



The Future of Planned Giving

Six experts discuss the state of planned giving, the movement to blend planned giving with major and principal gifts, and what's on the horizon for nonprofits and their planned giving initiatives.

Interviews by **Karen Martin** and **Rebecca Price Janney**

HIGHLIGHTS

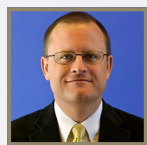
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A gift planning destiny for ALL fundraisers?

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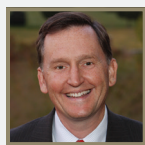
Russell James, JD, PhD, CFP®



Russell James is a professor at Texas Tech University where he directs the on-campus and online graduate program in Charitable Financial Planning. Using the latest scientific tech-nology, Russell

researches brain activity in fundraising prospects and shares his research generously with the nonprofit community. Russell graduated, cum laude, from the University of Missouri School of Law and holds a PhD in consumer economics from the University of Missouri, where his dissertation was on the topic of charitable giving. He worked as the Director of Planned Giving for Central Christian College, Moberly, Missouri for six years and later served as president of the college, where he had direct and supervisory responsibility for all fundraising. Russell has over 100 publications in academic journals, conference proceedings, professional periodicals, and books including 20 on neuroimaging and neuroeconomics.

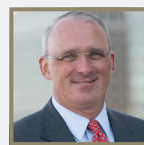
Dr. Scott Janney, CFRE



Scott Janney is Executive Director of Leadership and Planned Giving at Muhlenberg College in Allentown, PA. He's helped dozens of individuals and businesses make gifts of \$1,000,000

or more, including the largest gifts in the histories of three organizations. He's given ten presentations at the National Conference on Charitable Gift Planning, published 17 articles in national fundraising magazines, and is a sought-after speaker on comprehensive campaigns, donor motivation, principal gifts, blended gifts and planned gifts regionally and nationally. Scott has earned a Doctorate in Educational Administration and a Certificate in Financial Planning and is a Certified Fund Raising Executive (CFRE). He lives in Pennsylvania's Lehigh Valley with his wife and son.

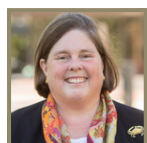
Stuart Sullivan



Stuart Sullivan is Senior Vice President of Graham-Pelton, where he provides senior level counsel on campaigns, strategic planning, various forms of giving, and management of programs and staff.

Previously, Stuart served as the Executive Vice President and Chief Development Officer for The Children's Hospital of Philadelphia, whose development program raises more than \$100 million annually. Two \$50 million gifts were secured during Stuart's tenure there, one in 2013 and one in 2015. Stuart's prior professional roles include Senior Vice President for Institutional Advancement at Temple University and Director of Development for Schools and Centers at the University of Pennsylvania. Stuart's perspective on the state of planned giving comes from more than three decades of boots on the ground fundraising.

Anne McClintock



Anne McClintock is Executive Director of University Planned Giving at Harvard. She has been a charitable gift planning specialist for over 25 years, and she enjoys the privilege of helping people

grapple with the complexities associated with wealth and legacy. Prior to joining Harvard, Anne developed financing packages for corporations as a loan officer at Bank of Boston (now part of Bank of America). She is a past president of the executive board of the Planned Giving Group of New England, has spoken widely about planned giving, and has served as a consultant to several nonprofit organizations. Anne holds an AB in economics from Smith College.

Camilyn K. Leone, Esq



Camilyn Leone teaches the Nonprofit Clinic at University of Virginia School of Law, where she specializes in the legal aspects of philanthropy. Camilyn also provides fundraising audits and legal

counsel for nonprofit organizations, and consults for PlannedGiving.com. She has been a faculty member at The Fund Raising School at Indiana University and an instructor at numerous law and philanthropy conferences and seminars. She is published in many journals and books about philanthropy. She is a founder of a legal tech company, virginianonprofithelp.com, which focuses on legal design for social enterprises. Camilyn resides in Crozet, VA with her family and a multitude of farm animals

Kathryn W. Miree, JD



Kathryn Miree is the president and primary consultant for Kathryn Miree & Associates, Inc., now in its 23rd year of operation. Kathryn provides a range of planned giving, endowment, and foundation

management services to help nonprofits build long-term financial stability through planned gifts and endowment. She works with charities in all sectors, across the country, that have budgets ranging from \$1 million to \$8 billion. After 23 years of meeting with fundraisers and nonprofit leaders, looking closely at the inner workings of institutions and programs, and talking with her clients' donors, Kathryn has a unique blend of experiences and a valuable viewpoint on the state of planned giving.

What trends do you see emerging in planned giving?

Miree:

I think organizations are beginning to understand the power of gift planning across all fundraising conversations. Most people think of planned giving in terms of deferred gifts—beneficiary designations, PODs, bequests, maybe a CRT or CGA, that type of thing. And organizations think it's not relevant because they want money now. But a gift planning discussion is much bigger. A gift planning discussion looks at what the donor wants to accomplish and looks to maximize that gift—for the donor and for the institution. It could be simple as using appreciated stock to make a gift during your lifetime. It could be using your IRA. It could be a blended gift or a virtual endowment, where you make part of a gift now and the remainder through your estate. It's a broader conversation, and it's a very donor-centric conversation. I've found that looking at it this way raises fundraising across the board, rather than keeping planned giving siloed in a place for deceased people. As we look forward I think all fundraisers will move more into gift planning.

Sullivan:

I'm seeing more blended gifts, and people being more mindful about their giving. Meaning, they will consider multiple assets over a longer period of time; they'll bring together a cash pledge, gifts of appreciated stock, and combine that with any variety of deferred instruments, anything from a simple bequest to life insurance. They want to get the biggest bang for their buck and have the biggest impact for an organization, even if it's not immediate.

There's more wealth in the U.S. than there has ever been, and people are looking at their giving in terms of being an investment, not just a gift. They're looking beyond naming a room in a building or supporting a scholarship, and thinking more in terms of a long-term relationship that leaves a legacy.

Leone:

Donors are changing. We live in uncertain times. People are less likely to transfer wealth through a will or a trust. The ways that people like to give and to support charity have changed. Fundraisers need to be aware of these changes so they can tailor their marketing and solicitation to different audiences. Now we are working with Boomers and Gen-X, demographic groups facing unemployment, a childcare crisis, greater distrust in government and institutions, a growing wealth gap, and a healthcare crisis. All of these issues have a negative impact on one's prosperity outlook. When people are worried about themselves and their loved ones, giving to nonprofits is a lesser priority. This is a trend that will have an adverse impact on major and planned giving. Younger donors are more interested in giving to causes and through social networks rather than institutions. For instance, my grandparents grew up during the Great Depression.

"There was a time in history that estate planning was done at one time and that was it. We simply don't live in that world any more. We're in a world of fragmented estate planning."

— RUSSELL JAMES

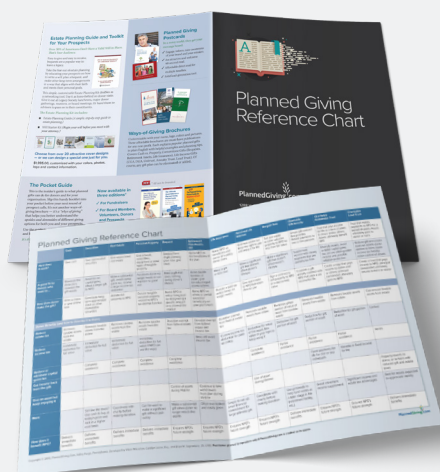
When they became financially comfortable, they gave to local community-based organizations like the YMCA and the United Way. My mother, a Boomer, gives to a number of organizations that align with her point of view. I see my peers and younger donors giving through technology platforms. Think about how successful #GivingTuesday has been, especially for higher education. My age group and younger donors are also giving through informal philanthropy, such as GoFundMe or Kickstarter. I think there is a consumer mentality about fundraising that draws donors in based on peer pressure rather than personal values. This is a trend that probably doesn't lend itself to thoughtful life and death planning. But, we may be surprised. Perhaps there is an "influencer" out there who can #makeplannedgivingcool.

Janney:

There's a tectonic shift occurring in the way we communicate, in the trust people have in institutions, and it's going to impact the way people see the future, as well as whether or not they feel safe in their financial situation. I speak to a lot of different people about their philanthropy. Some are moving their giving to human needs rather than higher ed because of an immediacy they see in the crisis we've been experiencing. For the planned giving officer it's going to be very important to project the stability of the organization; people are going to be questioning it based on how that organization responded. We're at an inflection point where some charities are going to thrive, and some aren't, based on the way their leadership has moved forward in a time of great need, and great financial uncertainty.

James:

What we see from the data is a decrease in the proportion of people who have will documents. I think that means an increasing importance in non probate gifts—such as beneficiary designations, TODs, IRAs, bank accounts.



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Now you can even put a TOD on real estate in most states. I also see a merging of planned gifts and major gifts of assets. It's no longer just this bright line: you ask for estate gifts or not. It's more a spectrum of different ways to ask for gifts of assets—now, later, and in different forms. We are gradually learning what works with donors. If you were to go back 25 years ago, back when I was a planned giving director, there was a lot more emphasis on technical methods and techniques. It was more about getting solutions out to everybody. Over time, even people who are experts in planned giving have learned that it doesn't start with technicalities. It's got to start with donors' passion and goals. Gradually we've learned what works—and what works is starting with what the donor wants to accomplish and being advisors who help donors give smarter. Helping donors give smarter can sometimes can be complex but it doesn't have to start with complexity.

Can you talk about the integration of planned giving and major giving?

McClintock:

We wouldn't expect every physician to know how to perform heart surgery, but hopefully every physician knows enough to refer patients with chest pain to a cardiologist. Ideally, all fundraisers should be able to look for cues and clues and be able to introduce planned giving topics very generally. If possible, I think it's important to have someone who is responsible for planned giving in a robust way. For an organization that has only one or two fundraisers, this might involve partnering with someone on the board or advisory committee with expertise in planned giving. There are many financial and legal details, in addition to charitable considerations, that pertain to planned gifts. Unless you work on these gifts frequently, it's hard to keep it all straight. At Harvard, in addition to our thoughtful and caring alumni and friends, we are fortunate to have wonderful fundraising colleagues, and for the most part the integration works the way one would hope—when a donor asks or someone has a hunch a donor might be interested in giving an illiquid asset or making a planned gift, our colleagues bring a planned giving officer into the picture to collaborate in working with the donor. I think it would be tough to have one completely joint planned giving/major giving team, where everybody had some responsibility for everything, because of the amount of knowledge and specialization involved with planned giving.



"I would like a will prepared... nine to be exact."

Rather than have everyone learn all the ins and outs of planned giving, I think the model of the planned giving officer providing services to fellow fundraisers as well as to donors can work well.

Janney:

There's definitely going to be more of a blending—and more cross-training. Major gift officers need to know more gift planning, and planned giving officers need to continue to raise cash. Planned giving is becoming more of a skill than a silo. It's less of a separate career path and separate department as it was ten years ago. Even if you do have a department and a number of professionals who are gift planning specialists, they should work with the major gifts specialists. The best way to raise the most planned gifts is to make sure every one of those professionals is comfortable with the conversation and gets credit for their part in any planned gift conversation.

James:

I think it is more of a spectrum. In the past it was viewed more black and white: This is planned giving because it's estate planning, and this is major giving because it's a check. Now both sides are moving more towards the middle. Both are interested in blended gifts. Both are interested in major gifts of assets. Even if staffing remains separate—maybe one side has more technical information to help the other side—the concepts are merging. For example, a qualified charitable distribution from an IRA is an immediate cash gift. But it has the complexity that makes it naturally attractive to those who have been trained in planned giving. That's an example of an instrument that walks in both worlds and is pulling both sides to the middle. Both need to understand what it is and why it matters if their donor is 70.5 or older.

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— KATHRYN MIREE

What do you foresee for planned giving, given our current economic environment?

Leone:

Nonprofits need to get creative about collaborating, or even merging with like organizations. The stark reality of a bad economy is that it's hard to raise money, and there is a greater need to cut expenses. How do for-profit business do that? They merge or acquire competitors. Think about hospitals and health care systems. They have been merging and acquiring competitors for the past 35 years. Most of the systems are still public charities. What's happened to their donor bases? They have grown while the nonprofits have cut costs. Now, I know some donors turn away from healthcare philanthropy when their local hospital is acquired by a conglomerate. However, I also know smart fundraising professionals know how to manage relationships so donors are not alienated by change. I think hospitals and healthcare systems have led the way in merger and acquisition and other nonprofit industries are going to have to follow.

I have seen successful mergers of nonprofit organizations. Now is the time for many nonprofits to think about the future and start looking around for opportunities to a new, more sustainable structure. As the nonprofit sector consolidates, planned giving will be affected, but I believe that consolidation will lead to stronger nonprofits. And stronger nonprofits will lead to happier donors. And when donors are happy, they are more likely to make planned gifts.

Miree:

Gift planning has never been more important. Gift planning is what will allow organizations to keep moving even though donors are holding onto their cash tightly. It will allow them to find ways to make a gift without writing a check. It will allow them to look at blended gifts. I expect as we come out of this economic crisis, gift planning will lead the way as it did after 2008. I expect it'll take at least a year and a half for major gifts to recover, but gift planning and deferred gifts will lead as we move forward. I think this is our time.

What types of gifts do you see as the primary types of planned giving vehicles going forward?

McClintock:

Bequests are absolutely number one. They are the easiest to explain and discuss and don't necessarily require an expensive marketing program. That's the foundation. Donor Advised Funds have exploded in the last 20+ years. In addition to cash and marketable securities, a lot of wealth is held in IRAs and in illiquid assets like private stock, private funds and real estate. I think we'll see continued growth in planned and outright gifts funded with these assets.

Janney:

The most important gifts right now, as in the past, are the "gifts that don't cost anything" while the donor is alive. Traditional gifts in the will fit this category. However, we are seeing more beneficiary designations from qualified retirement plans (like IRAs, 403(b)s, etc.) and from donor-advised funds that are also "gifts that don't cost anything" because they are settled after the donor has passed. They are sort of a new twist on this traditional type of planned gift. Definitely gifts through the will are the ones that continue to generate 85% or more of all planned giving.

There are, however, variations. Some people are actually using donor-advised funds, but it's the idea of what's left over after people no longer have any need of the money. An end-of-life gift isn't just something drawn up by an attorney.

"You need to have an idea about marketing and branding, because it's that constant drip of messaging that makes planned giving work."

— STUART SULLIVAN

James:

There was a time in history that estate planning was done at one time and that was it. We simply don't live in that world anymore. Every time a person opens an IRA or a stock market brokerage account they're putting a POD or TOD on that. We're in a world of fragmented estate planning. I think that's really important to realize in terms of planned giving. Certainly gifts in wills and trusts are still going to be the most important segment of planned gifts. But even that is spreading out to include IRA beneficiaries, PODs, TODs and some of these other vehicles. I did a study that looked at 12,000 decedents, and we looked at those who indicated within two years of their death that they had a signed and witnessed will. Two-thirds of those documents controlled no assets.

Many fundraisers don't realize that the will document is a backup document; it's only there in case you have assets that aren't otherwise directed. What we see in reality is that most wills control nothing. And when they do control something, it may not be a very large percentage of the person's total assets

What changes do you expect to see in the language of planned giving?

Janney:

There's a big difference between what should happen and what will happen. We should truly become donor centric. We should sell the sizzle, not the steak, and talk about the benefits, not the jargon. But there are people who like to use the jargon because that improves their status. So I don't know if planned giving will become easier to understand, or if in another decade we'll still be saying this should happen.

Miree:

We use the term "planned giving" in the industry as if everyone knows what we mean, but some people have no idea what that means. For a lot of people, especially fundraisers working in annual and major gifts, they think of planned giving and immediately think of complex transactions—the charitable remainder trust or estate gifts. (Fundraisers may think estate gifts have no current benefit.) "Gift planning," on the other hand, is a more holistic way of looking at what we do—this broader discussion where first we look at the vision and goal, and then we look to the best form, asset, and timing that meets the goal.





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McClintock:

Hopefully we all start by asking donors, “What are your objectives and how can we meet your objectives?” and speak very clearly and simply about what can be accomplished. People respond better to simple, straightforward terms. That’s nothing new. I think like everything, the more simply concepts are discussed, the more readily people can apply them. In my experience, the minute you start talking in technical terms to most people, it’s just too overwhelming. For the most part, it’s possible to convey the essence and key risks and opportunities of planned gifts in a straightforward, conversational manner whether in writing or speaking. Of course, once a donor wishes to proceed with a gift, it’s important to disclose all of the relevant factors. Trust and annuity terms are pretty much the same but discussing Donor Advised Fund and IRA gifts still feels relatively new to many fundraising professionals. Hopefully, going forward, there will be a broader adoption of and comfort level with speaking with prospective donors about what their asset pools are—including IRAs, DAFs, fund interests, real estate, securities, cash, etc.

James:

There will continue to be a conflict for this reason: The words that work are simple—when we’re talking about words that work with donors. Every time we run a test, simple words out-perform complex words. So you might think my answer would be that planned giving language will get more simple. But most consultants don’t sell to donors; they sell to experts. If you’re selling planned giving material, you’re selling to experts. And if you’re selling to an expert, then it makes perfect sense to use technical words and technical language. So that conflict is not going away.

There will be some that continue to use and focus on the complex language, and there will be others that focus on the simple. Which one works depends on which audience you’re selling to. If you’re selling to donors, use simple words. If you’re selling to experts, especially products, it’s ok to use complex language.

Sullivan:

I hope people continue to realize that 90-plus percent, both in terms of numbers and dollars, are simple bequests. That means simply, someone leaving a gift in their will to an organization. I think a lot of planned giving people make planned giving way too complex, and they get enamored with all the fancy language, tax law and planned giving calculators. When I coach a planned giving director, I tell them if you’re going to send four communications a year about planned giving, make three about bequests and one about gift annuities. Don’t even talk about lead trusts. It’s one in a million people where a lead trust should even be considered. The places that make planned giving too complex are losing donors and leaving money on the table.

What skills do people need in order to excel in a planned giving career?

Sullivan:

The most important experience is to spend time as a frontline fundraiser and know what it’s like to have conversations with donors. There’s no replacement for that kind of experience where you’re beginning to understand why someone wants to write a \$5,000 check or a \$500,000 check. You can’t be a planned giving director unless you understand why people do those things—no matter what degrees you may have. I actually think the most difficult position to hire for is a planned giving director. People think they want to do it and it is often for the wrong reasons. You need to be patient, organized, able to relate to people of all ages, particularly those above 60-65, be a really good listener. You need to be able to be seen as a trusted advisor. You can’t come across as “slick” in any way. You also need to have an idea about marketing and branding, because it’s that constant drip of messaging that makes planned giving work. Think about it: How many credit card offers do you get in the mail? A ton! They don’t send them because they like to spend money on mail. They keep mailing to you because they want to catch you in a moment when you need something (money). Planned giving is the same.

It’s a constant stream of information going out in sensitive way so you catch someone at the right moment. I can’t tell you the number of times I have been involved in a planned gift discussion because a donor is about to go on an extended vacation and wants to make sure things are taken care of before they leave.

McClintock:

I’ve hired people over the years who have financial and legal backgrounds, but not exclusively. In my view, anyone who is a good people person and who is not daunted by and can absorb the legal and financial material can be an effective planned giving officer.

Miree:

The main skill you need is to be a good conversationalist. Effective gift planning is more about the conversation than it is the tool box. About 75% of your time is understanding the donor’s goals, what they want to accomplish, why they’re making that gift, and how they define success. Then, it’s time to move on to the gift form, the most appropriate asset, and the timing that best fits the donor and achieves the goal. You need to be comfortable simply opening the door. About 90 percent of planned gifts are bequests or beneficiary designations, which fundraisers master easily. If you find yourself out of your depth, that’s where internal collaboration comes in. Then you go to your gift planning officer and invite them to join the conversation. Every fundraiser should be able to do that. The main skill you need is to be a good conversationalist. Effective gift planning is more about the conversation than it is the tool box. About 75% of your time is understanding the donor’s goals, what they want to accomplish, why they’re making that gift, and how they define success. Then, it’s time to move on to the gift form, the most appropriate asset, and the timing that best fits the donor and achieves the goal. You need to be comfortable simply opening the door. About 90 percent of planned gifts are bequests or beneficiary designations, which fundraisers master easily. If you find yourself out of your depth, that’s where internal collaboration comes in. Then you go to your gift planning officer and invite them to join the conversation. Every fundraiser should be able to do that.

“Anyone who is good with people and can absorb the new material can be an effective planned giving officer.”

— ANNE MCCLINTOCK

What actions do charities need to make in order to be successful with planned giving in the days ahead?

Leone:

Smart boards are going to consider merging with similar organizations to carry out their mission. Nonprofits that are financially struggling but have a popular program or service are going to look for other nonprofits who may be able to acquire the program or assets so the mission continues even if the nonprofit ceases to exist. Similarly situated nonprofits should consider merger, acquisition or consolidation—not only to survive, but also to enhance delivery of their respective missions. Organizations that join together may raise more money because donors may see the value in giving to one organization instead of two. Of course, both organizations will need to honor the gift agreements of former donors or seek consent from the donors' representatives or the court if they must change the use of a gift.

Sullivan:

The smart organizations are those who have all their major gift officers listening for clues to indicate a person would make a good planned giving candidate, and they have a technical expert in planned giving the gift officers can bring in to close the deal. Every development officer should have some modicum of understanding of conversational planned giving. By that I mean, they're able to recognize good candidates for being a planned giving donor, and they're able to weave in the idea of a gift that's more complex than simply writing a check or transferring stock. They don't have to be tax lawyers, and they don't have to know the ins and outs of a CGA versus a CRUT versus a lead trust. It's really just the idea of identifying someone who has accumulated wealth, who is above a certain age, who is beginning to grapple with the fact that they have more money than time left to spend it.

That's when planned giving conversations start in earnest. Typically a person is in their 60s or 70s when they realize, I've got more money than time left. What's going to happen with all these assets I've accumulated? Who and what are most important in my life? Any good development officer can have that kind of conversation with someone.

Miree:

First, I recommend you focus on strong communication and engagement with your donors and prospects. That is critically important in the current COVID environment and virtual world. Second, I recommend you use this time to focus on best practices. I'm part of the National Association of Gift Planners, and we've come up with three categories of standards for what every nonprofit needs in order to create a successful gift planning culture in their organization. The three pieces are:

- **Management responsibilities for success of gift planning.** This includes a strategic plan, including gift planning in reporting, looking more holistically at goals, building a culture of collaboration and integrating the conversation across the entire fundraising base.
- **Operating platform.** This would be things like policies, procedures, metrics, qualified staff, and a plan for planned giving and marketing.
- **Donor engagement,** which includes your case statement for donor investment and a plan for moving the conversation along with donors.

"Now is the time for many nonprofits to think about the future and start looking around for opportunities to a new more sustainable structure."

— CAMILYN LEONE

If you could tweak planned giving and point it in a direction, what would you do?

James:

There's one thing that would dramatically transform investment and planned giving, and that is if we had what they have in the U.K., where it's public knowledge how much every single nonprofit is raising, including estate gifts. That's why we see higher rates of legacy gifts in the U.K. as compared to the U.S. They know when their competition is kicking their butt. Often nonprofits are risk-averse herd animals. If they could see who is winning at this game, that competition would breed an increase in all kinds of giving. It would only take one box on the IRS Form 990 report to change everything.

Janney:

I would like to reframe planned giving as building partnerships with donors to help them discover and fund their philanthropic dreams. I would turn it into a listening, counseling, ministering profession rather than one that focuses on sales and techniques.

McClintock:

I think our donors and our charitable organizations would benefit from a more holistic approach. It is so important to start with: What is it you'd really like to do? What are your immediate and longer-term objectives for taking care of your family, having an impact philanthropically, and managing your financial and tax situation? Let's back up and look at people holistically, and then introduce concepts of different ways of giving, if and as they make sense. I recognize there's enormous pressure to raise money.

If you're at a small organization, what you raise may determine whether the organization stays open or not. Even for a large organization, fundraising is critically important. At Harvard, donors' past gifts to endowment and current year giving provides about 40% of the operating budget. It may feel like a luxury to think holistically, but it can be so important to raising larger gifts. We're dealing with human beings who are representing themselves and their families. What is it about our mission that excites them? What would help them accomplish their goals?





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