Purpose: It is the intention of this Administrative-Master Syllabus to provide a general description of the course, outline the required elements of the course and to lay the foundation for course assessment for the improvement of student learning, as specified by the faculty of Wharton County Junior College, regardless of who teaches the course, the timeframe by which it is instructed, or the instructional method by which the course is delivered. It is not intended to restrict the manner by which an individual faculty member teaches the course but to be an administrative tool to aid in the improvement of instruction.

Course Title - Wills, Trust & Probate Administration
Course Prefix and Number – LGLA 1353
Department – Paralegal Studies
Division – Technology & Business

Course Type: (check one)
☐ Academic General Education Course (from ACGM – but not in WCJC Core)
☐ Academic WCJC Core Course
☒ WECM course (This course is a Special Topics or Unique Needs Course: Y ☒ or N ☐)

Semester Credit Hours #: Lecture Hours #: Lab/Other Hours #: 3:3:0
Equated Pay hours for course - 3

List Lab/Other Hours
Lab Hours
Clinical Hours
Practicum Hours
Other (list)

Course Catalog Description - This course presents fundamental concepts of the law of wills, trusts, and probate administration with emphasis on the paralegal's role

Prerequisites/Co-requisites - None

Prepared by Erma Hart Date 6/2/15
Reviewed by Department Head Erma Hart Date 6/2/15
Accuracy Verified by Division Chair David Kucera Date 7/15/2015
Approved by Dean or Vice President of Instruction Leigh Ann Collins Date 12/3/15
I. Topical Outline – Each offering of this course must include the following topics (be sure to include information regarding lab, practicum, clinical or other non-lecture instruction):

1. Definitions of Basic Terms
   Assignment 1: Begin making flashcards for unfamiliar terms.

2. Real Property Law as it relates to Wills and Probate
   Assignment 2: Future Interest and Marital Problems
   A. Separate and Community Property
   B. Community Property with Right of Survivorship
   C. Issue of Commingling
   D. Rules of Reimbursement
   E. Present and Future Interests
   F. Tenancy in Common and Joint Tenancies

3. Intestate Succession in Texas
   Assignment 3: Intestacy problems

4. Wills
   A. Types of Wills
   B. Types of Gifts
   C. Typical Clauses
   D. Prerequisites for Validity
   E. Revocation
   F. Pretermitting Heirs, Widow's Election, Ademption of Gifts
   G. The Codicil

   Exam No. 1

5. Drafting and Executing the Client's Will
   Assignment 4: Will Drafting for Hypothetical Client
   A. Client Information Interview and Checklists
   B. Confidentiality Requirements
   C. Determining Appropriate Gifts
   D. Charitable and Tax-Related Gifts
   E. Disinheritance of Heirs
   F. The Self-Proving Affidavit
   G. The Will Signing Ceremony
   Assignment 5: Draft a Script for Hypothetical Client's Signing Ceremony

6. Advance Directives
   A. Durable Power of Attorney for Health Care
   B. Other Powers of Attorney
   C. Directive to Physicians (Living Will)
   D. Uniform Anatomical Gifts Act

7. Trusts
   Assignment 6: Draft a Trust Agreement or Declaration of Trust
   A. Purpose of Trust
   B. Function and Powers of Trustee and Beneficiaries
      1. Under the Texas Trust Code
      2. Power to Sprinkle, Self-deal or Invade the Corpus
   C. Types of Trusts
      1. Pourover
      2. Charitable Trusts and Doctrine of Cy Pres
      3. Business trusts
   4. Spendthrift Trusts
5. Trusts for Tax Purposes: QTIP, Exemption Equivalent Bypass, and Marital Deduction Trusts

Exam No. 2

8. Probating the Will: Independent Administration
   Assignment 7: Prepare and Application for Probate, Proof of Death, and other Related Documents
   A. Locating the Will
   B. Function of the Personal Representative
   C. Preparing the Application, Citation and Notices
   D. The Hearing: Preparing the Proof of Death Admitting to Probate, Letters Testamentary
   Assignment 8: Prepare Oath of Executor and Order Admitting to Probate, Letters Testamentary
   E. Dealing with Will Contests
   F. Preparing the Inventory
   Assignment 9: Prepare Inventory, Appraisement and List of Claims
   G. Court Approval of the Inventory
   H. Dealing with Unpaid Debts and Claims Against the Estate
   I. Ancillary Administration

9. The Dependent Administration
   A. Who can serve as an Administrator
   B. Application and Notices
   C. Family Allowance, Setting Aside Exempt Property
   D. Dealing with Claims against the Estate
   E. Application to Sell Estate Property

10. Accountings
    A. Annual Accounting
    B. Final Accounting
    C. Determination of Heirship
    D. Accounting for Final Settlement and Application to Close

11. Alternative Procedures Available in Texas
    A. A Will as a Minument of Title
    B. Small Estate Affidavit
    C. Community Administration
    D. Temporary Administration
    E. Informal Probate of a Decedent's Will

12. Post-Mortem Estate Planning
    A. Necessary IRS Forms for the Personal Representative
    B. Decedent's Final Income Tax Returns
    C. Estate Tax Return
    D. Gift Tax Return
    E. Alternate Valuation and Special Use Valuations
    F. Disclaimers

Exam No. 3

Final Exam

II. Course Learning Outcomes
<table>
<thead>
<tr>
<th>Learning Outcomes</th>
<th>Methods of Assessment</th>
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<tbody>
<tr>
<td>Upon successful completion of this course, students will:</td>
<td></td>
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<tr>
<td>1. Use terminology relating to wills, trusts, and probate administration</td>
<td>1. Exams 1, 2, 3, and 4, Assignments 1 through 11</td>
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<tr>
<td>2. Analyze sources relating to wills, trusts, and probate administration</td>
<td>2. Exams 1, 2, 3, and 4, Assignments 1 through 11</td>
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<tr>
<td>3. Draft documents commonly used in wills, trusts, and probate administration</td>
<td>3. Assignments 1 through 11</td>
</tr>
<tr>
<td>4. Analyze the ethical considerations of the paralegal in wills, trusts, and probate administration.</td>
<td>4. Assignments 1 through 11</td>
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</tbody>
</table>

III. Required Text(s), Optional Text(s) and/or Materials to be Supplied by Student.


IV. Suggested Course Maximum - 30

V. List any specific spatial or physical requirements beyond a typical classroom required to teach the course.
None

VI. Course Requirements/Grading System – Describe any course specific requirements such as research papers or reading assignments and the generalized grading format for the course
Written assignments/Projects…50%
Exams…………………………50%

TOTAL POINTS 100
Grading Scale:  A=100-90  B=89-80  C=79-70  D=69-60  F=59 and below

VII. Curriculum Checklist

- Academic General Education Course (from ACGM – but not in WCJC Core)
  - No additional documentation needed

- Academic WCJC Core Course
  - Attach the Core Curriculum Review Forms
    - Critical Thinking
    - Communication
    - Empirical & Quantitative Skills
- Teamwork
- Social Responsibility
- Personal Responsibility

- WECM Courses
  If needed, revise the Program SCANS Matrix & Competencies Checklist.