

Syllabus for Wills, Trusts and Estates (text: Dukeminier, Sitkoff (9<sup>th</sup> Edition))

Attendance: A sign-in sheet will be circulated in each class. Please make sure that you sign the sheet for each class.

To provide background, the following materials should be read (i.e., perused) within the first several weeks of the semester: Section A of Chapter 5; Section A, B and D of Chapter 6; Section A of Chapter 7; and Sections A and B of Chapter 8. We will study this material across the semester.

#### First Class

Read pp. 1-35 (note that we will discuss Shaw Family Archives in a later class, i.e., after we complete our discussion of Shapira (p.28)).

We will have a policy discussion regarding testamentary freedom.

Be prepared to discuss Hodel v Irving (p.28) in the first or second class.

After completing the discussion of Hodel, we will discuss Shapira (p.5).

In subsequent classes, we will continue through the casebook. We will examine section B and section C in Chapter 1.

We will then cover Chapter 2 in its entirety.

We will cover Chapter 4 in its entirety, taking it up before chapter 3.

We will cover Chapter 3 in its entirety.

We will cover sections A and B of Chapter 5 (to the extent not previously covered).

We will cover Chapter 6 and Chapter 7 if time permits.

We will conclude with the last several classes focusing on future interests and the rule against perpetuities. A handout will be provided. For students who want more background, Chapter 13 and Chapter 14 should be read.

#### Learning outcomes:

Students should obtain an understanding of the principal theme driving the law of wealth transfers

Students should obtain an understanding of how this theme influences the outcome of wealth-transfer cases

Students should obtain an understanding of default rules in the wealth-transfer context and how lawyers who practice in this area need to take these default rules into account in consulting with clients and in the drafting of documents

Students should obtain a general sense of how lawyers who practice in this area engage with their clients in attempting to help the clients fulfill their objectives

Students should obtain a sense of strategic planning so that they will be able to assist clients in developing a plan to accomplish their wealth-transfer goals

Required work outside of class:

The American Bar Association requires that you spend at least eight hours per week, on average, outside of class studying for this 4-credit course. This is in addition to the four hours a week we spend in class. (The ABA has a formula for determining the requirement. In other courses, the required number of out-of-class hours may be different.)