SYLLABUS

DATE OF LAST REVIEW: 02/2013
CIP CODE: 22.0302
SEMESTER: Departmental Syllabus
COURSE NAME: Wills, Trusts and Probate Administration
COURSE NUMBER: PRLG-0241
CREDIT HOURS: 3
INSTRUCTOR: Departmental Syllabus
OFFICE LOCATION: Departmental Syllabus
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EMAIL: KCKCC “issued email accounts are the official means for electronically communicating with our students.”

PREREQUISITES: PRLG-0121, Introduction to Law, PRLG-0131, Legal Research I or Coordinator approval.

REQUIRED TEXT AND MATERIALS: Please check with the KCKCC bookstore, http://www.kckccbookstore.com/, for the required texts for your particular class.

DESCRIPTION OF COURSE:
Included in this study of the administration of estates are techniques for fact gathering, use of trusts, will drafting, and probate procedures. This course is also appropriate for individuals with a general interest in wills and trusts.

METHOD OF INSTRUCTION:
A variety of instructional methods may be used depending on content area. These include but are not limited to: lecture, multimedia, cooperative/collaborative learning, labs and demonstrations, projects and presentations, speeches, debates, panels, conferencing, performances, and learning experiences outside the classroom. Methodology will be selected to best meet student needs.

COURSE OUTLINE:
I. Estate Administration Participants
II. Laws of Succession
A. Death Testate
B. Death Intestate

III. Requirements of a Will
A. Modification
B. Revocation
C. Contests

IV. Drafting a Will

V. Trusts
A. Private Express Trusts
B. Personal Representatives

VI. Probate Administration
A. Formal
B. Informal

VII. Tax Considerations

EXPECTED LEARNER OUTCOMES:

A. The student shall be able to explain the purpose and need for a will.
B. The student shall be able to define the terminology for property relating to wills, trusts, and estate administration.
C. The student shall be able to discuss the participants and the proper court for a will administration.
D. The student shall be able to determine distribution of an estate under testate and intestate succession.
E. The student shall be able to explain the validity requirements and rules for modification, revocation, and will contests.
F. The student shall be able to use checklists to prepare to draft a will.
G. The student shall be able to draft a valid, legal will.
H. The student shall be able to explain the essential elements of a trust.
I. The student shall be able to explain the essential elements of a living trust.
J. The student shall be able to explain the importance of an estate plan.
K. The student shall be able to describe the duties of personal representatives.
L. The student shall be able to describe special rules for small estate administration.
M. The student shall be able to apply ethical principles relevant to paralegals to hypotheticals.

COURSE COMPETENCIES:

The student shall be able to explain the purpose and need for a will.

1. The student shall be able to understand and explain the reasons why a high percentage of Americans die without a will.
2. The student shall be able to identify basic terminology of wills and trusts.
3. The student shall be able to explain the function of wills.
4. The student shall be able to identify procedures of testacy vs. intestacy.
5. The student shall be able to identify persons who make, manage, administer, benefit from wills.
The student shall be able to define the terminology for property relating to wills, trusts, and estate administration.

6. The student shall be able to classify the various kinds of property.
7. The student shall be able to recognize terminology associated with property law.
8. The student shall be able to identify community property states.
9. The student shall be able to explain the creation of estates in real property.

The student shall be able to discuss the participants and the proper court for a will administration.

10. The student shall be able to identify the participants essential for drafting wills.
11. The student shall be able to identify the proper court that supervises the administration and distribution of a decedent’s estate.
12. The student shall be able to explain jurisdiction.

The student shall be able to determine distribution of an estate under testate and intestate succession.

13. The student shall be able to use basic terms associated with testacy and intestacy.
14. The student shall be able to explain the difference between orthodox and UPC terminology for gifts made by will.
15. The student shall be able to identify lineal and collateral relationships.
16. The student shall be able to explain the difference between consanguinity and affinity.
17. The student shall be able to explain the difference between percapita and per stirpes.
18. The student shall be able to explain escheat.

The student shall be able to explain the validity requirements and rules for modification, revocation, and will contests.

19. The student shall be able to use terminology associated with validity, modification, revocation of wills.
20. The student shall be able to state formal requirements for a valid will.
21. The student shall be able to interpret statutes and language and apply to a client’s will.

The student shall be able to use checklists to prepare to draft a will.

22. The student shall be able to collect and assimilate relevant facts in preparation for preliminary drafting of a will.
23. The student shall be able to identify the sources of law that determine will validity.
24. The student shall be able to develop checklists to elicit info from clients.

The student shall be able to draft a valid, legal will.

25. The student shall be able to analyze data collected; make sure it conforms to client’s objectives.
26. The student shall be able to draft preliminary will.
27. The student shall be able to explain purpose of a self-proving affidavit, living will, health care proxy, and durable power of attorney.

_The student shall be able to explain the essential elements of a trust._
28. The student shall be able to identify the essential elements of a trust.
29. The student shall be able to identify the participants in the creation and operation of a trust.
30. The student shall be able to explain ways in which a trust terminates.

_The student shall be able to explain the essential elements of a living trust._
31. The student shall be able to identify classes of trusts.
32. The student shall be able to explain uses of various trusts.
33. The student shall be able to identify function of Totten, spendthrift, sprinkling trusts.
34. The student shall be able to identify function of a pour over will.

_The student shall be able to explain the importance of an estate plan._
35. The student shall be able to explain procedures used in creating an estate plan.
36. The student shall be able to identify and incorporate into an estate plan the tax-saving devices that increase the deduction from the gross estate.

_The student shall be able to describe the duties of personal representatives._
37. The student shall be able to identify types of personal representatives involved in administration of decedent’s estates.
38. The student shall be able to explain functions performed by personal representative.

_The student shall be able to describe special rules for small estate administration._
39. The student shall be able to distinguish between probate proceedings and estate administration.
40. The student shall be able to identify alternative procedures to probate and estate administration for small estates.

_The student shall be able to apply ethical principles relevant to paralegals to hypotheticals._
41. The student shall be able to explain ethical employment responsibilities of practicing paralegals.
42. The student shall be able to explain tasks performed by paralegals to avoid unauthorized practice of law.
43. The student shall be able to identify codes and rules that establish the ethical guidelines for the practice of law as a basis for disciplining attorneys and paralegals.

**ASSESSMENT OF LEARNER OUTCOMES:**
Major Exams
Quizzes
Homework and class participation.
**GRADING:** The grade for the course is based on total points possible using the following scale:

- 90-100% A
- 80-89 B
- 70-79 C
- 60-69 D
- Below 60 F

**SPECIAL NOTES:**
This syllabus is subject to change at the discretion of the instructor. Material included is intended to provide an outline of the course and rules that the instructor will adhere to in evaluating the student’s progress. However, this syllabus is not intended to be a legal contract. Questions regarding the syllabus are welcome any time.

Kansas City Kansas Community College is committed to an appreciation of diversity with respect for the differences among the diverse groups comprising our students, faculty, and staff that is free of bigotry and discrimination. Kansas City Kansas Community College is committed to providing a multicultural education and environment that reflects and respects diversity and that seeks to increase understanding.

Kansas City Kansas Community College offers equal educational opportunity to all students as well as serving as an equal opportunity employer for all personnel. Various laws, including Title IX of the Educational Amendments of 1972, require the college’s policy on non-discrimination be administered without regard to race, color, age, sex, religion, national origin, physical handicap, or veteran status and that such policy be made known.

*Kansas City Kansas Community College complies with the Americans with Disabilities Act. If you need accommodations due to a documented disability, please contact Director of Academic Resource Center, in Room 3354 or call (913) 288-7670.*
Learning Outcomes

Discipline knowledge and content mastery is expected of all graduates. More specifically, KCKCC is committed to the Learning Outcomes listed below. We believe that competence in the Learning Outcomes is essential for the success of graduates and will enhance their ability to become contributing members of our increasingly complex world. These areas of knowledge and skills are equally valid for all KCKCC graduates, whether they transfer to a four-year college or pursue a career after leaving college.

General Education Learning Outcomes

Communication Learning Outcomes

The learner will have the ability to express, interpret, and modify ideas/information effectively (both written and oral), including but not limited to reading text accurately and correctly; writing with a clear purpose and effective organization; speaking effectively using appropriate styles that suit the message, purpose, and content; and employing active listening techniques.

Computation Learning Outcomes

The learner will have the ability to understand and apply mathematical concepts and reasoning using numerical data.

Critical Reasoning Learning Outcomes

The learner will understand inductive and deductive reasoning and have the ability to define problems and use data (qualitative and quantitative) to make complex decisions utilizing analysis, synthesis, and evaluation skills.

Technology and Information Management Learning Outcomes

The learner will have the ability to define, collect, organize, analyze, and evaluate information from a variety of sources. The learner will also have the ability to understand basic technology concepts and functionality in order to use technology as a tool to locate and retrieve information.
Community and Civil Responsibility Learning Outcomes
The learner will demonstrate knowledge, awareness, and understanding of diverse ideas, values, and perspectives of a culturally diverse world; an understanding of the ethical issues and values that are prerequisites for making sound judgments and decisions; a recognition of the obligation to become actively involved as a contributing member of the community; and a sensitivity to the awareness of aesthetic expression.

Personal and interpersonal Skills Learning Outcomes
The learner will have the ability to work cooperatively and productively with others; to understand and evaluate his/her capabilities; to manage his/her personal growth by setting realistic and appropriate goals.
SOCIAL AND BEHAVIORAL SCIENCES
STUDENT SUCCESS STRATEGIES

Know your teacher’s name.

Turn off your electronic devices in class/make paying attention to the work of the class your only concern.

Miss class only when you cannot attend/acquire missed information and materials ASAP.

Know your syllabus.

Know the attendance policy.

Know the requirements for tests and assignments.

Know information about final exam and make-up exams.

Know instructor’s position on use of Wikipedia or other online sources.

Know the instructor’s preferred writing style (APA, MLA, etc.).

Always know your grade.

Contact your teacher ASAP with concerns or questions.

Know the benefits of the academic resource center.

Know if your course has a practicum, service learning component, or other exception.

Use an academic planner.

Know the course withdrawal policy.

Know your instructor’s office hours and make appointments when necessary.

Know the school’s scholastic honesty policy.

Be familiar with the course learning objectives, course competencies, and the college’s 21st century learning outcomes for general education.