

by Allen Moczygemba
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Legacy or the lottery?

A good friend of mine often jokes about folks who buy lottery tickets as the lottery ticket being a part of their “redneck retirement plan.”

He’s probably a bit harsh with his criticism but you get the point.

Hoping to win the lottery is similar to planning a successful farm or ranch transition without a formal estate plan.

For those in the cattle business, estate planning cannot be overstated in its importance. And while some, in fact too many, folks tend to put off estate planning as if the day of transition will never come, it’s a mistake to do so.

To be clear, estate planning is not the same as having a legal will. It’s much more detailed and typically put in place while folks are still alive, not after their death. Think of it as a business management transition that ultimately transfers legal authority, along with property, in a scheduled manner. Unfortunately, it’s that transfer of authority, and power, that tends to complicate matters.

Which brings me to another story. This past November I was visiting with a family that had successfully implemented an estate plan a few years earlier. In this case, it was a large multi-generation ranch in the Southwest. When the siblings and their spouses first met to begin the process of dividing the ranch, the father had already made the decision on which sibling would receive which part and how much of the ranch, cattle and other assets. This is not

necessarily atypical in the cattle business. In this case, however, when the family met to learn the plans, the matriarch of the ranch intervened by telling the next generation that they would ultimately make the decision on whom got what and how much.

Ensuring your legacy

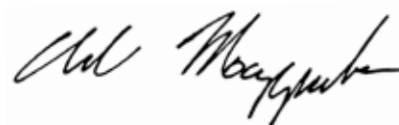
That proclamation quickly changed the dynamics of the estate planning exercise — in both the length of the process but more importantly, in the consideration of transferring ownership and authority. The estate plan took over a year to develop, with many family discussions and formal meetings along the way. But by the recipients being active participants, the next generation was engaged in the process and ultimately worked as equal partners in developing a plan that not only ensured the legacy of the ranch but also brought the family even closer together.

As you might imagine, it wasn’t easy; the decision resulted in much introspection by all members of the family while every formal meeting started and ended with a family prayer. Yet when the process was complete, the active transition of the ranch had occurred and the parents have been able to enjoy watching

their children formally establish their own brands on the land that had been in the family for over a century.

Obviously, each situation is different. Yet, successful estate plans each share a common attribute — a willingness to transfer authority, not just property. And to do it now, not later on.

Our industry, more so than almost any other, is in the process of a generational transformation due to the general aging of our demographics. If you don’t have a formal estate plan in place, get one now. Make sure that your legacy is one of looking to the future — not trying to hold onto the past. **AJ**



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