

# Woodland Legacy Planning

## Love Your Land? Make A Plan.

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### A Guide to Starting a Legacy Planning Conversation

#### Our Philosophy

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Embracing a land stewardship ethic involves not only caring for the land today; it extends to providing for its future. Most landowners express a commitment to the land and want to be “good” stewards. They do this by caring for the soil, water, plants, and wildlife.

One of the most persistent threats to land happens when it changes ownership. Changes in land ownership frequently result in parcelization (the breaking up of land into smaller pieces), which typically changes current ownership objectives and limits management options. When land changes hands, future management and use decisions frequently do not reflect the previous owner’s goals.

While current owners cannot control what happens to the land beyond their tenure, they can take steps to guide its stewardship by creating a legacy plan.

#### The Goals

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Private landowners often have short-term plans for their land, such as designing a trail, harvesting timber or crops, creating wildlife habitat, or building a pond. The purpose of this document is to encourage private landowners to think long term and consider making plans for their land as it passes into other hands.

Legacy planning is a strategic planning process to achieve a shared vision and objectives for the property and ensure a smooth transition between landowners and those they designate as future owners. Similar to estate planning, decisions are made about the future of an individual’s land. However, legacy planning focuses on communication with family members or future owners to develop shared understandings, planning actions, and the legal and financial tools used to achieve an owner’s goals for the stewardship of his/her land.

This process may take years. It is most successful when it involves one’s family or partners as well as those who work most closely with the landowner and his/her woodlands. It rarely happens overnight or in one sitting. Often people want to think about what is being discussed. The question is: What do landowners and next owners want for the future of their woodlands and what tools will help ensure it happens as planned?

Before landowners start planning, they must recognize the need to create a legacy plan. Casual one-on-one conversations with landowners are great opportunities to discuss the importance of and details involved in legacy planning. What follows are some suggested steps to help you initiate and guide conversations about legacy planning with landowners.

## **The Conversation Roadmap**

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While each conversation is unique, most legacy planning conversations will include three parts. The first part gets the landowner thinking about what they will do with their land in the future. The next part introduces them to the idea of legacy planning. Explain that legacy planning allows them to think about what they value most in their land and what they want to preserve over time. In the third part, you will encourage them to begin the process for themselves. This is a great opportunity to encourage them to discuss their goals with their spouse, family, and future heirs. This is also the time to provide them with legacy planning resources.

## **Beginning the Conversation**

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It is usually not the case that one-on-one conversations with landowners are scheduled or planned for in advance. They typically occur serendipitously. Often, a conversation about legacy planning will evolve out of other conversations or interactions with landowners. For example, it might happen during a walk in the woods or over a cup of coffee. Be prepared to casually prompt or initiate a discussion when the opportunity arises.

## **Getting the Ball Rolling**

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The situation might arise where a client or friend asks what you have done to plan your legacy. This makes starting the conversation easy; you need only respond to start a meaningful conversation. Be prepared to share planning documents and information you have.

Should you find you want to initiate the conversation, asking questions is a good place to start. Listen carefully to their response, letting them guide your next question. Look for small openings to guide the conversation toward stewardship and legacy planning.

Many of the elements of legacy planning, such as the landowner's values, their goals for the land, and potential heirs, may serve to start a conversation. The following topics may be particularly helpful for getting the ball rolling:

### ***Interests***

Learn about their interests. People like to talk about the things and activities they enjoy. As you listen, be prepared to ask about the land and the family.

### ***Family***

People always seem interested in talking about family, so ask about them.

Start with a question about whether they have discussed the land with their children. Listen carefully, repeating what you think you heard them say. For example, “So it sounds like you have mentioned to your children that you hope they will keep the parcels intact. Did I hear you correctly?” Allow their response to guide your next question. If you are familiar with the family, ask about what level of interest the children (or other relatives) have in the land.

### *Potential Heirs*

Learning about potential heirs is another starting point.

A simple question, “Have you considered who you might want to leave your land to?” If you are comfortable asking the owner whether they talked to potential heirs about the plan or about their legacy planning, your question can be more direct.

### *Values and Goals*

Learning about what they value provides the opportunity to share thoughts about steps to ensure they can conserve these values in the future.

Asking questions is a good way to gain insight about people’s values and goals. For example, asking, “What do you value about the property?” might help them start to think about what matters most. Listen carefully to their answers, repeating what you think you heard them say.

### *More Example Questions*

Below are sample questions you may edit to fit the conversations you have with landowners. These sample questions may also give you ideas for other questions to ask.

The questions you ask of landowners should arise out of information you’ve gained in the course of the conversation. The subject of the questions should follow from the story/conversation that led to this point.

You should use only those questions that will help facilitate the legacy planning conversation. You should not ask landowners all of the following questions.

“What does the land mean to you?”

“What do you value most about your land?”

“What would they like to manage, protect, or conserve?”

“Have you thought about what will become of your land when it passes into someone else’s hands?”

“You mentioned you have two children. Are they involved/interested in the land?”

If the children are not involved, prompt them to find ways to get them more involved.

“Have you tried talking to your heirs about the land?”

“You mentioned you hope your grandkids will enjoy being on your land. Have you made any plans to ensure the land will stay in your family?”

- “What would you like to see happen to your land in the future?” Or, “What would you NOT like to see happen in the future?”
- “Do your grandkids enjoy hunting on your land?” “Would you like them to be able to hunt on the land in the future?”
- “You say you don’t have heirs interested in maintaining the land; have you given any thought to who might become the steward of the land after you?”
- “You have a will. Does it provide guidance for protecting the land or does it merely divvy up your estate? Have you taken steps to ensure your heirs can hold onto the land?”

## Encouraging Landowners to Start the Process

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As landowners learn about and express an interest in developing a legacy plan, encourage them to start the process. Provide them with available resources and encourage them to find more information regarding their land and situation. Encourage them to build on the conversation you have had with them to identify and write down their own interests and goals for their land. Explain the importance of and encourage them to have conversations with potential heirs.

It is important for landowners to discuss their interests and goals for their land with family or future land manager. Landowners may be reluctant to initiate them, and they are difficult conversations for some. There are fears of alienating children, creating unwanted conflict, and of not finding shared understanding. However, not having these conversations puts the current owners’ plans at risk; they don’t know if their long-term wishes will be understood or followed. If you can plant the seed to have a conversation, you can provide resources to help make it happen. The Forest Story Cards and Heirloom Scale are useful tools for starting the conversation. Let landowners know about these communication tools and how to use them.

## Know and Use Your Resources

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There are many resources you can share with a client or fellow landowner. Consult the *Know Your Resources* guide. Be aware of the resources it contains and have them on hand to share.

Don’t forget to:

- Use the Forest Story Cards
- Give the landowner a brochure
- Send them to the website

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