

Planned Giving First Hand Experience



Do you have the shoulds?

My husband and I just froze each time someone mentioned having done their will drawn up.

Making a will progressed into thoughts of our future demise; for most people, this is the deterrent for making a will. We have been guided not to think about death.

There were always reasons or excuses for us to procrastinate.

This was something we knew we had to do, especially having savings in the US and at the time, property in Budapest, Hungary where we were long-term residents. We eventually bit the bullet getting the Hungarian will executed, but we still dragged our feet having the US will completed.

Now that we are living in Cuenca, our former wills are null and void.

So it was time to start the process all over again.

Thoughts of completing them this time was easier. We were able to move forward and get it done.



What we learned in this process is if you don't have a will in Ecuador, everything you have automatically goes to your next relative and if there are none, the government is the recipient.

Similarly, in the US, it is called "intestate" allowing the government to decide for you who gets what.

We knew we wanted to determine where and how our bank accounts and real estate are distributed.

We initially created a will with an attorney, we requested copies of the wills in Spanish, but an English version would be preferred.

We were informed that we cannot have copies of our own wills. Once it is notarized, it is a sealed document. No one, not the will maker or your attorney has access to that document until your demise.

This was a surprise that we had not been informed of ahead of time, however, due to changes in various circumstances, we decided to get our wills revised. We used a different attorney.

Do you believe that making a will is an expensive venture?

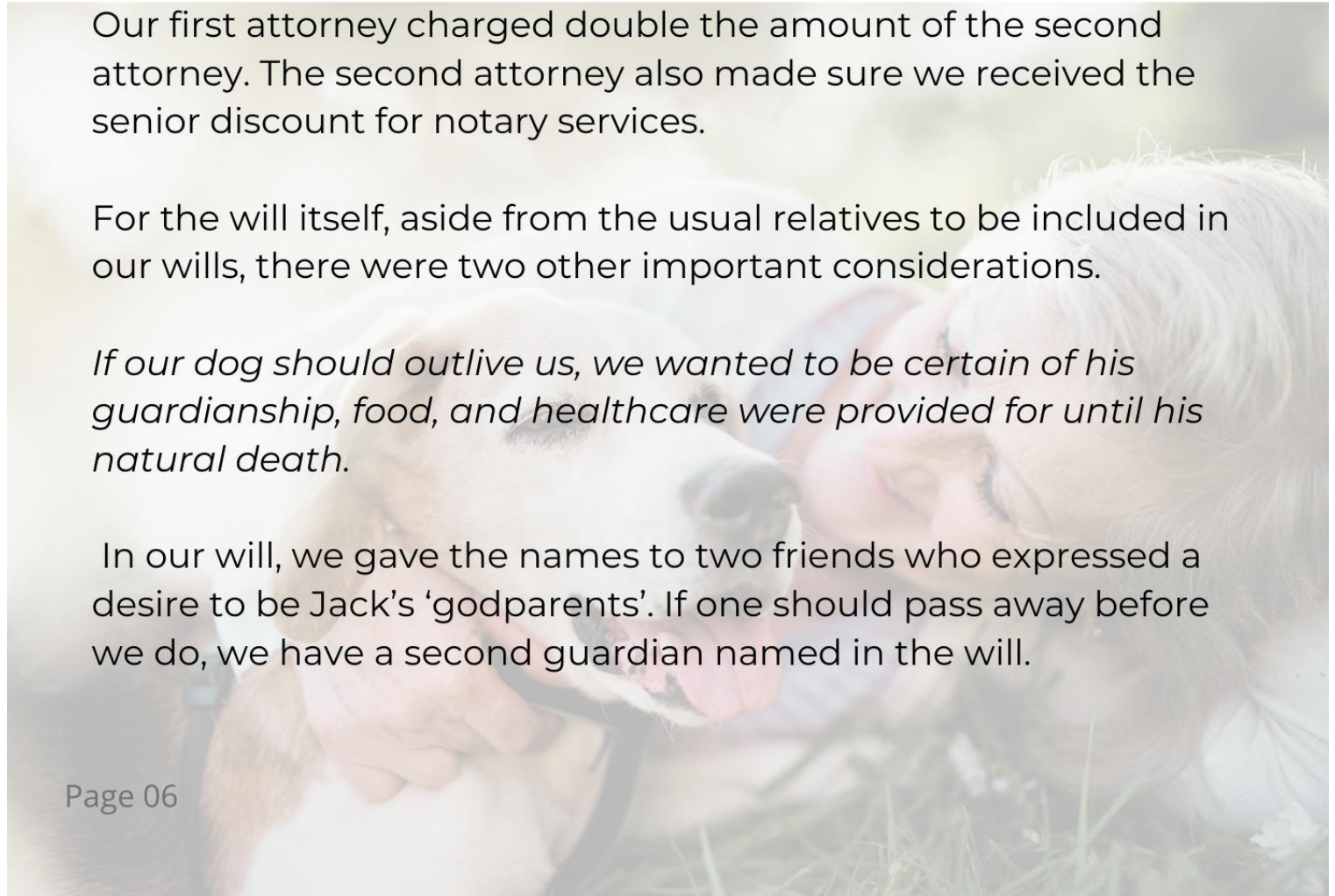
We thought the same but found it does not have to be.

Honestly, it can be, but it depends on the attorney you choose. Our first attorney charged double the amount of the second attorney. The second attorney also made sure we received the senior discount for notary services.

For the will itself, aside from the usual relatives to be included in our wills, there were two other important considerations.

If our dog should outlive us, we wanted to be certain of his guardianship, food, and healthcare were provided for until his natural death.

In our will, we gave the names to two friends who expressed a desire to be Jack's 'godparents'. If one should pass away before we do, we have a second guardian named in the will.



Knowing that none of our nieces or nephews would be interested in our real estate here in Cuenca, the profits from the sales were to be distributed to four charity organizations.

One of course is FAAN so they can continue the excellent work they are doing: Rescuing, sheltering, feeding, and addressing healthcare to innumerable numbers of dogs has a continual need for donations.

It was simple. All we needed to provide was the name of the organization and the contact information. We were advised not to name specific people as they may change over time.

For further guidance, Free Will has a special article called “Pet guardians: How to provide for pets in your will”

<https://www.freewill.com/learn/what-is-a-pet-guardian>

Here is a tip where hindsight is 20/20, before you have an Ecuadorian will executed.

Before we revised our Ecuadorian will, we wanted to know what was in it. We first executed our New Jersey wills first and then modified it for the Ecuador information. Giving this to the second attorney reduced her time and all she had to do was translate it and to make sure it met Ecuador laws.

We now have a copy of our Ecuadorian will received before we went to the notary.

Ecuadorian wills require five witnesses as well as the notary. We could not inconvenience our friends to coordinate times to meet at one time, but most notaries here have people readily available to be a witness for \$10 per person. The attorney we used is Maria Peñafiel, her telephone number is 098-424-4319 and her email address is mariapenafielcuenca@gmail.com. Her father is also an attorney and her mother is a judge.

You don't need to be in the US to create a US will.

You use Free Will <https://www.freewill.com/>, to choose which state you need the will for and Free Will offers guidance for the laws and regulations of your state.

Once you complete your will, it may need to be notarized. The first thing to check is if your state allows for a virtual notary. If it does, there are dozens offering this service. Just do a search for "Virtual Notary". This is completed using a webcam and is a simple procedure.

And when you are creating that US will, remember FAAN has a sister organization in the US that accepts donations for our Cuenca organization.

***Amici Cannis USA
1008 Centre Avenue
Fort Collins, Colorado 80526
Indicate your donation is for FAAN/Shelter
Account number 1000-817-9654 FEIN# 46-5202586***

Ryan James, Ed. D.
FAAN-atic

