Leave a Legacy for Justice

n 1972, a group of visionary young attorneys and activists founded Asian Americans Advancing Justice – Asian Law Caucus, the nation’s first legal and civil rights organization for low income, immigrant, and underserved Asian American and Pacific Islander (AAPI) communities.

For more than 40 years, Advancing Justice – ALC has provided a unique combination of direct legal services, community mobilization, impact litigation, and policy advocacy on a variety of issues affecting AAPIs.

AAPI communities are the fastest growing in the country and continue to face barriers to full equality, making Advancing Justice – ALC’s work as vital now and into the future as at its founding.

By remembering Advancing Justice – ALC in your estate plan, you will leave a legacy of justice and equality for AAPI communities.

This brochure provides a summary of the most common types of legacy gifts. If you would like more information about including Advancing Justice – ALC in your estate plan, please use the enclosed form. Or call us at (415) 896-1701, ext. 131.

We greatly appreciate your consideration of a legacy gift to Advancing Justice – ALC.
Bequests

A bequest in your will or a living trust is a simple and flexible way to ensure that your legacy will make a difference for future generations. You may find that one of the following arrangements best fits your estate planning goals.

Types of Bequests

- **A Specific Bequest** is a specific asset named in your will or living trust as a gift to Advancing Justice – ALC. For example, “I give, devise, and bequeath 100 shares of Microsoft Corp. to Advancing Justice – ALC.” (Almost any asset can be given as a specific bequest, such as a vehicle, jewelry, or a particular bank account or other financial asset.) However, if circumstances change and you don’t own that particular asset in your name at the time of your death, then the gift is void. For this reason, we suggest that gifts be made as general or residuary bequests.

- **A General Bequest** is a specified dollar amount named in your will or living trust as a gift to Advancing Justice – ALC. For example, “I give, devise, and bequeath $25,000 to Advancing Justice – ALC.” This kind of gift is paid from the general pool of assets in your estate or trust.

- **A Residuary Bequest** distributes the remaining balance of your estate or trust, after general and specific bequests are paid, and is typically stated as a percentage. For example, “I leave the rest, residue, and remainder of my estate as follows: 25% to Advancing Justice – ALC.”

- **A Contingent Bequest** specifies that your estate, or a portion of it, passes to Advancing Justice – ALC only if your beneficiaries fail to survive you. For example, “If my partner survives me, then I leave my entire estate to my partner. If my partner does not survive me, then I leave my
estate as follows ..." Often, two partners will use such clauses in conjunction with each other, so that each receives the other's assets upon the death of the first-to-die. Other heirs and organizations receive the remaining assets upon the death of the surviving partner.

To be certain that your intentions are carried out, wills, trusts, and codicils should be prepared by or with the advice of your attorney. You can share with your attorney the following sample language that can be included in your will or living trust and tailored to address your specific wishes.

“I give to Advancing Justice – ALC, a San Francisco nonprofit corporation that is recognized as exempt from tax under Section 501(c)(3) of the Internal Revenue Code of 1986, with its office located at 55 Columbus Avenue, San Francisco, CA 94111, [all (or ___ %) of my residuary estate] or [the sum of $_______ ] to be used for its general purposes.”

Beneficiary Designations

If you have life insurance through your employer or if you have your own separate policy, you may name Advancing Justice – ALC as beneficiary. You may also name Advancing Justice – ALC the beneficiary of an IRA, Keogh, 401(k), 403(b), or other qualified retirement plan, enabling the avoidance of income and, potentially, estate taxes.

Life insurance policies and qualified retirement plans (i.e., IRAs, 401(k)s, etc.) are generally considered non-probate assets. As long as you have a valid beneficiary designation, they will automatically bypass probate court. Their disposition is not controlled by your will (unless you choose to designate your estate as the beneficiary). Instead, the remaining balances or insurance proceeds are
distributed to the parties whom you’ve named as beneficiaries when you set up the account or policy.

You can easily update the beneficiary designation at any time by requesting a beneficiary designation form from your financial institution or insurer. Often these are available on the applicable company’s website or with your company’s human resources department. Simply complete the form and mail it back.

Like a bequest, your gift remains revocable and is made only when you know you no longer need the assets. You also have the flexibility to designate a percentage, rather than the whole amount.

If you need to provide for a surviving partner or other family member, consider naming your partner as primary beneficiary and Advancing Justice – ALC as secondary beneficiary. Advancing Justice – ALC will receive a gift only if your primary designee does not survive you. If your partner does the same, then Advancing Justice – ALC will receive a gift upon the death of the surviving partner.

**What information do I need to complete a Beneficiary Designation form?**

To designate a gift to Advancing Justice – ALC, simply provide our legal name, address, and taxpayer identification number on your provider’s beneficiary designation form as follows:
Advancing Justice – ALC
55 Columbus Avenue
San Francisco, CA 94111
Tax ID #: 94-2176139

[Enter Advancing Justice – ALC’s tax ID number if asked for the beneficiary’s Social Security number, employer identification number (EIN) or taxpayer identification number (TIN).]

Life Income Gifts

Various options can provide you income for life while also ultimately benefiting Advancing Justice – ALC. While the details vary, this type of plan offers the following benefits:

- Payments to you and/or another beneficiary for life or a term of years;
- A federal income tax charitable deduction for the year of your gift;
- A potential increase in income;
- A possible reduction or avoidance of capital gains tax on appreciated property;
- A reduction of your potentially taxable estate; and
- The satisfaction of helping to secure equality and justice for future generations of Asian Americans and Pacific Islanders.
Charitable Gift Annuity

This is the most popular life income gift. Through this arrangement, you make a donation and receive reliable, fixed payments for your and/or another beneficiary’s life. There is a $10,000 minimum contribution, and you must be at least age 60 when you begin receiving payments. (You may make a donation before age 60, choose to begin payments at a later date, and receive a higher payment rate.)

Gifts of Appreciated Assets

A gift of appreciated assets is one of the easiest ways to provide immediate support to Advancing Justice – ALC. These types of gifts come to Advancing Justice – ALC in many forms, including stocks and bonds as well as real estate.

Such gifts are tax deductible for their fair market value up to 30% of your adjusted gross income. Any excess unused deduction may be carried over for a period of five years. You also avoid capital gains tax on the transfer of assets held for at least one year and one day.

NOTE: The information in this brochure is not intended to be tax or legal advice. If you are considering a gift to Advancing Justice – ALC, we recommend that you consult with your legal and financial advisors to learn how a gift would work in your circumstances.