

# WILLS

## The Rise of Online Wills — and What It Means for Charitable Giving

A quiet but meaningful shift is happening in estate planning, and it's one that will have a big impact on legacy giving.

In countries like the United Kingdom, the United States, Australia, and increasingly here in Canada, online Wills have become a more common way for people to plan their estates. According to research from UK-based charity consultancy Legacy Futures, 10% of Will-makers in the UK used an online platform to do so, and 20% of people who plan to make a Will intend to use an online platform.

The study also found that people who created their Will online were more likely to include a gift to charity than those who used the traditional approach.

That's the part charities should pay attention to. Online Wills don't just make it easier to create a Will, they also represent an opportunity to get more people thinking about leaving a gift to charity and make it easier for them to follow through.

### What is an online Will?

Despite their increase in popularity, there's still plenty of confusion around what an "online Will" actually is. Many financial advisors, fundraisers, and even some lawyers aren't entirely sure how it works—so, here's a quick primer.

The traditional way of making a Will involves working with a lawyer or

notary (depending on where you live) who drafts your Will based on your specific circumstances and wishes. However, many people do not realize that there is no legal requirement to involve a lawyer or notary in the process. In fact, a person can create a legally binding Will entirely on their own.

Online Will platforms are designed to guide someone through the Will-making process, step-by-step. The process usually starts with the person answering a series of questions about themselves and their family. From there, the Will-maker can name executors, identify guardians for minor children and pets, and choose how their family members, friends, and charities will share in their estate. Once all that information is entered, the platform generates a personalized legal document based on the individual's wishes.

Once a Will is created through a digital, online process, it must still be signed in accordance with the laws of the person's province of residence in order to be valid. Online Will platforms provide clear, step-by-step instructions to ensure this final step is done correctly. In Canada, this typically means the Will-maker must print the Will so they can sign it in the presence of two witnesses, who also sign the document. Once these steps are completed, the Will becomes legally valid.

One important clarification: an online Will is not the same as an electronic



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Will. An electronic Will is a digital document that is signed through a platform like DocuSign and stored online. While many US states have enacted laws which permit electronic Wills, British Columbia is the only Canadian province that has done so; however, they are not very common.

### Online Will platforms aren't right for everyone

Online Wills aren't the right fit for everyone, and many modern platforms make that clear. Epilogue's online Will platform uses a series of screening questions to identify complex situations. For example, if a Will-maker has a blended family or wants to disinherit a child, they are directed to work with a lawyer to create their Will instead of creating it online.

For individuals who have relatively straightforward needs, the process of making a Will online creates opportunities for meaningful conversations, including whether to leave a gift to charity.

### Why online Wills create new opportunities for legacy giving

Online Wills are quickly becoming a powerful tool for generating gifts in Wills. Here's why:

#### 1. Making Will-making accessible to more people

Roughly half of Canadian adults still

don't have a Will, and surveys point to many reasons why this is the case.

Some individuals feel that it's too early for them to make a Will—either because they're too young or don't have enough assets. Others understand the importance of having a Will in place, but say that the process is too expensive, time-consuming, or daunting. And a large percentage of people report that they simply don't know where to start.

By making the Will-making process more affordable, convenient, and approachable, online Wills remove a lot of the barriers that people say are preventing them from making a Will. Even if the percentage of Wills that contain a legacy gift remains the same, simply having more Will-makers will increase the total amount of legacy gifts in Wills.

## **2. Everyone is asked about legacy giving**

In the traditional estate planning process, legacy giving often isn't discussed at all, unless the client has specific wishes regarding charitable gifts in their Will that they mention to their lawyer.

However, many online Will platforms (including Epilogue) include legacy gifts as part of the standard user's experience.

Some people won't think about legacy giving unless the concept is presented to them. In fact, some people don't even know it's an option until they are presented with the idea of leaving part of their estate as a charitable legacy.

Wills created through the Epilogue platform contain legacy gifts at a rate that is approximately 50% higher than the national average. We believe that this may be a result of simply introducing

each and every one of our customers to the concept of legacy gifts.

## **3. Reduces friction between legacy giving intention and action**

Charities often put a lot of time and expense into their legacy giving messaging and campaigns; when successful, these efforts can inspire people to include a charitable gift in their Will. But in order for that gift to be realized, the prospective legacy donor needs to take additional steps—ones which, for the reasons mentioned above, might be put-off for weeks, months, or years. Sometimes, the Will creation or update only happens once it's motivated by another significant life event. In the meantime, the passion for leaving a charitable gift may wane or disappear altogether.

When charities can direct prospective legacy donors to an online Will platform, they can reduce that friction between the moment of inspiration and the moment of action. A donor can become inspired to leave a legacy gift and complete a Will that includes the gift—all in the same sitting.

Additionally, through programs like Epilogue for Charities, organizations can partner with online Will providers to provide custom Will-making journeys for prospective donors. When a charity directs a prospective donor to a custom, charity-focused experience on Epilogue's platform, that individual is about four times as likely to make a legacy gift compared to the national average.

## **The takeaway for charities**

A growing segment of Canada's popula-

tion is turning to online solutions to create their Wills.

They eliminate many barriers that exist with traditional estate planning, expose more people to legacy giving, and make it easier for people to put their charitable intentions into place. As a result, Wills created online are more likely to include legacy gifts than lawyer-drafted Wills.

Canadian charities that view legacy giving as an important and meaningful part of their fundraising must ensure that their donors are aware of online options for creating their Wills.

*Daniel Goldgut is the Co-Founder and CEO of Epilogue Wills, Canada's leading online estate planning platform. A former tax and estate planning lawyer, Daniel recognized the need for a simpler, more accessible way for Canadians to create Wills and Powers of Attorney. In 2019, he co-founded Epilogue with the mission of making estate planning easy, affordable, and convenient. Since 2022, Daniel and his team have been working closely with charities across Canada to help them strengthen their planned giving programs. By integrating online Wills into their fundraising strategies, organizations like World Vision, the Canadian Cancer Society, Heart & Stroke, the Toronto Foundation, and many more have been able to increase legacy giving and drive long-term impact. Daniel is a passionate advocate for innovation in philanthropy and estate planning. He enjoys speaking at industry events, sharing insights on how charities can modernize their planned giving efforts in an increasingly digital world.*