

PRACTICE

Charitable Giving

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OVERVIEW

A well-crafted estate plan can provide for a charitable organization or cause in a variety of ways, either during your lifetime or upon your death.

Planned gifts include life income plans (pooled income funds, annuities, and remainder trusts), as well as lead trusts, bequests, real estate, tangible personal property, closely held stock, life insurance, and gifts of a remainder interest in a home. You may decide that your gift will benefit charities, religious organizations, educational institutions, or other groups.

Each gift option offers various benefits, such as letting you receive a stream of income for life, earning higher investment yield, or reducing your capital gains or estate taxes.

The Bowditch estate planning team will work with you to explore the various options and your personal benefits to determine the best gift to make.

How we can help

- Outright gifts
- Cash bequests
- Real estate donations
- Art donations
- Collectibles donations
- Historic easements
- Conservation easements
- Retained life estate contributions
- Bargain sales
- Part-gift, part-sale transactions

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- Pooled income funds (PIFs)
- Charitable Gift Annuities
- Charitable trusts
- Charitable organizations, such as private foundations and private operating foundations, supporting organizations, and public charities
- Corporate and business charitable planning
- Tax-exempt organizations
- Income tax charitable deduction
- Estate and gift tax charitable deduction
- Other charitable giving tools and planning services

EXPERIENCE

A charitable foundation for the widow of a client

A woman's deceased husband was a wealthy, long-time business client of the firm. We suggested to the widow that she was wealthy enough that she could do something significant for her community, and, in time, she acted on this advice. We helped her set up a private foundation, to which she gave several million dollars. The foundation served as the catalyst for a new YMCA in the family's town.

Complex individual and corporate tax planning involving a charity

The client was a business person with real estate held by the business and leased to a non-profit charity. He wanted to reduce his estate and income tax burden and maintain cash flow. We helped the client plan and create a charitable remainder trust funded with the real estate, getting it out of his estate for tax purposes and obtaining an income tax charitable deduction.

Updated estate plan reflects tax minimization, charitable giving and post-retirement income

We started out years ago preparing the couple's basic estate planning documents, and we're now on our third plan update. As part of their current update, we advised the clients on several charitable giving techniques. We negotiated gift agreements with their alma maters and a local community foundation and also created a charitable remainder trust which will benefit a number of charities when the couple are deceased. Meanwhile, the trust generates income for the clients during their retirement years. We are also handling a complex series of investment and insurance transactions that minimize tax liability and maximize post-retire income. We serve as co-trustee for the couple's estate plan.

Advised a recently widowed client on income and estate tax issues

The client, who is in her early 80's, had depended upon her recently deceased husband to manage the couple's finances. Their net worth was approximately $2 million. We identified several income and Massachusetts estate tax issues. As part of the engagement, we reviewed and revised the client's estate tax plan, created an LLC to hold a small rental property, and advised the client on a lifetime gifting plan. The client was so pleased with our service that she decided to have Bowditch & Dewey prepare her income tax returns.

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