

Step-by-Step Process for Review of Testamentary Gifts to Departments/Chapters

1. Notice to DAV Department/Chapter of Testamentary Gift
 - a. Testamentary (post-death) gifts include, but are not limited to, gifts by will, trust or by beneficiary designation on bank accounts, retirement accounts and plans, securities accounts and life insurance policies.
 - b. The Department/Chapter should maintain all relevant documentation for its records.
2. Email DAV National
 - a. The Department/Chapter should email giftintent@dav.org, notifying DAV National of the testamentary gift.
 - i. The email notification should attach all documentation in the Department/Chapter's possession concerning the testamentary gift.
 - ii. If email notification with documentation is not possible, the information should be mailed to Kailey Archibald at National HQ (860 Dolwick Drive, Erlanger, KY 41018). Please call Ms. Archibald to notify her that the information has been sent by mail. Her direct-dial is 859-442-2097.
 - b. The Department/Chapter will receive an email confirmation from DAV National, acknowledging receipt.
3. Review by DAV National
 - a. DAV National will screen and evaluate the gift language in accordance with the applicable legal principles regarding testamentary gifts.
 - b. If the documentation is insufficient to render a determination, DAV National will make every reasonable effort to obtain the necessary information.
 - c. If the Department/Chapter has questions about the status during the review process, it may contact Kailey Archibald at 859-442-2097.
4. Determination by DAV National
 - a. The Legal Department at DAV National will notify the Department/Chapter via email within seven (7) business days with a determination of the appropriate DAV beneficiary or status update. The Legal Department may need longer than seven (7) days for a determination if there is a delay in receiving the relevant documentation concerning the testamentary gift from the Department/Chapter/third parties.
 - b. Three Possible Determinations by DAV National
 - i. After conducting a review of the relevant documentation and conferring with DAV leadership, the Legal Department on behalf of the National Adjutant will conclude that the gift language is clear and the Department/Chapter that received the notification is legally entitled to the gift. **This will be the result in the overwhelming majority of cases.**
 - ii. After conducting a review of the relevant documentation and conferring with DAV leadership, the Legal Department on behalf of the National Adjutant will conclude that the gift language is clear and a DAV entity other than the one that received the notification is legally entitled to the gift.
 - A. DAV National will notify decedent's representative and instruct representative to distribute the gift to the correct DAV entity.
 - B. If the Department/Chapter has already received the gift distribution, the Department/Chapter will forward the distribution to the correct DAV entity within thirty (30) business days.

- iii. After conducting a review of the relevant documentation and conferring with DAV leadership, the Legal Department on behalf of the National Adjutant will conclude that the gift language is ambiguous.
 - A. The preferred resolution if the gift language is ambiguous is to reach a settlement with the Department/Chapter.
 - B. DAV National will work with the multiple DAV entities to arrive at a settlement arrangement. The presumption is that if multiple DAV entities are possible beneficiaries, each will receive an equal share.

THE FOLLOWING PAGE CONTAINS A FLOW CHART THAT CONDENSES THE ABOVE INSTRUCTIONS IN FOUR SIMPLE STEPS FOR DEPARTMENTS/CHAPTERS TO USE AS A HANDY REFERENCE.



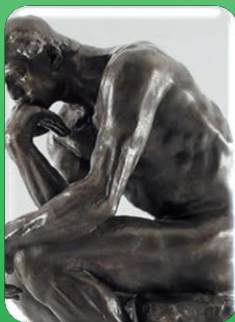
DAV Department/Chapter receives notice of Testamentary Gift

- Great news!
- Testamentary (post-death) gifts include gifts by will, trust, beneficiary designation on bank accounts, retirement accounts and plans, securities accounts and life insurance policies.



Email DAV National

- Departments/Chapters should notify DAV National of any testamentary gift received by sending an email to giftintent@dav.org or by mail to Kailey Archibald at National HQ (860 Dolwick Drive, Erlanger, KY 41018).
- Please include all relevant documentation concerning the testamentary gift in the notification.



Review by DAV National

- DAV National will screen and evaluate the gift language.
- If the Department/Chapter has questions about the status during the review process, it may contact Kailey Archibald at 859-442-2097.



Determination by DAV National

- The Legal Department at DAV National will notify the Department/Chapter via email with a determination of the appropriate DAV beneficiary or status update.
- DAV National anticipates Departments/Chapters will receive the overwhelming majority of gifts.