



ASPEN FAMILY BUSINESS GROUP, LLC

DEEP RELATIONSHIPS. ENDURING LEGACIES.

Before It's Too Late

by Leslie Dashew

Basic Governance Structures include a Board of Directors, Senior Management Team, and a Family Council. We will be covering each of these in a series of articles. The first part of the series will focus on the Family Council—its purpose and who should be on a Family Council.

Each stakeholder in the family business system (owners, family members and employees) needs to have a place to voice its questions, concerns and problems. When that opportunity does not exist, some stakeholders may become frustrated and act in destructive ways that can damage the family and the business.

- Shareholders can take their problems to the Board of Directors.
- Employees (and in particular management) can bring their concerns to the Senior Management team.
- Stakeholders who are neither employees nor owners of the family business (such as spouses) are still impacted by the business, and they can impact the business in significant ways. These family members also need a formal place and process for voicing their concerns: a Family Council.

The Family Council's primary role is to educate family members, provide a role for appropriate participation and develop the next generation of owners. Many times the Family Council is composed of spouses of family owners and children above the age of 16 as well as family members involved in the business.

These governance structures help separate the “business of the business” from the “business of the family.” After all, the purpose and goals of the family and those of the family business are not always the same.

The Family Council should educate all family members about the business, its assets and investments, and the industry in which the business operates. It is a place to develop communication skills and learn about teamwork and philanthropy. Some families also use the Family Council to support career education

and teach members about wealth management and how to cope with a range of issues related to wealth. It is a place to oversee the development of the next generation of ownership and managers. Because it can set important policies for the business, the Council must ensure that all family members feel they are treated fairly, that the overall well-being of the family is considered, and that family concerns are balanced with business concerns.

We recommend that any family member over the age of thirteen or fourteen be included in the Family Council so they can learn about the business, and to give them a solid foundation of knowledge about the company when they later decide whether or not they want to work there if the opportunity arises. Teens often have good questions and suggestions. However, the Family Council must impart in children of this age the importance of confidentiality. Including spouses prevents the creation of conflict between in-laws and the core family. We've found that the more family stakeholders are informed and involved, the less likely they are to take uninformed "potshots" from outside the circle. When sensitive financial issues (for example, estate issues) arise that an older generation member is hesitant to discuss in front of spouses, a separate meeting for this topic can be held. One family organization we know even has a formal orientation for new members of the Family Council, as they marry into the family or after they turn fourteen.

Before It's Too Late—A *Continuing Story*

Summer is a time when many families take the opportunity to vacation together, have family council meetings and/or visit each other. In other words, it's a time to keep the connection alive and vibrant. I applaud you for doing so. You never know how much time you have with your loved ones.

Some of you may remember a poem I wrote about 15 years ago entitled "Remember, Before It's Too Late" (see sidebar) encouraging people to have the conversations and to take the time to be with loved ones while the opportunity exists. You may also remember the article I wrote entitled, "Sex, Death and Money: Now That I have Your Attention, Can We Talk???" where I shared the story of my (then) 78 year old dad and the call I had with him after he was widowed, giving him advice about being sexually active in this new era! You may hear a theme...take the time now, have the deep conversations, spend the time investing in the relationships.

The importance of this is close to my heart right now as I face my own father's death. Since many of you have followed the *other* chapters, I thought I would use my current experience to help you take care of yourselves and those you love.

In February, we realized that my 95 year old dad was beginning to deteriorate mentally as well as physically. We asked his gerontologist to do a mental status

exam and he confirmed the deterioration in his memory and judgment. My two brothers, my dad's most trusted advisor (his accountant), his chief doctor (gerontologist) and I met with dad to discuss the situation. We explained to him that he had been writing checks and forgetting about them, randomly giving away large amounts of money (that he could not afford) and taking chances that he would not be able to afford to maintain his lifestyle for the time span he desired (now, 105!). This was a tough conversation. We told him that we supported him accomplishing his goals and that we knew that he didn't want to waste his resources because he had drilled that into our heads for decades. Our advisors shared their own stories about their parents facing this same issue.

We presented the option that the 3 of us "kids" along with his accountant would take over the mundane tasks of writing and signing checks and that he was still the Chairman of the Board and could determine the direction. We would review his finances with him whenever we wished. We had the appropriate documents prepared and he reviewed them and then told us that he had the highest degree of trust in us because we shared his values and because of the commitment his advisors had shown over the years. He then signed the documents.

Two days later I sent an email to all who attended, summarizing the meeting and our agreements so that there would be a clear shared understanding of what was agreed to and why. My dad and I spoke and he said, "I now fully realize how important this is. I know you wouldn't make this up; but I have absolutely no memory of that meeting. I see that my memory is really going." As sad as his comment was, it was reassuring to me that we had done the right thing.

A few weeks later, I was about to conduct my annual program for women in family businesses and I received a call from my dad. We chatted for a few moments and then he said "I want you to know how much I love you and how much our relationship has meant to me. I need to say good bye to you." I had the feeling the "goodbye" was not an ending to the telephone conversation. I walked into the program shaken, thinking that might be the last conversation I would have with my dad. I later thought, if it were the last, how fortunate I was to have heard those words from my dad.

A couple of weeks later, I received a call that my dad was in the emergency room in respiratory failure. After a week in intensive care with breathing masks and feeding tubes on, the doctors and we offspring met to discuss the situation. My father had signed medical power of attorney documents and reaffirmed over the years his desire not to be sustained by artificial means. We followed the doctors' advice to give him time to have the pneumonia clear up and then we could see whether the underlying heart and lung problems would prevent him from surviving without the equipment. Dad fought the equipment much of the time. The doctors had him take off the equipment and try to swallow. He couldn't even swallow an ice chip. They said that the likelihood was that he would not be able to get any nutrients without the feeding tube. My siblings discussed it and pre-

sented my dad with the assessment of the doctors: he probably would not stay alive without the equipment. What did he want to do? He let us know he wanted the equipment off.

We took off the equipment and all gathered around him, other family members and close friends came in to say goodbye. We had more moments of saying how much we meant to each other; some healing conversations that helped bring peace.

We shed buckets of tears. I could not leave my dad's side, fearing he would go without us there. He wrote a note saying "goodbye" and closed his eyes. A few minutes later he opened them, looked around as if to say "Hey, I'm still here?!"

The next day, we gave him chocolate pudding, since he loved chocolate and he ate it!

He was still with us. The hospital said there was nothing more they could do for him and discharged him home. We received instructions about feeding him ground food.

My dad was very surprised and pleased that he survived that crisis. He is still with us, but he continues to deteriorate physically and cognitively. We are losing him more gradually now. It is tough to watch the vibrant, creative, bright man we all love become less and less of his strong self. Communication is more and more difficult. It is subtle, sometimes a touch or a look or a word or two.

I am grateful for the conversations we have had in the past months and in the past decades. Our relationship was not always easy, but we have worked on it and it has grown. I am grateful that my family is there with me to help make the tough decisions and for the mutual support. That didn't always exist. We have worked through a lot and are now a stronger family. My dad's latest lesson is that you can't count anyone out...we still don't know how long we have on this earth. This experience in the past 6 months has reaffirmed the importance of investing our time in each other, taking the vacations, making the calls, having the conversations.

It's never too late to have those conversations.

Leslie's chapter on "Sex, Death and Money.." can be found in her book, "Health, Wealth and Families" available on this website.

Sidebar:

REMEMBER, BEFORE IT'S TOO LATE

I never knew that I meant that much to you
I never knew you cared what I thought
I always thought you knew everything
but chose not to share with us

You seemed so confident, yet quiet
I thought you could but wouldn't
I yearned to be close to you, to know you
and for you to love and appreciate me

I understood that our family had a code of silence
when it came to talk of feelings and relationships
I was too obedient to break that code
I feared your disapproval or scorn
so I went elsewhere

Now I have my own friends and children
and I hear your request to be close
but the distance that slowly grew up through the years
is hard to bridge

My heart aches for the lost hours and days
for the time I could have learned from you
and you from me
and the adventures we could have shared
I see how you relate to the grandchildren now
and am jealous
I wish we would have had that bond, that closeness
But you were busy then, and the drain of the business
left little energy for us

I must hold on to the realization
of how precious are these connections;
how precious and fragile
and how much investment they require

As I look back at what we missed,
I want to try to cultivate what I can
with the too few days that might be left
with you
and with my own children

I keep recalling the phrase
"There's no sadder thing,
than what might have been."