

IDEAS TO PLAN YOUR ART LEGACY

This is a random collection of useful notes and ideas for planning and managing artists' estates resulting from a discussion by artists from Hunters Point Shipyard this summer. We held two meetings with about 20 at each meeting and more will occur in the future. We are sharing ideas and resources and hope you will find these helpful.

In addition here is a link to the Resources & Books document that we have compiled.
<http://www.cramptonarts.com/estateplanning/images/books.pdf>

PART ONE: ARTIST ESTATE PLANNING IDEAS TO DO NOW OR SOON

Preparing for the future—BASIC TASKS:

- 1) Go through your work, sign and date EVERYTHING.
- 2) Make an inventory of all your work (give a few friends/family the list...or tell them where it is). Put a copy in the studio.

Inventory list ideas:

~ Richard Bolingbroke shared that he uses Filemaker Pro (a database system) to keep track of all artwork, patrons, etc. To get a look at that and other useful systems, SEE OUR INVENTORY SOFTWARE DOCUMENT:

<http://www.cramptonarts.com/estateplanning/images/Inventory%20Software.pdf>

~ Try out the EXCEL SPREADSHEET donated by Jennifer at the Studio Gallery: (clicking on this may download an Excel file to your 'downloads' folder.

[http://www.cramptonarts.com/estateplanning/images/Inventory example.xlsx](http://www.cramptonarts.com/estateplanning/images/Inventory%20example.xlsx)

- Read the free document by The Joan Mitchell Foundation titled "Creating a Lasting Legacy (CALL)" This will give you the basics. (www.joanmitchellfoundation.org)
- One way to start is by documenting the work in your upcoming show.
- Step two is to catalog your most important work.
- One artist shared that she makes an inventory or updates it for every Open Studio or gallery show, using Microsoft Word. She can import images to Microsoft Word, then her inventory is always updated and she has a record of every show.
- Print out your lists, put in safe deposit box, have electronic backups. Tell family where they are.
- Add a value for all work, including art that has been gifted, sold, or auctioned.
- Hire a college student to come in once a week to help you with inventory and computer tasks.

- 3) WILLS/TRUSTS: You can make a "holographic will," which is better than nothing. This is

handwritten, dated and signed; more information here:

<https://www.hg.org/holographic-will-guidelines.html>.

If it's typed, it must be notarized. After completing and signing the Will, you may seal the document in an envelope, place tape over the seal and send it to yourself by certified mail. When it is delivered, sign for it and staple the signed receipt to the envelope. Then store the Will in a safe place; such as a safe deposit box, wall safe or fire-proof cabinet. Some states will not accept it but California does.

- 4) Assign someone trustworthy to take care of dispensation of your wishes about your artwork (doesn't have to be executor of your will. But if you have a will, include name of this person and their assigned task). Make a list for that person of what do with important work and the rest (this can include donations to family members and friends, etc. You could list some important collectors).
- 5) If you have a relationship with galleries or museums who might want your work donated to them, contact them now...or at the appropriate time in the future. Many institutions will not want artwork, so don't get your feelings hurt.
- 6) Start gifting artwork NOW to friends and family.
- 7) Be sure to leave a list of your passwords to computer, Facebook, Instagram, etc., so that your relatives can post a notice or invitation to a memorial on there if they want to.

Ideas for Trusts

(These are suggestions from the artists; be sure to verify the information before acting on it)

- One person stated "When you die your art retains 50% of its retail, value must be verified by an appraiser." Be sure to check with your lawyer or financial analyst who specializes in trusts to confirm this.
- Several artists are hearing back from collectors who died, and their heirs want to know what the art is worth now. It has been said that children have to pay an inheritance tax. Some owners are giving the art back to the artist.
- Use the document offered by Nolo Press (Berkeley) to set up a trust. It is low-cost, do it yourself. (One lawyer said that this was not good enough in California though.)
- Another artist is in the process of making a Living Trust or Revocable Trust. Using a revocable or living trust allows work to be passed without taxes. With Revocable Trust, you can be the trustee of your estate. This works unless there is some kind of dispute something about it. A trust is better than a will; you can change it easily.
- Keep all important papers in a box marked "tangible personal property."
- On the paper for the "tangible personal property", you do not need an appraisal if each work is valued under \$5,000 such as \$4,999. You can simply re-price an expensive painting as \$4,999 if you want it to be included. You can find out how to do this from Nolo Press Revocable Trust publication. (<https://www.nolo.com/legal-encyclopedia/wills-trusts-estates>)

- Have a party where you invite your friends to choose the art they want if and when you pass. If it doesn't sell, it gets put on the list, and gets notarized. Later if you sell the work, you can update it, write on the list "revoke", write the date. You don't have to notarize again.
- If you're looking for an attorney to set up a trust, you can vet lawyers. Below is a list (thanks to Eileen Downey) of local lawyer from the Institute on Aging. . You can look up their website or google them to learn about them. View the website, then phone. Speak to the receptionist, not the lawyer, and ask the price or price range for a "Revocable Trust". Some receptionists might be brusque but others will give you a lot of information. Revocable trusts seem to be expensive; so it's good to shop around.



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Legal Resources

- Feder, Kato & Suzuki: Contacts: Brent Kato, Trisha Friedeberg - 415-974-5715
 - Laurie Shigekuni & Associates: Specialize in estate planning, wills, trusts. Also offer workshops on Medi-cal and Medi-cal Recovery. 415-584-4550 ; 800-417-5250
 - Witherspoon and Siracusa - 415-552-1814- <http://www.witsir.com/> - Witherspoon & Siracusa is a San Francisco law firm practicing in the areas of conservatorships, trust and probate administration, guardianships and estate planning
 - Park, Solan, and Robello: Arthur Park, Sheila Robello, and Deb Fox at 415-777-3300. Main office is in SF, Deb does a lot of work in Marin. Estate and Trust Planning, Probate, Conservatorship
 - Nancy Rasch in San Francisco 415 440-4947 Estate and Trust Planning, Probate, Conservatorship
 - Legal Assistance to the Elderly – Phone: (415) 538-3333 ; Address: 995 Market St, Floor 14, San Francisco, CA – free legal help with wills for qualified seniors and disabled adults
 - Bar Association of San Francisco Lawyer Referral Service, Referral Line (415) 989-1616 ; Main Line (415) 982-1600
 - CANHR - <http://canhr.org/LRS/index.html> – Legal Referral Service – a *California State Bar Certified* lawyer referral service.
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- Choose a Successor Trustee, someone you trust. (This is not the same as a Medical Power of Attorney.)
 - Ideally, choose four people in succession as trustees and talk to them about it. They should be

younger than you.

- Add the amount to your Will for six months to a year of studio rent, so that heirs have time to deal with your collection.
- Also include funds for website hosting in your Will.

Ideas for family members or beneficiaries of deceased artists

- Have a memorial where artwork is shown and guests can pick what they like and take it. Families have invited the artists' mailing list and have an auction or sale to distribute work and made a significant amount of money. The artists all have collectors who might love to have another piece or several. Families could invite the other artists who are often friends.
- Have a cocktail party at the studio for friends or collectors where everyone can take something home.
- Most artists have Facebook pages, Instagram accounts, etc. which can all be used to get the word out.
- One family had a silent auction but actually gave away the work when it was over.
- If work has to be disposed of, it would be great to photograph it first, and put the collection on a low-cost or free website.
- Most artists have websites and might want to have that maintained for some time or at least until it can be printed out or collected in some way. Mailing lists could be asked to choose a piece and pay for the shipping.
- Start a www.gofundme.com site for emergency art-saving funds. (Gofundme is one of many cloud community fundraising sites which people often use to raise money for all sorts of things: medical bills, theft recovery, school campaigns, non-profits or whatever.)

PART TWO

IDEAS FOR GETTING A LIFETIME OF ARTWORK OUT INTO THE WORLD RIGHT NOW

FOR INDIVIDUAL ARTISTS

- Artists could trade work with each other. (An artist talked about wishing she had work from an artist who passed.)
- Some nonprofits, places you worked for, or places you went to school, will take your artwork donations, but talk to them now.
- One artist said she is working with "UCSF Art for Recovery" program. They take donated art.
- There is a US Embassies program which takes art and ships to our embassies around the world.

- The Artists Connection is an organization in Boston that takes artwork and gives to nonprofits for their offices. (www.theartconnection.org) Contact them, or start such a program here in the Bay Area.
- Another artist's tells her kids to choose art that they like during an Open Studio. She expects to be able to donate to the Asian American Women Artists. If the art is too big to take to Goodwill, give it away, or give a great price to a collector now who really wants it. This artist has a list of people who bought work to contact. You could ask your gallery if they would take the art.
- Lower your prices?
- If you talk to someone who really wants a piece but can't afford it, quietly get their contact info, contact them later and gift the piece.
- Read something like the "[AARP Retirement Survival Guide](#)". There are insurance products you can buy such as an immediate annuity and other products. The book actually does not recommend most of the products, but seems to think an "immediate annuity" is a better product than most. An annuity that you buy will pay you a monthly sum until your death or for 10 years after (or for the life of your spouse) based on how much you want to pay. Recommended for people who cannot budget on their own. You need to be very careful, read everything, comparison shop, find a reputable insurance company. There are big commissions for the salespersons on these products so they will try to sell you. The book also recommends a reverse mortgage only as a last resort.

Hold "Clearing out art" sale events

- Free for art collectors (if they wanted to buy and didn't).
- Mail out a card to certain collectors for 25% off or 50% off or ? "pick a free drawing if you come, because you've been on my mailing list and been supportive for so long").
- We talked about Jean Ebbe's effective sign at OS "exhausted artist" or similar, people liked it and talked about it.
- A box or area of art that is "Free for Art Collectors 12 years old and younger" — "no coaching from adults allowed."
- Birthday party— give a gift of your art to everyone at the party.
- Make one small area in your studio a special sale area.
- Host an exhibit/show or give a lecture (perhaps during Open Studio) and call it: "My Life in Art" or "Works from my Private Collection" —This would be a survey of artwork that the artist has kept from early days until now; give a talk about your process and development. Offer pieces for sale and include prices.
- Similar, but a bit different: "Survey of Three Artists' Careers": Two, three, four, or more artists could do this with each lining a hallway with artwork, showing dates of execution. Perhaps leave off the prices, and say that they are available for purchase, contact artist. Then artist can offer a low price, without insulting any previous buyers who purchased at a higher price.
- Or, it might be nice to do a benefit for charities during the Holiday Show.

- Or, it could be an "educational" charity event.
- Announce an on-line sale via your website: add a "sale" page and explain that these are affordable works that have been in your studio for a while and/or were shown at previous Open Studios or Exhibits, but were "overlooked" yet they are good pieces that you are proud of. Then announce on Facebook and all other social media that you are having this on-line sale. Make a studio date or ask them to call or email you...make a deal...they send the sale amount, or you deliver the art to them and collect funds at that same time.
- Have a cocktail party at the studio for friends or collectors where everyone can take something home.
- Some artists have announced special sales purely on Facebook...Well-known artist, Ann Weber, did this recently, when she moved her studio from Emeryville to LA and needed to unload a lot...and it was all GREAT!

Use reliable websites to sell on line

- Instead of worrying about those weird spam emails asking to "buy your work", artists might consider selling through tried-and-true websites such as: Saatchi Art, Daylighted, Chairish, and One King's Lane. Some other sites where you can sell online are: Deviantart.com, Behance.net, Absolut art, Facebook (tons of group art sites on Facebook now), Society6, Minted, eBay, Etsy, etc.
- Take out an insurance policy now to cover certain kinds of costs later...such as someone to take care of the artwork or to disperse it.
- An idea was raised about having one studio at the shipyard devoted to being a museum. Lennar could perhaps give us a room. This could also be an online museum.

GROUP PROJECTS

1) Legacy Art Sale Fundraiser (or whatever we eventually call it)

- A benefit event (during summer?) supporting arts or other worthy non-profit organizations.
- Not an Auction.
- Sale handled along the lines of a White Elephant sale? Best offer? Negotiable? Rock bottom \$\$\$?
- Use wall space/tables in Bldg 101 hallway—no open studios.
- We generated a long list of event name ideas, such as: HPS Artists Give Back, Great Hallway Art Stroll & Sale, Elephant in the Room Art Sale; "We support keeping the arts alive in San Francisco", "What's in a Name?" for a HPS Artists' Legacy Group/Project presents...). The list of names is here:
http://www.cramptonarts.com/estateplanning/images/Whats%20in%20a%20Name_Shorter.pdf
- Arts organizations or other non-profit recipients to be publicly posted. Determined by consensus of participating Shipyard artists. Another idea is that collectors can pick which nonprofit they want to give to from a vetted list.

- Artists donate their artwork(s) and sets the price low. Emphasis is "affordable"; to raise money and clear excess inventory.
- Not connected with any Open Studio event which could detract from artworks being offered for sale on those weekends.

2) Lottery/Raffle

- 1-day event fund-raiser
- Participating artists donate artwork.
- Attendees can purchase unlimited number of tickets to enter.
- Feature and display large artworks as prizes. Curated?
- Not connected with any Open Studio event which could detract from artworks offered for sale those weekends.

3) Hunters Point Scavenger Hunt

- Based on the fun "Lyme Light DART FOR ART," we liked the idea of donors getting to win something, hunt for their art, or participate in something.
- A Scavenger Hunt goes well with the name "Hunters Point".
- This event would attract a younger demographic who may be race-walking in the hall.
- Maybe could be during open studio or maybe a separate event.
- Collectors or "hunters" could write a check or buy a ticket at some point. There might be a central table (or every artist can make the sale? Needs to be thought-out.)
- Any number of artists can participate but maybe one building at a time?
- The hunters are given a card or list of clues such as: find a purple bowl with fruit, a pink landscape, a black bowl, a ring with a moonstone, a purple mono print with a gold frame, a green sculpture, etc. Then the hunters run around checking off their list or card.
- The hunters point at the work(?), ask the artist to sign their card or confirm that it is the piece. Perhaps the art has a sign next to it saying "Scavenger Hunt purple bowl with fruit" or whatever. (If hunters see a purple bowl with fruit, they have to know it's the piece in the hunt). Hunting for all the art is also how the hunters view the art that they can later choose from.
- Perhaps the first hunter back to a central table (or to the artist who made the sale) gets first choice of the art that they have seen.
- Then they go to the artist with a receipt for the work and walk away with it or arrange to have it delivered.
- When the art is taken or chosen, the artist hangs a sign saying "Scavenger Hunt purple bowl with fruit/SOLD".
- Perhaps the sales table has a printer to generate the signs.

4) Misfit Art Auction Fund-raiser Bids Start at \$30

- Deals While Donating! Buyers can feel good that they are donating AND getting a bargain on their purchase.
- AMAZING deals on end-of-series, scuffed, scratched, slightly damaged, misprints, and perfectly fine works of art by some of San Francisco's most talented artists. All bids will start at \$30 and up.

5) Publish HPS document called IDEAS

- Could be a public online blog or Yahoo group for HPS Artists.
- Post our resources somewhere on the HPS site.
- Could discuss important issues of our profession and stages of our career.
- Could be a tour or a panel discussions too.

6) Establish a Legacy Page on the Shipyard Artists website

- List all the artists who have worked at the shipyard.
- Include obituary tribute to artists from the Shipyard.