SYLLABUS

CLASS: WILLS, TRUSTS AND ESTATES, (PLS 315), Lincoln Campus

INSTRUCTOR: Edward AEd@ Hoffman
Email: edward.hoffman@doane.edu or ed@cadalaw.com
Work Phone: (402) 477-2233


COURSE DESCRIPTION: This is an introductory Estate law course which will use practical examples to provide an overview of wills, trusts and estate administration work. The class is designed to be flexible but will attempt to capture the complexities of this area of law. The text I have chosen is designed for paralegal students as well as those desiring to acquire additional knowledge in this area and is one you will likely want to keep as part of your library.

LEARNING GOALS AND OBJECTIVES: Students will be expected to have mastery of the concepts covered in the course to include, but not be limited to: a basic understanding of the difference between Testate and Intestate matters, the general need and purpose of Estate documents such as Wills, Living Wills, Durable and Limited Powers of Attorneys and generalized Advanced Directives, the basic concepts and procedures behind drafting Wills, the elements and purposes of Trusts and several examples of said documents, the Personal Representatives role in the Estate Administration process, overall themes in Estate Administration with a limited review of tax issues in Estate Administration.

GRADING: Your grade will be based on satisfactory completion of exams as well as your scores on your papers (discussed below). Your exams will make up fifty percent (50%) of your overall grade and your papers fifty percent (50%) of your overall grade. Extra credit will be given to students that submit articles to the Professor (scanned/emailed preferably) which discuss timely legal issues. No more than 10 percentage points of extra credit will be allowed.

ONLINE/DISTANCE LEARNING DISCUSSION: Welcome to the online/distance learning format for Wills, Trusts and Estates. You will note below there is an Assignment and Reading Schedule outlining the requirements of this course. I did, however, want to further discuss the assignments, reading schedule and overview of the course outlined below with some guiding principles and thoughts from the instructor. First, this course will provide you with an excellent overview of the Estate planning process and give you examples of sample Estate documents. Your outcomes are limited only by the amount of time and effort you are willing to put into this course. In the initial meeting
scheduled for Thursday, March 12, 2015, it is my intention to provide you with all of
the exams which will be utilized in this course as well as discuss further the papers that
are due and the format that I will expect the papers to be in. We will also discuss my
grading requirements and what is necessary to successfully complete this course.

1. **Exams:** Your examination questions come directly from your textbook.
   Each of the three exams will be comprised of a mix of True/False,
   Multiple Choice, and Short Answer Essay. Your exams will be due no
   later than the dates outlined in the below Assignment and Reading
   Schedule. If you would like to turn the exams in prior to that date you
   are certainly welcome to do so. **ALL TESTS TURNED IN AFTER
   THE DUE DATE WILL HAVE 10 POINTS REDUCED FOR EACH
   DAY THEY ARE LATE, NO EXCEPTIONS.**

2. **Papers:** I have chosen the first three cases from your textbook with
   which I would like you to write a paper on. The last paper which is due
   on or before May 7th, will be on a case of your selection from the
   textbook. I have also assigned the preparation of a Will and Durable
   General Power of Attorney. You can utilize the examples in the text as a
   resource and can certainly use on-line information as well. The papers
   are to be at least two pages in length, double spaced, one inch margins on
   all sides. Please include your name, the class name and the date
   submitted on the first page. I would like you to discuss the issue(s) that
   was presented to the court (e.g. the issue(s) the court was asked to make a
decision on), discuss the courts analysis of that issue commenting on what
prior cases they felt were important and why and discuss the rules of law
from those cases and end with the Court’s conclusion and ruling.
Finally, I would like to hear your thoughts on the case and what your
opinion is on the court’s decision. The papers are due on the date noted
on the assignment and reading schedule below but you can certainly turn
them in prior to that date. **ALL PAPERS TURNED IN AFTER THE
DUE DATE WILL HAVE 10 POINTS REDUCED FOR EACH DAY
THEY ARE LATE, NO EXCEPTIONS.**
Classes will be held on the following dates for the term:

<table>
<thead>
<tr>
<th>DATE</th>
<th>ASSIGNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 12</td>
<td>Meeting at Doane, Lincoln Campus, to discuss online course requirements and reading schedule. Exams will be handed out and paper topics and requirements will be discussed. Chapters 1, 2 (Introduction and Prop Law) and 3 (Testate or Intestate, Wills)</td>
</tr>
<tr>
<td>March 19</td>
<td>Chapters 4 (Testate or Intestate, Wills), 5 (Will Preparation). <strong>Prepare a Will and a Durable General Power of Attorney.</strong></td>
</tr>
<tr>
<td>March 26</td>
<td>Chapters 6 and 7 (Advanced Directives and Planning for Non-Traditional Families) (<em>Exam Ch. 1-6</em>)</td>
</tr>
<tr>
<td>April 9</td>
<td>Chapters 8 and 9 (Trusts and Specialized Trusts and Gifts). <strong>Paper on In the Matter of the Estate of Spicer H. Breeden.</strong> Will/Durable General Power of Attorney and Paper on In the Matter of the Estate of Spicer H. Breeden and Exam 1 Due on this date.</td>
</tr>
<tr>
<td>April 16</td>
<td>Chapters 10 and 11 (The PR and Estate Administration and Estate Administration). <strong>Paper on Boys and Girls Club of et al Uma v. Walsh.</strong></td>
</tr>
<tr>
<td>April 23</td>
<td>Chapters 12 (Taxes). <strong>Paper on Bush v. Schiavo.</strong></td>
</tr>
<tr>
<td>April 30</td>
<td>Chapter 13 (Probate Court). <strong>Paper on a case of your choosing from textbook (or a case chosen from another source on course subject matter).</strong></td>
</tr>
<tr>
<td>May 7</td>
<td><strong>Final Exam. Papers on Boys and Girls Club of et al Uma v. Walsh, Bush v. Schiavo, Students Choice and Exam 2 Due on this date.</strong></td>
</tr>
</tbody>
</table>

Please note: The dates on the above left hand column are simply the dates I would suggest you work towards completing your assignments by. The actual due dates for the assignments are noted in bold under the above assignment column. Please govern yourself accordingly.