COURSE NAME: Estates and Trusts

COURSE NUMBER: #8611

PROFESSOR: Hanna

ESSENTIAL PREREQUISITE(S): Complete first year

DESIRABLE PREREQUISITE(S): None

METHOD OF GRADING AND APPRAISAL OF STUDENT FOR GRADE:

Final Examination
Classroom participation for extra credit

SUMMARY DESCRIPTION OF COURSE:

Covers the fundamentals of intestate succession, wills, trusts, and federal estate and gift tax, with approximately 1/2 of the course time spent on the first two of these topics, and 1/4 each on trusts and estate taxation. The Missouri Probate and Trust Codes are covered as good examples of the laws of most American common law jurisdictions. The major topics are:

I. Introduction; Intestate Succession

II. Wills; Components; Capacity; Execution; Revocation

III. Will Substitutes; Will Construction; Protection of Family

IV. Federal Estate and Gift Taxation

V. Trusts; Powers; Fiduciary Duties

COURSE BOOKS:

1. Required:

   *Wills, Trusts & Estates*, 7th ed., Dukeminier and Johanson (Aspen)

2. Recommended:

   Missouri Trust and Probate Codes (handout)
COURSE MATERIALS:

RELEVANCY OF COURSE FOR CAREER PURPOSES:

If death and taxes are the only sure things in this life, then this course prepares the student for at least two inevitables. All successful lawyers represent successful clients who have potentially complex probate and estate tax problems. Because of the universality of death and wealth accumulation and preservation, issues related to this course surface in literally all forms and areas of legal practice. Even the poor and disadvantaged die and become physically or mentally disabled, so the course’s relevancy is not confined to wealthy clients.

RELEVANCY OF COURSE FOR MISSOURI BAR EXAM PREPARATION:

Always tested on the Missouri Bar. Common questions involve intestacy, wills, trusts, minors and incompetents.