

## Office Hours Study Guide

# Communicate Your Wishes

## *Why Conversation Is a Critical Part of Estate Planning*

An estate plan is only as effective as the clarity surrounding it. While documents provide legal direction, communication provides context.

One of the most common drivers of post-death conflict is not the content of the estate plan, it is the surprise factor. Families are far more likely to dispute decisions they never saw coming than decisions they were prepared for.

For advisors, encouraging thoughtful communication may be just as important as encouraging proper documentation.

### **WHY SILENCE CREATES CONFLICT**

Many families experience conflict not because an estate plan was unfair, but because it was unexpected.

When children learn after a parent's death that an estate plan was recently updated, one sibling is receiving a larger share, a business is going to only one child, or someone has been excluded, the instinct is often to question the validity of the decision. In some cases, family members assume the attorney influenced the outcome or that undue pressure was involved.

Absent prior communication, suspicion can replace trust.

This is particularly true in blended families or situations involving unequal distributions. The legal documents may be clear, but without context, clarity does not always translate into acceptance.

### **THE RIGHT AMOUNT OF TRANSPARENCY**

Communication does not require full disclosure. Clients do not need to share exact dollar amounts, disclose every asset, or reveal every detail of their planning strategy.

However, it is often helpful to communicate that a plan exists, who key decision makers are, that guardians have been chosen, and, when appropriate, that certain assets may not be divided equally.

The goal is not oversharing. The goal is reducing shock.

Estate planning communication should fall somewhere between saying nothing and telling everyone everything. Too little creates suspicion. Too much can create entitlement or tension during life. Thoughtful balance matters.

## PREPARING FOR KNOWN FRICTION POINTS

### Tension can arise in situations such as:

- A family business passing to only one child
- Significant lifetime gifts to one heir
- Charitable gifts reducing inheritance
- Or estrangement from a family member

These types of issues are best addressed while the client is alive and able to explain the reasoning. When explanations come directly from a parent, they often carry far more weight than when inferred from legal documents after death. Without that explanation, heirs may attempt to reinterpret intent or challenge it altogether.

### A CAUTIONARY NOTE: OVERPROMISING CREATES ITS OWN PROBLEMS

Communication must also be consistent. Problems arise when parents tell different children different things in an attempt to avoid uncomfortable conversations. When expectations are set privately and conflict with the written plan, the result can be litigation and permanent damage to family relationships. Managing expectations is just as important as managing assets.

### PARENTS AS THE “GLUE”

In many families, parents serve as the central force holding everyone together. After they are gone, that stabilizing influence disappears. Clear planning and clear communication can help preserve family harmony during that transition. Without it, long-standing tensions may surface quickly. Estate planning is not just about distributing assets. It is about preparing a family for continuity.

### THE BOTTOM LINE

Legal documents provide authority. Communication provides understanding.

When clients thoughtfully share that a plan exists and address known friction points in advance, they significantly reduce the likelihood of disputes, resentment, or costly litigation.

For advisors, encouraging appropriate communication is not stepping outside your role. It is reinforcing the effectiveness of the plan itself. In our opinion, the most successful estate plans are not just legally sound. They are emotionally prepared.

To learn more about this topic, please watch our [Office Hours video](#) or reach out to your investment consultant.

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