

## THE NEED FOR FARM/RANCH SUCCESSION PLANNING

### Allan Vyhnalek

Extension Educator, Farm Succession  
303C Filley Hall, East Campus  
E-mail: [avyhnalek2@unl.edu](mailto:avyhnalek2@unl.edu)  
Phone: 402-472-1771

Follow Us



## TOPICS FOR THIS TALK

- Why we don't plan – trapped in the circle of inaction
- Generational assumptions
- Developing visions/goals for your estate
- Communications
- Negotiation
- Homework – and final thoughts



## CONGRATULATIONS FOR COMING!

- This is not a substitute for actual estate planning
- This program is to generate thought, discussion, and broad goal generation
- Use the efforts from today to make better use of your professional's time



## WHEN ARE WE PLANNING TO RETIRE?

20% within the next 15 years  
15% later than 15 years

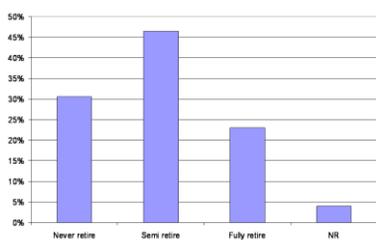
9% Say that they never plan to retire (maintain full control)  
24% Say they plan to semi-retire (giving up some control)  
21% Say they are already semi-retired (gave up some control)

**So – 54% are not planning to fully retire from farming!**

Nebraska survey completed in fall, 2017



Distribution of Iowa Farmers by Retirement Plans



### WHY ARE FARMERS RETIRING AT A LATER AGE – OR ONLY SEMI-RETIRING?

Percent of those responding either important or very important

- 75% Have a difficult time giving up control of farm
- 69% Modern equipment – allows them to farm longer
- 66% Relate retirement to their own mortality
- 62% Cannot afford to retire
- 60% Healthier longer/longer life
- 55% Don't have a successor
- 54% Don't know what else they'd do

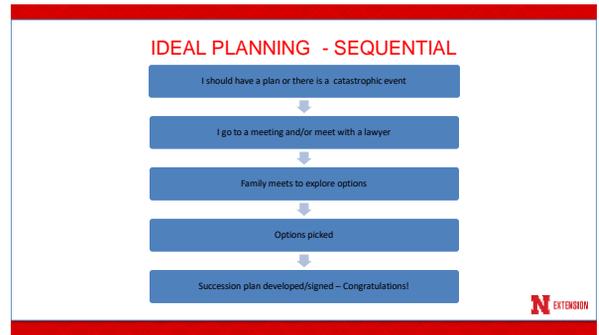
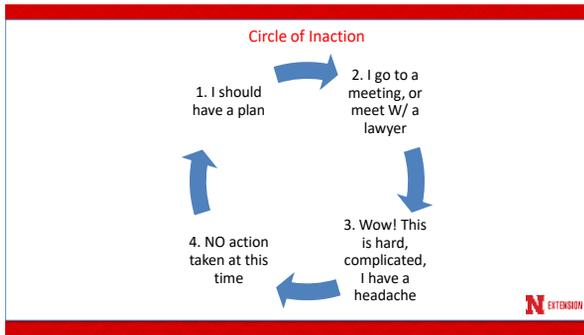
On-line Survey, Fall, 2017

### ESTATE PLANNING

- “...many farm families experience significant difficulty in discussing the future of the family farm. More often than not, planning... tends to be deferred until some critical life event occurs which forces the family to address the matter.”  
Kaine, et al, *Succession and Inheritance on Australian Family Farms*, TRDC Pub. #198, The Rural Development Centre, U. of New England, Armidale, NSW

### WHY DON'T WE PLAN?

- Too Complicated (we assume)
- Don't like to Plan
  - It is mental 'work'
- Facing our own Mortality
  - Some just don't want to think about death
- **We are afraid that if we do something, it will be wrong (in the future)**



**THE PARENT'S GENERATIONS MAKE SEVERAL ASSUMPTIONS – ARE THEY RIGHT?!!!**

- The kids all get along great now – I know that will continue.....
- I know that my children will want to keep this asset in the family – even when we are gone
- The kids will just have to figure out how to divide – I'll be gone I don't care what happens
- Since I have four children – my assets have to be divided 25% to each – equally – that will be the fair way to do it
- "Some day this will all be yours!"

*In some cases – these assumptions are great – however.....*

**N** EXTENSION

**FIRST CONVERSATION REGARDING ANY ESTATE PLAN**

**When you are done – will you still have a family?**

Don't make that assumption – get that commitment

**Secondly** - Are Mom/Dad, or Grandpa/Grandma on same page?  
That should be worked out first.

**N** EXTENSION

## WHAT DO YOUR ASSETS LOOK LIKE AT RETIREMENT?

**Begin with the end in mind!**

- Turning in the keys on retirement day – what does that operation look like?
- Who are you handing the keys to?
  - Next generation
  - Auctioneer
  - Renter
- Establish that "Vision" first



## MAKE DECISIONS WITH THE END IN MIND

- You will have different management strategies going forward
  - depending on what the end is.....
- Establish that overall Vision
- Establish Goals to fit that Vision



## SUCCESSFUL TRANSITIONS HAVE GOALS

### Older Generation

- Retirement lifestyle (money needed)
- Residence
- Nonfarm or non-business heirs
  - Fair vs. Equal
  - Contribution
  - Compensation

### Younger Generation

- Lifestyle (money needed)
- Growth of business
- Attitude toward debt
- Ownership vs. renting
- Family time vs. work



## PHASES OF TRANSFER TO NEXT GENERATION

1. Testing (will the next generation do 'all' tasks?)
2. Management Transfer (planned with timing)
3. Asset or Enterprise Transfer (livestock or machinery)
4. Whole Farm/Business (farmland) Transfer

Do all with written plans \* – including exit plans

\* Use Job descriptions



## COMMUNICATE!

- Most families are OK – however when there are problems – the majority is from lack of appropriate communications
- One effective way to start – is to start talking – to your children/or to your parents
- Consider a family meeting!

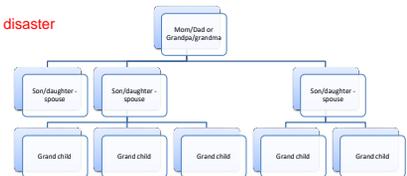


## FAMILY MEETINGS

Plan carefully to avoid disaster

Who to invite?

Meeting to let all have input



Set clear ground rules: 1)No criticizing ideas, 2)Institute 'gag' rule if needed



## COMMUNICATE

- One meeting to get input – then use Golden Rule
- Share with non-local family
- Surprises cause problems – Sweetheart Deals
- Younger Generations require better communications that what we've received



## COMMUNICATE

- Listening is the Key!
- (Practice) Make partner repeat what they thought you said – to be sure that they heard you, or that you said what you wanted to
- Make sure that you understand the other person's point of view (*seek first to understand, then to be understood*)
- Spend plenty of time establishing the 'goal' or vision
  - Suggested up to 80% of the time with the vision – or what this will look like



### How often do we negotiate?



• Negotiation - vytrahak

**N**  
EXTENSION

### What is Negotiation?

A back and forth process designed to reach an agreement when your and the other party have both shared and opposed issues

However, we are taught that we "have to win!"

**N**

Communications – continued

## Negotiation and the Family - continued

Try working on these areas to defuse emotions within Negotiations

- **Appreciation**
  - All people want, is to be appreciated (are they being listened to?)
- **Affiliation**
  - All parties being treated as an adversary – or as colleagues (family)?
- **Autonomy**
  - Are you free to make the decisions, or are you being blocked?
- **Status**
  - Are you being treated as inferior, or given full recognition?
- **Role**
  - Are you fulfilled with the role that you have?

## Negotiation

Not about winning!  
How do you create value for all parties?  
Think out of the box!

### Other thoughts.....

What about rural Nebraska?

- What is your responsibility?
- Avoid unintended consequences

Fair vs. equal – when splitting an estate

- Is that always the same?
  - What about the on-farm sibling?

Difference in perception of contribution – between siblings

### YOUR HOMEWORK ASSIGNMENTS!

#### Get your “Team” together!

- Lawyer
- Banker
- Financial Advisor
- CPA
- Insurance Agent

#### Items to get together - before seeing an attorney

- List of your assets
  - what you own – how you own it
- What you owe (if anything)
- What do you want to do with your assets



### COMMUNICATIONS IS THE KEY

- Parents and partners need to have goals and a plan in place (Have Vision for the Future)
- Be sure all siblings know what is going on
  - Communicate!
- Have a family meeting (be ready to gather input)
- Get end of life decisions in place
- Fair is not always equal.....

Good Luck!



### UPCOMING MEETINGS

#### Farm/Ranch Estate and Succession Workshops

10 am to 2 pm – includes lunch!

September 30 – Scottsbluff – Panhandle Extension Center

October 1 – Sidney – Cheyenne County Community Center

October 2 – Ogallala – Mid Plains Community College

More information – [agecon.unl.edu/succession](http://agecon.unl.edu/succession)



### UPCOMING - MEETINGS

#### Ag Estate Planning

Weeping Water – 3 part workshop – November 20, December 4 and 10  
Call Cass County to register – 402-267-2205

#### Women Managing Ag Land Conference – December 11

Nebraska Innovation Campus - Lincoln

For more information: [wia.unl.edu/wmal](http://wia.unl.edu/wmal)



### UPCOMING WEBINAR

#### Ag Lease Quarterly Webinar - Free

November 20 – 6:30 p.m. – Central time

Register at: [agecon.unl.edu/landmanagement](http://agecon.unl.edu/landmanagement)



Extension is a Division of the Institute of Agriculture and Natural Resources at the University of Nebraska-Lincoln, cooperating with the Centers and the United States Department of Agriculture.

University of Nebraska-Lincoln Extension educational programs abide with the nondiscrimination policies of the University of Nebraska-Lincoln and the United States Department of Agriculture.