

# PLANNED GIVING DURING A PANDEMIC

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This paper explores the unexpected impact of the COVID-19 pandemic—significant increases in mortality salience and an increased desire to leave a legacy. Now is the time to give people what they need: a way to find peace through making a difference.

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## ABOUT BRANTLEY BOYETT

After practicing law for over a decade, Brantley founded Giving Docs in 2015. Under his leadership, Giving Docs has partnered with Dan Ariely's behavioral science lab, the Center for Advanced Hindsight at Duke University, which seeks to use behavioral science to make the world happier, healthier, and wealthier. In addition to running Giving Docs, he also teaches Law and Entrepreneurship at Duke University School of Law.



Giving Docs provides a full suite of estate planning tools. We seek to help people live more meaningful lives, create significant legacies, and help grow the extraordinary organizations that inspire them.

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# The Unexpected Impact of a Pandemic

**W**hat happens when you find yourself in a pandemic? Some of the outcomes are easy to predict. Fear. Uncertainty. Anxiety. But several of the outcomes we've observed thus far are counter-intuitive—until you dig a little deeper into the science behind human behavior.

That's something we do here at Giving Docs with regularity. Through our partnership with [Dan Ariely's Center for Advanced Hindsight \(CAH\)](#)<sup>™</sup>, we explore topics like why giving makes people happier, or what emotional triggers help people move towards or shy away from important commitments, like estate planning.

Applying this lens to the current situation we find



ourselves in—surviving a pandemic—we have emerged with surprising insights that are quite encouraging to us and our nonprofit partners.

## The Malleability of Human Behavior

**A**s experts in estate planning, we've invested a lot of time and resources into researching the issues that both hinder and help people overcome the emotional barriers to planning their estates. After looking at this from a variety of angles, we've concluded that it's hard to get people to plan their estates. People know it's good to have an estate plan,

even if they aren't exactly sure why. They know putting their family through probate without a will in place is a burden. However, as much as they know making a will is good for their loved ones, a [2016 Gallup poll](#) reports that 66% of Americans do not have a will.

Some of the obstacles to estate planning are obvious: It takes time, and it costs money. However, the research that we've done with the [Center for Advanced Hindsight](#) reveals that the biggest obstacle is emotional. People simply don't like thinking about death, and they dislike it enough to allow this negative emotion to get in the way of making a will.

This reluctance to think about death is something we measure using the term *mortality salience*. Mortality salience is a measure of a person's ability to conceive of their own death. This is not something that is scored—it's not a zero to ten scale where you're at a zero if you think you're immortal and you're at a ten when you're getting read your last rites—but rather something that is pliable. It's something that can be increased or decreased by experiences and thought exercises.

Knowing that low mortality salience is a known obstacle to estate planning, our team has been extremely interested in uncovering ways to increase mortality salience. Basically, we want to make it easier to think about death so that people are more likely to take actions that better their lives and prepare for the future, so that they take care of the people and causes they care about most.

Here's what we've discovered: the pandemic has made a significant impact on the overall population's mortality salience, and this change could have some very positive impacts, should it be channeled in the right direction.

# 66%

of Americans do *not* have a will.





## The Impact of the Pandemic on Mortality Salience

**S**uddenly we have a situation where everyone has been forced to think about their eventual death, not on a daily basis, but on a minute-by-minute basis. We are marinating in 24-hour world-wide news coverage. We've lost jobs or had to change our work routines to stay safe. We are surrounded by visual reminders—masks and the ever-present hand sanitizer. Almost everyone knows someone who's gotten very ill. Many of us know people who have died. All of a sudden, for an extended period of time, we've been forced to

contemplate our mortality.

This has caused a significant change in our collective consciousness about death.

It would appear that this pandemic is the largest event which increases mortality salience that our generation has ever experienced. But what does that mean? What does the psychology and behavioral science research tell us about this shift, about how is this shift applicable to the world of planned giving?

## Surprising Results

**B**ack in March and April as we were talking to planned gift officers, the widespread assumption was that the traditional planned giving ask was (at least temporarily) off the table. The planned giving world was timid about making the ask, and they weren't sure when they were going to be able to have those conversations again. We've all heard stories of email marketing that went out right at the beginning of the pandemic and was met with harsh feedback from donors. No planned gift officer wants to come across as opportunistic or insensitive. After all, people were losing family and friends! On top of that, we were losing basic freedoms to work, play, and socialize in the ways we'd taken for granted for a century. How could we ask people

to give at a time of such tremendous loss?

Not only did asking for commitments seem insensitive, but in-person meetings were now out of the question. Normal business practices were disrupted. Spring, and then summer, and then autumn events were canceled. Revenue goals went unmet.

But here's what was happening behind the scenes. As planned giving officers pulled back and organizations focused on meeting the needs of their communities with limited resources, something was quietly changing in the hearts and minds of people. An entire society was thinking about mortality in a new way, with increasing mortality salience across the nation.

# Terror Management Theory

**A**t this point it's important to consider a concept we've studied a lot—the psychological concept of terror management theory. Terror management theory supposes that human beings all have a psychological defense mechanism fostered by competing lines of thought in the brain. The two competing lines of thought are: (1), we all have an innate survival instinct, and (2), from the age that we're able to truly conceive of death as a concept, we know that we will eventually die. We also know that death is somewhat unpredictable; as such, we don't know exactly when it will happen or how it will happen. The conflict occurs because our instincts tell us that we need to survive at all costs, even though we

also know that we cannot stave off death forever. Terror management theory is a psychological analysis of how we manage that conflict.

Terror management allows us to live our lives without being paralyzed by these competing interests. Probably the most well-known way that humans cope with this fear of imminent death is through religion. This thought that we have an afterlife, that we will transcend this plane, and that death isn't really death and we will all move on to a better place... this is all an effective form of terror management. However, there are other things that we do that are also ascribed to terror management theory.



## NEGATIVE WAYS PEOPLE MANAGE TERROR

The pandemic makes it really difficult for us to manage that terror when our mortality salience has been induced to such high levels.

Obviously, we've seen a lot of the negative impacts of the pandemic. People report experiencing increased anxiety. We've all seen memes or jokes about gaining the COVID-19, meaning 19 pounds, since many of us have coped by overeating or watching TV instead of exercising. We are also seeing pathological responses to threats such as increased domestic violence, and increased substance use and abuse.

Some negative effects are exceptionally problematic for society as a whole, like the mass denial of the existence of the pandemic. If we can deny that the threat exists, then we don't experience terror at all. Denial can be a powerful coping tool, but it also leads to risky behavior that negatively affects large swaths of society.

Anxiety related to the pandemic also leads to more extreme polarization of political positions. Some psychologists subscribe to the theory that although George Floyd's death was horrible and it was something that we saw on video, we had seen other terrible situations like that before in the past that didn't result in the mass public outcry and movement that has evolved from that incident. One of the effects of terror management is that people reach their breaking point—with both positive and negative consequences.



## POSITIVE WAYS PEOPLE MANAGE TERROR

While the phrase "positive terror management" may sound incongruous, people (fortunately) do find positive ways to manage the anxiety that accompanies the realization that we all will indeed die someday, and fortunately, we're seeing that during this pandemic. Volunteerism is up. We've seen increased donations to charities across the board, and especially to charities that people connect with emotionally and socially. Food banks have seen donations increase by up to 700%. Black Lives Matters and other social change organizations have received record donations and interest.

Many people feel a desire to improve the lives of others during this trying time, as is evidenced by the uptick in funding, donations to, and even volunteerism for organizations that provide food, shelter, and other support for those in need.

We're social creatures. When we personally experience distress or suffering, we think about how other people also must have similar needs for social connections and support. This drives behavior that improves society as a whole. As a result of feeling trapped at home and needing to find ways to feel closer to other human beings, many of us adapted in creative ways. People get better at scheduling Zoom calls and checking in on their parents, siblings, and friends.

People are figuring out how to work their diet and exercise regimen, and have started thinking about what they can do to help each other out. From the research, we know that awareness of mortality creates these positive behavioral changes, and people want to live up to positive standards and beliefs when they think they're going to die. Beyond strengthening our personal relationships, science has shown that experiences like the pandemic builds charitable communities as well.

## A Delayed Response

**M**any people think these changes should be automatic. Fast. Immediate. However, research tells us that such changes take time. It doesn't happen right away, and not everyone reacts in the same way.

Our immediate response in the early stages of a pandemic are to remain in denial. This is a typical response to hearing you are going to die. It's too shocking to absorb and respond to right away, and our gut reaction is to run away or tell ourselves it isn't true. However, after we've had some time to digest the information, we start taking action.

One study co-authored by Professors Katherine White and Darren Dahl at the University of British Columbia, Sauder School of Business and published in July 2020, explored the question: how does mortality salience affect generosity? The research project was actually conducted pre-pandemic, which is important to note because it verified the results before the time when we've all been exposed to this mass awareness of mortality.

Study participants were asked to bring (to the study) a book that held personal emotional significance. Group One was asked to consider a typical day for a couple of minutes, and then they were asked if they would like to give their book to a charity. Group Two was asked to contemplate death for three minutes, and then they were asked the same question. Study participants in Group Two were 30% more likely to give away their book. Interestingly, the people in Group Two were even more likely to give away their book if they were given the opportunity to write an inscription inside the book and sign it with their own signature.

Dr. Katherine White, one of the professors running the study, recently commented about the impact of the

pandemic on mortality salience as related to this study. As Dr. White put it, "More people are thinking about the idea of symbolic immortality and where possessions will go when they pass on."

Generosity increases when the donor can connect him or herself to something that's more lasting—like the signature in the book. The takeaway here for nonprofits is if you can tie a gift to something that's permanently displayed (such as a plaque or a mural), you make it possible to transcend their own mortal life. "For many people, that mortality salience is much higher now, for better or for worse. People are just more aware of how fragile life can be," says Dr. Dahl.

*"Many people feel a desire to improve the lives of others during this trying time, as is evidenced by the uptick in funding, donations to, and even volunteerism for organizations that provide, food, shelter, and other support for those in need."*

## Planned Giving Front and Center

**W**hat does all this increased mortality salience and terror management mean for estate planning? Many online estate planning platforms have stated that their usership doubled in the spring. Estate plan attorneys have been overworked for this entire time as well. One of our advisors, a longtime estate planning attorney in Texas, said, "We don't have time to do everything that we need to do here. I'm working 18-hour days and we can't produce the documents quick enough. There's a backlog here and it's producing an extreme amount of pressure on my organization because if we sign clients, and we're not able to get it done, then we may be held liable. On top of that, getting these things executed is really difficult. It's created this huge amount of pressure on

us and our staff. We've never seen anything like it."

What about planned giving? Even without organizations holding events and making the asks they typically do, new bequests are coming in. People are making bequests because they're finally doing the estate planning they'd put off for so long. If it was something they were thinking about previously, they now have the impetus to take the action to commit to that gift.

Even though planned gift officers haven't really been able to fully do their jobs in the typical ways, 2020 looks like it will be a banner year in terms of new gift commitments. It appears that we will continue to see this upward trend far into the future.

# How Can Planned Giving Officers Tap into this Shift?

**W**e know that people are feeling more comfortable thinking about death, and that both estate planning and bequests are up. What should planned giving professionals do with this information?

Above all else, organizations should emphasize the connection to something that lives on past the life of the donor. The obvious answer is to take a note from the research described above: whenever possible, provide donors with tangible ways to leave a mark on this world. This is easily achieved through plaques, murals, and buildings with people's names on them—something that lives on with the organization and which embodies their values. Digital acknowledgments are also powerful. Online legacy programs can provide the transference people are seeking.

As we highlight legacy society inclusion, we will also want to spotlight impact. How will this person's bequest be used to further their goals and values? How does the organization improve lives and society as a whole? What needs will be met that otherwise would be neglected? Carefully crafted messaging prompts the donor to consider what values best express who they are and what kind of world they wish to build alongside a like-minded community.

To make the concept more concrete, planned giving officers could spotlight past donors whose contributions had specific impact. The more we show how others have transcended, the more commitments you'll capture from that audience.

## How Long Will the Pandemic Affect Planned Giving?

**N**ow, we currently are experiencing heightened mortality salience and are seeing positive effects, but what happens when the COVID-19 pandemic is contained?

We don't know when this is going to be over, but we (hopefully) assume that it has an end date. It may be a year, it may be less than a year, it could be longer.

The fact that we've all been exposed to this long period of awareness of our own deaths means that we've all experienced a certain amount of trauma. Trauma has lasting effects. While this may be painful, we may think of this as a positive trend for the planned giving industry. Even after the pandemic is gone, people will be thinking about and planning their estates. More people will have spent a significant amount of time thinking about what their legacy really means. We don't see those effects wearing off anytime in the near future.



# AN ACTION PLAN FOR PLANNED GIVING PROFESSIONALS

Leverage the insights uncovered in this paper to activate your donor community.



1. Don't shy away from making the ask.

Update messaging to include appeals to leaving a legacy and making a lasting impact both now and in the future. People are thinking about it already. Don't be afraid to ask.



2. Spotlight donors.

Identify inspirational and relatable donors in your legacy program. Tell their stories in your literature.



3. Showcase impact.

Tell the stories of specific instances where tangible results and palpable impact were achieved, in terms of people in need or societal wins.



4. Provide tangible totems.

Etch the donor's name in stone, or something similar. Investments such as names on plaques, bricks, murals, or, at the very least, on an online legacy program page, can aid in a person's sense of transference beyond their lifetime.



5. Make it easy.

Provide ways for donors to leave your organization in their estate plan.

## A Final Note

**If you talk to generations that have experienced war, they tell you that they never really forget it, and their life is never really the same.** While that's a dark analogy, and we're still in the middle of it right now, it's our hope at Giving Docs that we can turn this current challenging period

into a positive force for good. If we can help people find peace and meaning during this difficult time, it's an honor to be a part of that process. Join us in helping to accentuate the positive—for individual donors and for causes that make this world a better place.



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