African American Estate Planning

Context, Trust, and Client Engagement

Professional adviser webinar for attorneys, CPAs, wealth advisers, fiduciaries, insurance professionals, and charitable advisers

Revised version: all visible slide text is 16pt or larger

Program Roadmap

01 Why the conversation is different

02 Historical context as planning context

03 Engagement barriers and terminology

04 Trust-building intake and communication

05 Planning tools and adviser moves

WHY THIS MATTERS

The Professional Premise

- Client-centered planning is the starting point.
- African American client experiences are not monolithic.
- Trust, legacy, land, faith, and home may be central.
- The adviser translates values into structures.

Professional takeaway: Begin with listening and translation, then move to documents.

PLANNING POSTURE

Documents Alone May Not Solve the Problem

- A signed document may not prepare heirs.
- A plan may fail if assets are not retitled.
- A fiduciary may be named but not trusted.
- A legacy may be stated but not taught.

Professional takeaway: Technical validity is not the same as practical success.

Historical Context Can Affect Planning Choices

- Historical exclusion can affect trust in institutions.
- Land loss can make title planning emotionally charged.
- Home ownership may represent dignity and security.
- Community giving may be identity, duty, or stewardship.

Professional takeaway: Use history to ask better questions and design safer implementation.

CLIENT-CENTERED BALANCE

Professional Listening Without Stereotyping

- Do not assume one shared African American experience.
- Do not turn the meeting into a history lecture.
- Use context as a prompt, not a conclusion.
- Let the client define what legacy means.

Professional takeaway: The adviser should be informed, humble, and specific.

COMPARISON

Avoiding Two Common Errors

Over-generalizing

- Assuming all clients have the same concerns.
- Treating culture as a stereotype.
- Ignoring wealth, faith, family, and geography.
- Using a script before listening.

Under-contextualizing

- Treating the issue as only tax or probate.
- Ignoring court or bank discomfort.
- Missing the meaning of home or land.
- Ignoring family reunion and church context.

ENGAGEMENT BARRIERS

Barriers Advisers Should Expect

- “I do not have enough assets.”
- Cost concerns or open-ended fee fears.
- Discomfort discussing death or inheritance.
- Distrust of lawyers, courts, banks, or trustees.

Professional takeaway: Normalize planning as protection and empowerment.

More Barriers Advisers Should Expect

- Lack of trusted professionals.
- Prior negative experiences with institutions.
- Belief that family will “just know.”
- Lack of estate planning knowledge.

Professional takeaway: Education can be part of the planning deliverable.

CASE STUDY

Family Land and Heirs Property

Client context

- Land has been in the family for decades.
- Client fears courts, developers, and family fracture.
- Client wants guidance but may distrust legal process.

Adviser moves

- Acknowledge concern.
- Explain heirs property and title risk.
- Discuss land trust, LLC, agreement, or trust.

Professional traps

- Ignoring emotional meaning.
- Treating title as only technical.
- Missing joint representation issues.

COMPARISON

Terminology Can Open or Close the Door

Less effective framing

- You need probate avoidance.
- You need a dynasty trust.
- The bank should be trustee.
- Just sign these standard documents.

Legacy-centered framing

- What are you trying to protect?
- What should family understand?
- How should land be preserved?
- What would make a fiduciary trustworthy?

PROCESS FRAMEWORK

Client-Centered Intake Framework

1

Listen

Ask how the client defines legacy, family, land, faith, and security.

2

Map

Identify assets, title, informal promises, and friction points.

3

Translate

Convert "generational wealth" into legal design choices.

4

Explain

Use plain language for trusts, fiduciaries, powers, and documents.

5

Implement

Retitle assets, align designations, educate fiduciaries, and review.

Presenter use: move from client story to planning architecture to implementation checklist.

Trust-Building Communication Techniques

- Acknowledge different lived experiences.
- Ask permission before sensitive topics.
- Define terms and avoid acronyms.
- Use examples before clauses.

Professional takeaway: Clarity and humility are substantive planning tools.

More Communication Techniques

- Offer choices and explain tradeoffs.
- Confirm understanding in writing.
- Use family meetings where consensus is needed.
- Document reasons for client choices.

Professional takeaway: Good process reduces later conflict and suspicion.

Planning Tools Reframed

- Revocable trust to reduce court involvement.
- Institutional trustee with safeguards.
- Letters of instruction for history and intent.
- Family meetings to educate heirs.

Professional takeaway: Connect every tool to a concern the client expressed.

More Tools Reframed

- Charitable clauses including church or community.
- Trust protector or co-trustee design.
- Periodic reviews to avoid drift.
- Title and beneficiary designation coordination.

Professional takeaway: Implementation determines whether the plan works.

CASE STUDY

Simple Will Request, Complex Legacy Goal

Client context

- Client asks for a simple will.
- Facts suggest concerns about lawsuits or divorce.
- Client wants children and grandchildren protected.

Adviser moves

- Explain outright versus trust.
- Discuss trustee and protector options.
- Use plain-language distribution examples.

Professional traps

- Treating “simple” as safe.
- Overcomplicating without explanation.
- Failing to operationalize the trust.

Professional Adviser Checklist

- Add legacy-meaning questions to intake.
- Ask about land, home, church, and reunions.
- Review title and designations early.
- Address fiduciary trust concerns directly.

Professional takeaway: Practical translation is the adviser differentiator.

WHAT TO DO DIFFERENTLY

Professional Adviser Checklist Continued

- Use family meetings when consensus is needed.
- Write short decision summaries after meetings.
- Separate binding terms from letters of instruction.
- Schedule reviews before plans become stale.

Professional takeaway: Make follow-through part of the planning method.

WRAP-UP

Discussion and Adviser Action Items

Action checklist

- Start with goals before documents.
- Use context to identify risk.
- Explain tools through protection.
- Make implementation part of scope.
- Document tradeoffs clearly.

Discussion prompts

- What language may not resonate?
- Where does intake miss legacy?
- How should fiduciary selection change?
- What institutions can partner?
- What follow-up should be standard?