

ADVICE FOR CHARITIES

The Instability of Charitable Bequests

Estate planning is not just a technical exercise. To be successful it requires ongoing client communication and support. This is especially true for charities. Research shows that estate plans destabilize as death approaches. Charities assume bequest intentions are firm, but 48% of estate donors change their minds (and wills) if there is no communication from the charity within two years of death. This represents failure at every level.

Research for better outcomes

Dr. Russell James, an American researcher who specializes in planned giving, is committed to helping charities reduce this loss by adopting better practices. In a plenary address at the April 2025 national conference of the Canadian Association of Gift Planners, Dr. James shared a few simple but profound messages about successful gifts by will.

First, “don’t count it and forget it.” This advice applies to charities, but also individual beneficiaries and executors, especially corporate trustees. Second, “don’t go radio silent at critical moments” and “don’t ignore your oldest supporters (and clients).” Dr. James notes that “wealthy people die old and wealthy bequest donors die even older.”

The reality of aging

Let’s put ourselves in the shoes of our

oldest clients and donors. Overall life expectancy is increasing. Life expectancy may be longer, but it is the vulnerable period of greater incapacity at the end of life that is expanding the most. Life struggles pile up. There are chronic and critical health issues, loss of spouse and friends, diminishment of mental capacity, increased dependence on others, and greater isolation. Not to mention, seniors are barraged by a steady stream of fraudulent calls and emails. There is often a sense, completely understandable, of being passed by and forgotten.

It’s a life phase of giving up. Giving up activities, status, and identity - all of which can be emotionally devastating. It’s also a time of recency bias - “these are the only people who care about me” - and this feeling can open the door to end-of-life friends (caregivers, neighbours, etc.), undue influence, and even elder abuse. In a time of reduced control, updating one’s will is perhaps the ultimate act of agency and empowerment.

Timing of realized charitable bequests

A 2012 study of 5% of all Australian probated wills reported that 31% of charitable wills were signed two years before death and 60% within five years of death. In a 2021 study, ten large Australian charities report a minimum 35% drop off in bequests, and those are just the wills they know about.



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Many donors don’t tell charities about their bequest intentions, which arguably makes updates easier.

Moreover, the same study observed that 48% of charitable wills are changed when there is no contact by the charity in the last two years of life, but the change rate decreases to 24% when there is contact by the charity. What form of contact is not specified, but I assume it is a more personal nature than a mere fundraising letter. Again, the gap is larger in the real world because most donors don’t share their bequest intentions with charities.

As noted, estate donors live longer than the general population, probably due to affluence but perhaps also due to their generosity. In one US study, half of all charitable bequests came from donors over 88-years-old. The Australian probate report found that half of charitable bequests came from those over 90-years-old. Remember, most realized charitable bequests have been added 5 years before death. All of these factors underscore why it is essential for planners and charities to be present for clients and donor at key late moments of their lives.

What to do?

Dr. James has a clear recommendation to charities: pay attention to your estate donors who are more than 75 years old. Increase your service. Communicate more often. Listen for clues about their lives and focus on

their legacy. Focus on the “why” of their gift and your mission. Say “thank you” and honour them. Tell stories of impact that are relatable.

This advice is practical because it helps reduce the loss of dollars in the crucial end of life period. But it is also fundamentally human, empathetic and ethi-

cal. It's about being present and supportive at a stage of life when we are the most vulnerable. It's about ensuring that our most valued donors aren't forgotten and that they are seen and appreciated. We do well by doing good.

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