific, and other similar distributions have been made is called the residuary estate. In your will, this residuary estate can be transferred to specific persons, or you can have all or a portion of your residuary estate given to a charitable institution such as Metropolitan State University Foundation. For example, your will could provide that one-fifth of your residuary estate will be transferred to Metropolitan State University Foundation, and the other four-fifths of your residuary estate will be transferred to your family members or held in trust for their benefit.

**Gift of Real Estate** – A gift of real estate may be made entirely to one person or an institution. Alternatively, you may want to give real estate to your surviving spouse for their specific lifetime use. Then, your will can provide that the real estate will transfer to Metropolitan State University Foundation after their death.

**Contingent Beneficiary** – A donor may wish to consider naming Metropolitan State University Foundation as the contingent beneficiary of their will. This means that our university would benefit only if the primary beneficiaries, such as family members, named in your will are not living when you die.

**Gifts in Trust** – You may establish one or more trusts in your will that benefit family members or other beneficiaries, such as Metropolitan State University Foundation. You can designate that the earnings from the trust property be paid to your spouse for their lifetime, then have the trust property transferred to Metropolitan State University Foundation after their death.

**Codicil** – If a gift to Metropolitan State University Foundation is not currently included in your will, and you wish to make such a gift, you can do so through the execution of a codicil (amendment) to your will. You should consult your attorney to draw up the codicil. *This is often relatively simple and inexpensive.*



*Put Family Memorials To Beautiful Use. Send Them to the Metropolitan State University Foundation.*

My wife of 56 years, Barbara, passed away last July. We'd had a magical life together that began at Robbinsdale High School in 1960. We met on a band trip to Chicago. She was a flute player; I was the lead trumpeter. It turns out that she had been sitting in front of the trumpet section all along. I just never noticed her.

Our meeting was arranged by a mutual friend in a park at 4:30 on a sunny afternoon. She stepped into the sunlight wearing a yellow gingham dress, and the rest, as they say, was history. She did so many wonderful things for me, including making me finish my degree at Metropolitan State in 1974. A magical degree from a magical University. We loved Metro State.

When she passed away from Alzheimer's, it felt fitting to direct memorials to the Metropolitan State University Foundation through her obituaries and other notices. Our family was astounded to learn that our friends and family had donated nearly \$6,000 in Barbara's memory.

A meaningful gift to Metro State. A beautiful legacy for Barbara. It's easy. Let the Foundation help you.

Your family will talk about it for a generation.

**-Jim Lukaszewski '74**

## Sample Wording for Charitable Bequests

One common error with charitable bequests is the use of an incorrect name for a charitable institution. Using an incorrect name can lead to expensive litigation, or worse, the failure of giving the specific gift to the charity and the failure to satisfy the donor's intent. Therefore, you should verify the correct legal name and address with your intended charitable institution prior to documenting it in your will.

*The correct legal name for gifts to Metro State is Metropolitan State University Foundation. The address is 700 East Seventh Street, Saint Paul, MN 55106. The Foundation's federal tax ID number is 23-7296162.*

The following are samples of possible wording for a charitable bequest which you may review with your attorney:

**Unrestricted Bequest:** I give to the Metropolitan State University Foundation, 700 East Seventh Street., Saint Paul, MN 55106, \_\_\_\_\_ % of my adjusted gross estate, or, [the sum of \$ \_\_\_\_\_] for its general purposes.

**Restricted Bequest:** I give to Metropolitan State University Foundation, 700 East Seventh Street, Saint Paul, MN 55106, \_\_\_\_\_ % of my adjusted gross estate, or, [the sum of \$ \_\_\_\_\_] to be used for (insert specific purpose, such as a scholarship or academic program). If the Foundation's Board of Trustees at any time determines, however, that the Foundation's purposes would be better served by using a portion or all of such sum for the Foundation's general purposes, such portion or all may then be used for such general purposes.

## The "Living Will"

The purpose of estate planning is to make decisions about your tangible resources, as well as your health and well-being. How you wish to be cared for when you are incapacitated, and whether you want to be kept alive by mechanical means are issues that should be determined in advance.

A living will is a tool that declares how you wish your care and treatment to be handled. A health care power of attorney is an instrument by which you can name a person to make decisions that affect your health care if you are unable to do so. These tools assure that you maintain control of your life and relieve your family of making life choices for you.

## Conclusion

Through a valid will, we can ensure that our estate is distributed according to our wishes, not according to a state-imposed formula. By doing this, we can continue to support those people and causes that have been so important to us during our lives.

*As you work with your attorney in drafting or revising your will, please consider making a bequest to the Metropolitan State University Foundation to further our mission.*

*If we can help in any way, please contact us by returning the enclosed card or by contacting Rita Dibble, Vice President of University Advancement, at 651-793-1805 or via email to [rita.dibble@metrostate.edu](mailto:rita.dibble@metrostate.edu). There is no obligation. The information shared or questions asked will be held in the strictest confidence.*