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# The Ethical Will, an Ancient Concept, Is Revamped for the Tech Age

By CONSTANCE GUSTKE OCT. 31, 2014

JO KLINE CEBUHAR first encountered the ancient concept of creating an ethical will while she was a volunteer at a hospice in Iowa.

The wills, nonlegal documents that pass on heartfelt wisdom to future generations — were being used to help dying patients share their final thoughts. She became taken with the idea of passing on personal lessons — not just assets. And before long, she was creating one of her own.

Rather than putting pen to paper, though, Ms. Cebuhar decided to put her ethical will on a PowerPoint slide show. That way, she could share intimate moments by using family photos, humor and even quotations that reflect her philosophy of happiness and gratitude. One favorite quote was delivered by Chuckles the Clown, a fictional character on The Mary Tyler Moore Show: “A little song, a little dance, a little seltzer down your pants.” She keeps the slide show as a computer file that’s ready to go.

“Slide shows have lots of impact because you can put images on them,” said Ms. Cebuhar, who is a lawyer and author of the book “So Grows the Tree — Creating an Ethical Will.” “There’s an extra dimension, which appeals to a wider audience like younger people.”

Increasingly, the 3,500-year-old ethical will is getting a high-technology makeover. Technology aficionados like Ms. Cebuhar are turning to videos, DVDs, digital scrapbooks, iPhones and even Facebook pages to put a human touch on their legacies. And some legal advisers, who have found that ethical

wills help avoid nasty family conflicts that can chew up assets, are adding the video wills to their estate planning toolbox to deliver even stronger personal messages.

Originally an oral tradition, ethical wills have been used by Jewish people for centuries to pass on life lessons and ethics, such as the importance of charity. In the 11th century, ethical wills began to be written down, and some still exist in archives.

These days, ethical wills are nonbinding documents that are increasingly seen as important legacy-building ingredients, say experts, because they can convey a person's deep inner values and beliefs, even helping soothe ruffled feathers when dispensing family assets.

"Trust documents are bare bones," explained Susan Turnbull, founder of Personal Legacy Advisors, based in Massachusetts. Ms. Turnbull embraced ethical wills as a way to counter the cold legalese of wills and trusts. "But an ethical will says who I am. It's what you want your loved ones to know and understand."

These wills lay out life lessons and moral philosophies, agreed Laura Zwicker, chairwoman of the Los Angeles law firm Greenberg Glusker's trusts and estates group. They may explain how the family money was made, she said, so that future generations can understand how the monetary legacy is to be used. "Without the glue of the family patriarch or matriarch, conflict is more likely to happen," she added.

In a new twist, people are also turning to video ethical wills, Ms. Zwicker said. Her firm uses professional videographers to film a matriarch or patriarch, and then the final version is edited down to about 10 minutes. "With videos, there's a greater moral obligation to understand what's being conveyed," she added, "when the person can be seen."

"Technology lets you include video clips, sound bites and even music in ethical wills," said Scott Friedman, a managing partner at the Buffalo law firm Lippes Mathias Wexler Friedman. "So you can see someone or hear his or her voice." Mr. Friedman said that video wills were especially effective because messages were best heard when conveyed through tone of voice or

posture. “Being appropriately emotional in a video adds more dimensions than just words on paper,” he said.

Shooting and sharing an ethical will is even easier with new technical tools, Mr. Friedman said. “People can even do video selfies.”

Even iPhone apps are being used to create ethical wills. April Bell, who owns a video storytelling business called Tree of Life Legacies, codeveloped the ethical will app StoryCatcher for iPhone use. The app gives people easy-to-use tools to tell their own stories on videos. “When you capture someone on film, you get the full essence of who they are,” said Ms. Bell, who is passionate about ethical wills. People can share their finished videos in Dropbox folders or on private websites.

One of her clients made a 45-minute ethical will video, which included a reading from the author Kahlil Gibran as soft music played in the background. To coax storytelling, Ms. Bell uses a 20-question questionnaire that touches on a person’s values and philosophies. “But the point is keeping it simple and fun,” she said.

Shareable digital scrapbooks, which are widely available, are also interesting vehicles for ethical wills, Ms. Cebuhar said, adding, “You can take them and embellish them with pictures and words.”

The most unusual ethical wills are online, though, Ms. Cebuhar said. She pointed to Randy Pausch’s ethical will, published as the book “The Last Lecture,” where he talks about the importance of seizing the moment. Mr. Pausch, an author and computer science professor who died at age 47 of pancreatic cancer, still has a Facebook page, and his last lecture is posted on YouTube. Everyone has a video recorder, Ms. Cebuhar said, and you can put a video on your own website or share it on Facebook.

Whichever format you use, don’t use your ethical will to blame or scold anyone by reaching out from the grave, cautioned Barry Baines, author of “Ethical Wills: Putting Your Values on Paper.” “It should be a love letter from the heart so people can share who they are.”

Mr. Friedman agreed that ethical wills help improve family communication and lift people’s spirits. “So you shouldn’t say anything

negative or painful,” he said. More practically, he added, ethical wills shouldn’t conflict with your standard will. Other than that, there’s no limit to what can go into an ethical will.

Brian Luster, a partner at the family office Abernathy Group II, said a strong ethical will can even help avoid family conflict. Lack of communication and trust destroys families, he added, despite perfect family planning.

“Passing on values and traditions is why some families also pass on wealth,” Mr. Luster said, referring to the Rockefeller family’s legacy of philanthropy. “If you can teach your kids to be good wealth stewards, your family will survive.”

Mr. Luster uses videos to communicate these core legacy values. “Families who watch the videos get to hear stories directly,” he said. “So you get to put a face to the name.” Each video covers a value that’s important to the patriarch or matriarch, such as charity. The video is then edited and archived.

Though high-tech ethical wills can be inviting, they aren’t for everyone, Ms. Turnbull said. “Writing is enduring and timeless,” she said. “It’s an archive that can be printed.” Conversely, high-tech wills can become outmoded. “What happens if video is outdated in a generation?” she asked. “Ethical wills are meant to be enduring.”

Technology tools are useful when preparing ethical wills, Ms. Turnbull acknowledged. She encourages her clients to use a smartphone to create an audio file. “If I have a thought, I can pull out my phone and talk into it to start the process,” she said. “There’s no perfect time.”

Less tangibly, ethical wills can also deepen our own lives, said Mr. Baines. “Today, we don’t take time to self-reflect,” he said. “But putting together an ethical will early on helps you live life with more intention.” That way, life can be richer, he said, adding: “We’re built for story and narrative.”

A version of this article appears in print on November 1, 2014, on page B4 of the New York edition with the headline: The Ethical Will, an Ancient Concept, Is Revamped for the Tech Age.

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