

LAW C142: PROBATE ADMINISTRATION/ESTATE PLANNING

Item	Value
Top Code	140200 - Paralegal
Units	3 Total Units
Hours	54 Total Hours (Lecture Hours 54)
Total Outside of Class Hours	0
Course Credit Status	Credit: Degree Applicable (D)
Material Fee	No
Basic Skills	Not Basic Skills (N)
Repeatable	No
Open Entry/Open Exit	No
Grading Policy	Standard Letter (S), • Pass/No Pass (B)

Course Description

Organization and jurisdiction of the Probate Court: administration of estates, including gift, income, inheritance and estate taxes, estate litigation, and will contests. Conservatorships, guardianships, and intestate succession. Wills and other disposition of property, review of probate avoidance mechanisms, trust administration after death, and elder law. ADVISORY: LAW C100 or LAW C127. Transfer Credit: CSU.

Course Level Student Learning Outcome(s)

1. Evaluate and prepare necessary court forms for probate administration based on a specific fact situation.
2. Analyze, summarize and assess selected probate related cases.
3. Demonstrate competence in selection of various tax planning mechanisms based on specific fact situations.
4. Assess and evaluate the needs of an elder client as it pertains to finances, insurance, healthcare, and capacity based on specific fact situations.

Course Objectives

- 1. Select and complete the necessary court forms for probate administration based on a specific fact situation.
- 2. Analyze, summarize and assess selected probate related cases.
- 3. Distinguish the various taxable applications of a probate estate, evaluate the elements necessary to the preparation of a valid will, and formulate methods for avoiding probate and conservatorships based on specific fact situations.
- 4. Interview a potential client and determine if a will and/or trust is the appropriate document to be drafted.
- 5. Assess and evaluate the needs of an elder client as it pertains to finances, insurance, healthcare, and capacity based on specific fact situations.
- 6. Demonstrate competence in selection of various tax planning mechanisms based on specific fact situations.

Lecture Content

ETHICS (3 hours) BEGINNING PROBATE (3 hours) DUTIES OF REPRESENTATIVES (6 hours) TAXATION (3 hours) CLOSING THE ESTATE (3 hours) INTRODUCTION TO ESTATE PLANNING (6 hours) ELEMENTS AND PREPARATION OF A VALID WILL (4 hours) INTER VIVOS AND TESTAMENTARY TRUSTS (4 hours) PROBATE AVOIDANCE MECHANISMS (4 hours) CONSERVATORSHIPS, GUARDIANSHIPS, AND INTESTATE SUCCESSION (3 hours) TRUST ADMINISTRATION (6 hours) ELDER LAW (3 hours) Exams (6 hours)

Method(s) of Instruction

- Lecture (02)
- DE Live Online Lecture (02S)
- DE Online Lecture (02X)

Instructional Techniques

Multiple methods of instruction will be used to enhance student understanding of the paralegal profession. Lectures, discussions, forums, interactive activities, and group projects will be utilized to facilitate the learning process. This class requires the use of various methods of audio visuals such as PowerPoint, audio, and video presentations.

Reading Assignments

Students will read from the course textbook as well as any other primary and/or secondary readings assigned by the instructor.

Writing Assignments

Students will be required to complete written homework assignments, prepare a documents for probate administration, prepare written analysis of a variety of estate planning tools, write essays on the exams, and prepare a project discussing a topic related to estate planning as assigned by the instructor.

Out-of-class Assignments

Outside of the classroom, students will complete the required readings; work on assigned papers, reports, and projects; study for tests; conduct research; and communicate with the instructor and/or fellow students through telephone, email, discussion boards, or virtual chat.

Demonstration of Critical Thinking

Critical thinking will be demonstrated through written assignments, essays on exams, papers, and projects.

Required Writing, Problem Solving, Skills Demonstration

Evaluation of sample legal problem, ethical issues, interview and/or investigation skills, technology trends with oral discussion, or similar assignments.

Eligible Disciplines

Law: J.D. or LL.B NOTE: Courses in aspects of law for application to a particular discipline may be classified, for minimum qualifications purposes in the discipline of the application. Master's degree required.

Textbooks Resources

1. Required Noyes, D.. The California Probate Paralegal, 2nd ed. Carolina Academic Press, 2014 Rationale: There are very limited textbooks available specifically for California Probate Paralegals. This book has the necessary foundational information which can be supplemented by the

instructor any any necessary statutory updates Legacy Textbook Transfer
Data: Legacy text

Other Resources

1. or similar textbook selected by the instructor 2. Coastline Library