

Business Continuity Instructions: Guiding Your Family, Even After Death

As owners approach their business exits, one topic that's often overlooked is unexpected death or permanent incapacitation. One reason owners gloss over this topic is because it injects an uncontrollable element into a controlled process. Many successful business owners take pride in the control they have over guiding their businesses toward success, so the idea that all of that hard work can be dashed by death without warning is unsettling. But consider the following case study:

Bud Brown, an Exit Planning Advisor, woke up early on a Monday morning with great anticipation. He and one of his clients, Bruce Delany—a successful business owner and longtime friend—were preparing to receive an offer from a third-party buyer. As Bud finished tying his tie, his phone rang: It was Bruce's wife, Dolores. He answered with a warm, "Good morning, Dolores. Excited about today?"

"Bud, Bruce is dead," Dolores said vacantly.

"What do you mean Bruce is dead? I just talked to him yesterday."

"He was exercising." Dolores said quietly. "Doctors said he had a heart attack. He fell and hit his head." She took a deep breath and sighed.

Bud stood silently in in shock, searching for words. He and Bruce had had lunch to talk about the sale fewer than 24 hours ago.

"Bud," Dolores said, her voice cracking, "I don't know what I'm supposed to do now. Bruce always said to call you if something happened to him. I need help."

When an owner dies or faces permanent incapacitation, all control over life and business disappears. Even worse, that owner's family is often thrust into taking responsibility for the business, regardless of ability or



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desire. Family members may find themselves wishing they could ask the owner some important questions and get some much-needed advice, but that is just not possible.

Fortunately, there is a way to prepare your family if you were to face unexpected death or incapacity, and the key is establishing Business Continuity Instructions (BCI).

BCI constitute a non-binding guide that your family and loved ones can use to address business concerns and personal finances upon your unexpected death or incapacitation. The BCI include information about whom your family should contact and for what information, who should fill which roles in the company, and how the company's ownership should be handled upon your death or incapacitation. It also guides your family toward your vision as to how the respective financial resources of the family and company might interact if you are not available to keep things going. The BCI should be your way of telling your family things they want to know at a time when you are otherwise not able to do so.

BCI are easy to complete and can provide direction and comfort to your family during an unbearably difficult time. They should be written in easy-to-understand language and put all important information in one accessible format. Additionally, you don't need to be actively considering a business exit to benefit from BCI. BCI are compatible with owners who want to exit in three months and owners who never want to exit at all.

BCI can help you control the trajectory of your business even after you're unable to control it yourself. Start your list of critical information today. If you think it would be helpful, our firm has specific tools and resources to help you create and keep current any BCI you provide to your family. If you need help giving your business and family a chance at continuity in the face of your unexpected death or incapacitation, please contact us today.

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