



Transferring Cherished Possessions: How Can We Communicate Without Conflict?

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Discussing estate planning details with loved ones can be challenging. Depending on the family dynamics at play, these conversations may be emotional or even stressful if you're managing conflict or strained relationships. Developing a clear plan to distribute your belongings, as well as learning communication strategies to use while estate planning, can ease the process for everyone involved.

Managing Family Dynamics

Being mindful of family dynamics while estate planning requires a delicate balance of financial, emotional, and psychological considerations. These may include managing difficult personalities, sibling rivalries, blended families, emotional or physical needs of heirs, estranged family members, or addiction, just to name a few. These tensions may be heightened when combined with the grief often experienced in anticipation of the death of a loved one (*estate planning*) or after the death of a loved one (*estate settlement*).

In fact, managing family dynamics may be more challenging than deciding the legal details of your estate plan. Depending on your circumstances, it may be helpful to talk to a family therapist, counselor, or mediator who can help diffuse conflict, promote more peaceful family interactions, or offer strategies for managing anxiety, grief, or other mental health concerns.

More Clarity, Less Conflict

Despite careful consideration and effort when estate planning, sometimes conflict escalates over the smallest of objects, like artwork, a crocheted blanket, or a wedding ring. Believing such issues won't be a problem in your family may be optimistic thinking, especially when emotions are involved or situations are unclear. One way to minimize conflict when estate planning is to leave as little open for interpretation as possible. To do this, consider the following steps while you plan for the distribution of your non-titled property.

Itemize Your Cherished Possessions

If you haven't done so already, create a list or asset distribution plan that includes your most cherished possessions, and indicate who should receive each item. If you worry more than one beneficiary will want an item, it may be helpful to add an explanation. If you don't have a preference or can't decide between heirs, ask family members for their input.

Offer Guidance for Non-Cherished Possessions

Next, list other items in your home that may not hold sentimental value for your loved ones. You can do this by categories, like kitchenware, clothes, linens, or gardening supplies, for example. Beside each category, suggest one or more methods of distribution. (For example, donate clothes to the local shelter.)

Seek Support

If these tasks are difficult to do on your own, ask a loved one to help. You can use the communication tips in the next section to begin the discussion. Ideally you will include all primary beneficiaries in the planning process so there is transparency. Transparent conversations are open and honest. This makes everyone aware of what is to be distributed, how it is to be distributed, and why.

Write a Letter of Last Instructions

This is different from your will in that it is an informal letter providing instructions to your family, executor, or attorney about your final wishes for the settlement of your estate upon your death. You can use this letter to let your heirs know the locations of important documents like your insurance policies, will, or bank documents; instructions for funeral arrangements; and additional information on how to distribute your non-titled assets.

Communicate Your Plans

Once your plans are decided and in writing, tell your attorney, the executor of your estate, and relevant family members or loved ones.

Preparing for Estate Planning Conversations

Before having estate planning conversations with your loved ones, be prepared. This can help to ease nerves, calm emotions, and promote openness between everyone involved. Whether you are communicating a written plan for your estate, are still in the brainstorming process, or have a family member such as an aging parent whom you would like to encourage to develop an estate plan, it can be helpful to review the communication strategies below before approaching the subject.

Look for an Appropriate Time and Place for the Conversation

There is often no "right" time to talk about estate planning, but you may want to consider an appropriate time to bring up the topic. Look for natural opportunities if possible, such as after a family gathering that everyone will attend. Or you may choose to intentionally schedule a time to gather everyone together and let them know ahead of time that you would like to discuss your estate plans.

Involve all Relevant Parties in the Conversation

Not sure who to include? Consider who will be most affected by your estate plans after your death. Perhaps your children, their spouses, older grandchildren, nieces and nephews, or others who are named in your will should be included. The list will vary from person to person and family to family. For considerations when choosing an executor for your estate, review Kentucky Extension publication *Estate Planning Part 3: Selecting Your Team* (FCS5-423). Similarly, if you are planning to talk with your parents about their wishes after death, be sure to involve siblings and other relevant parties in the discussion. Bringing everyone to the table helps avoid confusion and minimizes conflict by keeping everyone in the know.

Ask Curious Questions

Taking a curious approach can soften what could otherwise be a difficult conversation to start. This includes asking "What if?" questions in a non-threatening way to encourage loved ones to start thinking about estate planning and asset distribution. An example might be to ask, "Dad, **what if** you were not able to make decisions on your own? How would you like for us to take care of your sentimental things, like your hunting gear or mom's jewelry?" Another simple conversation starter could be: "Son, **I'm curious**. When I create an estate plan, do you want my antique glass collection, or are you OK with me donating it to the museum?"

Use Resources or the Experiences of Others

Resources such as this article and other Extension publications can serve as conversation starters to highlight the importance of having a plan for non-titled property. Also, if any friends or family members recently had to settle the estates of their loved ones, ask them to share their experiences and methods. Whether the experience was positive or negative, it could offer insight as to how you or your loved one can do things similarly or differently based on your family's goals and dynamics.

Be Patient and Consistent

Keep in mind this may be an awkward conversation, no matter how you approach it. To ease the stress and anticipation of having estate planning conversations, outline what

you want to say, reflect on why you want to discuss it, and rehearse the conversation aloud ahead of time. If your loved ones are unwilling to talk about estate planning topics, don't force the conversation or let it cause conflict. Sometimes simply bringing it up helps pave the way for future discussion.

Minimizing Conflict in Estate Planning

Because the distribution of personal possessions often takes place after the death of a loved one—or when an aging parent, grandparent, aunt, or uncle is downsizing or experiencing declining health—emotions and stress levels are typically high for everyone involved. Because of this, conflict related to estate planning may have to be managed for several reasons.

Perhaps you are the owner of the estate and are discussing plans with your children and their spouses, and everyone has a different opinion. Or maybe you are the executor of someone's estate and are navigating who gets what with no clear directions. Maybe you are helping a loved one downsize an estate, distribute non-titled property, or create an estate plan. Whatever your situation, if conflict arises during your discussions, the following tips may help.

Have the Bigger Picture in Mind

Ask yourself or your loved ones which is more important: family harmony or a \$20 knickknack, a set of silverware, or a power tool? Keeping the peace often means agreeing to compromise. If family relationships matter most, then someone might end up without a particular desired item.

Be a Good Listener

Pay close attention to the information, emotions, and memories another person shares during a downsize or the distribution of an estate. Being a compassionate, attentive listener may help you better understand why your sibling, for

example, values a specific Christmas ornament, well-worn sweater, or other cherished possession.

Keep Other Issues at Bay

When downsizing or settling an estate, focus only on the distribution and disposal of assets. Don't let unresolved disputes or past conflicts resurface. It may be wise to bring in a grief counselor, therapist, or mediator to offer a professional, outside perspective to the situation if conflicts or emotions escalate.

Don't Sweat the Small Stuff

Remember, when all is said and done, it's just stuff. While holding on to cherished possessions may help us feel closer to a loved one, it won't bring that loved one back, restore one's health, or rewind time. Instead, work to establish a fair distribution process for everyone involved based on the goals and wishes of the loved one whose estate you're helping to settle.

References and Recommended Resources

- Huff, N. (2021). *Estate Planning Part 3: Selecting Your Team*. University of Kentucky Cooperative Extension Service, FCS5-423. <http://www2.ca.uky.edu/agc/pubs/FCS5/FCS5423/FCS5423.pdf>
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This publication is Part 4 of the Transferring Cherished Possessions series:

Part 1: Where Do I Start? (FCS5-479)

Part 2: What Is Fair? (FCS5-480)

Part 3: Who Gets What? (FCS5-481)

Part 4: How Can We Communicate Without Conflict? (FCS5-482)

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