COURSE NAME: Trusts: Planning, Drafting, Administering & Litigating

CATALOGUE NUMBER: 8868

PROFESSOR: Hanna

ESSENTIAL PREREQUISITE(S): None

DESIRABLE PREREQUISITE(S):

  Estates & Trusts
  Income Taxation of Estates & Trusts
  Estate Planning & Drafting (or taken concurrently)

COURSE BOOK(S):

   Handout materials on Trusts: Planning, Drafting, Administering & Litigating

2. **Recommended**:

METHOD OF GRADING AND APPRAISAL OF STUDENT FOR GRADE:

  Final Exam (100%); affected by quality of classroom participation

SUMMARY DESCRIPTION OF COURSE: Applies the foundational knowledge covered in Estates & Trusts to the administration of trusts and estates of decedents and incapacitated persons. Primary emphasis is on trusts, beginning with planning and drafting, then proceeding into the administering and litigating of trusts. Focus is on comprehensive coverage of the administrative aspects of the Missouri Trust Code (Ch. 456). Also, if time permits, some basic rules regarding preparation of Federal Estate (706) Gift (709) and Income (1041) tax returns are addressed. However, this is not a tax course and the focus is primarily on procedures.

COURSE CONTENT:

I. Planning and Drafting Trusts
II. Administration of Trusts
III. Litigating Trust Issues
IV. Federal Estate Gift and Income Tax Returns
RELEVANCY OF COURSE FOR CAREER PURPOSES:

This course focuses on how to counsel fiduciaries in the drafting and administering of trusts and estates and is therefore practice oriented. Practical experience in drafting trusts, together with presentations from practicing lawyers, are aspects relevant to actual practice of the law of trusts. The new Missouri Uniform Prudent Investor Act and Missouri Uniform Trust Code are examined in some detail in the context of counseling fiduciaries regarding investing trust funds and administering trusts. Time also is spent considering the litigation of trusts and the preparation and filing of Federal Estate, Gift and Income Tax returns from the practical (practice) perspective.

RELEVANCY OF COURSE FOR MISSOURI BAR EXAM PREPARATION:

This course covers much of the substantive law of estates and trusts in the context of drafting, administrating, litigating and implementing trusts.