

UMKC School of Law ELECTIVE COURSE INFORMATION Spring 2010

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

COURSE NUMBER: 8868

PROFESSOR: Hanna

ESSENTIAL PREREQUISITE(S): Estates & Trusts

DESIRABLE PREREQUISITE(S): Income Taxation of Estates & Trusts; Estate Planning & Drafting (or taken concurrently)

COURSE BOOK(S):

1. Required:

Wills, Trusts and Estates, 7th Edition, Jesse Dukeminier, Stanley M. Johanson, James Lindgren, Robert H. Sitkoff, ISBN 978-0-7355-3695-1, ©2005, Aspen Publishers.

Missouri Probate & Trust Codes.

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 administering of trusts and estates (decedents' and protectees') and is therefore highly practice oriented. Practical experience in drafting trusts, together with a presentation from a practicing lawyer, are aspects relevant to actual practice of the law of trusts. The new Missouri Uniform Prudent Investor Act is examined in some detail in the context of counseling fiduciaries regarding investing trust funds. Time is also spent considering 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:

Reviews much of the substantive law of estates and trusts in the context of drafting, administering, litigating and implementing trusts.