

Insight panel: How have you and your clients reacted and adapted to the global pandemic?



Alana Petraske
is a Partner in Withers' Charities and Philanthropy team, New York

I am in the privileged position of devoting my practice to helping not-for-profit (NFP) organisations and the philanthropists that support them. This privilege has been magnified in the pandemic; I have regularly had the chance to be inspired, energised and encouraged by clients. Some are funding vaccine research, while others are making or procuring much-needed masks and ventilators. Clients are supporting vulnerable communities with food, healthcare and information, all while managing their own operational challenges. We have commercial businesses turning to social benefit projects for the first time and, of course, we have families looking to the future. Some are taking stock of their priorities and deciding to pass on 'just enough' to their children and devote the rest to giving.

The biggest challenge for me has been keeping pace with the constant change in the US and the UK, and staying connected without face-to-face meetings. Luckily, the shift to remote working has been smooth – we had already invested in agile working technology.

Overall, I am hopeful of the power of philanthropy in these times, but I am also deeply concerned for our vital NFP institutions and the beneficiaries they serve. I have been trying to use my own small platform to encourage giving across the board. Now is the perfect time for funders to examine spending levels and to consider whether perpetuity is the correct default setting for philanthropic foundations. Although the challenges of a volatile market are real, it is also necessary to consider whether our sense of sufficiency and scarcity is properly calibrated to the circumstances. For me, now is the time to give at whatever level possible.

'I have regularly had the chance to be inspired, energised and encouraged by clients'



Paul W Taylor TEP
is a Partner at Borden Ladner Gervais, Ottawa

Interest in completing wills and powers of attorney has increased significantly. Though Ontario is temporarily permitting remote witnessing, there are some issues with implementation, and many practitioners prefer witnessing in person, if possible (there has been more than one instance of lawyers witnessing from inside their car while the client signs on the car hood). I am most concerned about the clients I know are isolated; I have made an effort to reach out to them. I have also seen a few trends with my financial institution clients: they are doing their best to balance the need for flexibility with managing risks to vulnerable clients; are reasonably well prepared for remote working; and after a push to deal with pandemic response, some normalcy is returning. I still miss day-to-day interactions with colleagues, which spur insights that are difficult to replicate. Sharing work and developing business now has to be much more deliberate. It has become evident that our work lives are not separate from our home lives and we have to develop new strategies to manage the demands of home and our responsibilities to our clients.



Kecia Barkawi TEP *is CEO and founder of VALUEworks AG in Switzerland, and Deputy Chair of STEP's Business Families SIG*

With our global clientele, reactions to the pandemic have been very different. Some clients have had little problem adjusting as they have built resilience, having gone through challenging times before. However, others are finding it difficult. Our team is still struggling to keep a rhythm in our daily routines, workdays and weekends melt into one. It feels like our home offices are open 24/7 even now that lockdown measures have been eased in Switzerland. We have kept in close contact with clients during these times, often via Skype or WhatsApp. The inner family seems more connected in this crisis, forced to deal with challenges of modern communication and associated risks. We see



Cindy Radu TEP
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Family businesses are juggling many balls during the pandemic. The predominant focus in the early stages was to respond to three priorities: the health and well-being of family and staff; mounting liquidity concerns; and a lack of, or outdated, wills and personal healthcare and financial decision-making documents. Conversations about how to support communities and maintain a human connection while in physical isolation have also been at the forefront.

My role has adapted to the urgency and fear associated with this situation.

Listening without judgement can provide relief from chaos. Offering an objective perspective can help bridge the gap for those used to operating with more predictability. Some families are hungry for information and support; others are more focused on survival.

Though there are endless dynamics at play, there appears to be a correlation between how well a family responds to current conditions and how developed certain skills are.

an increased demand for holistic estate planning, including revisiting family values, discussing the purpose of wealth and writing new wills and letters of wishes. The challenge is determining the best way to discuss these highly personal topics remotely.

Clients running a family business have had to make tough decisions. Operations have been halted, staff reduced, orders cancelled and projects adjourned. Where we act as trustees, we are in contact with boards and senior executives, closely monitoring cash flow and performance of the business interests held. There is a growing interest – mainly from the next generation – in business succession planning and family governance.

On the investment side, we remain very cautious, with many clients waiting for the right time to invest. Many projects have been halted, while the more personal affairs are now getting the attention they deserve.

As the world comes to terms with a 'new normal' in the face of a global pandemic, practitioners have also had to adapt to new ways of working and overcome challenges created by national lockdowns and social distancing measures. We asked some of our members about the impact COVID-19 has had on their work practices. Most cited difficulties surrounding witnessing documents and managing an increase in estate and succession planning, but more surprising themes of increased charitable giving, and a heightened need to support clients through a difficult time, emerged.



Luigi Belluzzo TEP
is a Tax Advisor at
Belluzzo International
Partners, Milan

The past few weeks have been hectic for those, like me, who deal with legal, tax and estate matters. All the financial 'alarms' have been triggered, and with them all the recovery and contingency plans that, especially when wealth is institutionally managed, are typical of wealth management.

A crisis like this touches deeply and gives rise to themes that, frankly, I have never had the opportunity to experience. Technique is not enough. Wealth-planning tools have proved to be particularly efficient, especially within the family business environment. Wills, trusts, foundations and corporate and contractual structures have become instruments of action and reaction.

This crisis is certainly teaching us a lesson: planning ahead is vital. The conscious choice of what risks we run will rationally lead many to consider tools that are (to date) used in the most sophisticated environments. I believe that the 'give-back' culture will certainly take the lead as we are already working on philanthropy and charity projects.



Josh Lewison TEP
is a Barrister at
Radcliffe Chambers
in London

As a barrister, my immediate clients are solicitors and lawyers in other jurisdictions. Their reaction has been to keep business going as usual, which has involved a relatively seamless transition to remote working.

Some litigation carries on, though. One case involves an executor who we say needs to be removed promptly; another is an *Inheritance (Provision for Family and Dependants) Act 1975* claim where no standstill could be agreed on limitation, so we had to work out how to ensure that the physically frail applicant was able to sign the witness statement safely. Other litigation might be able to wait, in cases where the dispute is known



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The pandemic has reminded us all of how unpredictable and fragile life can be and has caused many of us to re-evaluate what we might leave behind for those we love.

Sharing our experience in these times has been important, given the increased pressure on families to move quickly with reviews and changes to legal arrangements, particularly when family members and/or their interests are located in different countries. Specifically, there has been an even greater focus on who power holders are, where they are based and how they will be succeeded.

Supporting families' objectives remains a consideration of legal arrangements, asset management oversight and upholding family values. Each of these focal points has been impacted differently by the pandemic. From an asset management perspective, fast-moving capital markets require close attention. Portfolios are being regularly reassessed and rebalanced to maintain the desired concentration, inter-asset class correlations and risk profiles.

and no limitation period is approaching. For urgent matters, like injunctions, the courts are still available and we are getting to grips with the logistics.

On the non-contentious side, trustees still need advice on compliance with their duties. That is especially so since they may be called upon to make significant distributions, to liquidate assets and hold meetings at a time when many parts of the world are under lockdown or curfew. For the most part, then, life goes on, if in a slightly different way from what we are used to. Although it does have its challenges, I think that perhaps some of us need to remind ourselves that we are only working from home, not exploring Mars.



Matthew Braithwaite TEP
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of STEP's Business
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The reaction of my clients can be best described as mixed. To some extent, this reflects the broad nature of my practice, acting for both domestic and international individuals in connection with their succession and estate planning, as well as offshore trusts and other wealth-holding structures.

For some clients, the pandemic and resulting lockdown has acted as a catalyst to get their affairs in order, through will writing and tackling their wider estate planning; many clients in lockdown now have more time to focus on these issues as their busy lifestyles have given way to a focus on the home and periods of self-reflection. Other clients have felt pressure to deal with the immediate needs of their business before they are able to think about their own personal circumstances. Family business clients are keen to ensure their experiences of the pandemic are factored into their business and family contingency planning going forward. International clients who were perhaps buying London property or looking to relocate as the UK was experiencing a post-Brexit bounce have put these plans on hold and are adopting a wait-and-see approach.

There has been a greater focus on succession planning as clients become more reflective and defensive about the future. There has been a real push (and a steep learning curve on my part) to embrace new mediums of communication to ensure the client-advisor relationship is maintained. This has been enhanced by sharing with my clients tales of balancing home and work life, and a very active home school.

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