



COURSE OUTLINE

Outline Status: Outline Update (ECD 10135); 2009-2010

Section I: BASIC COURSE INFORMATION

1. **COLLEGE: L.A. SOUTHWEST COLLEGE**
2. **SUBJECT: LAW**
3. **COURSE NUMBER: 013**
4. **COURSE TITLE: WILLS, TRUSTS, AND PROBATE ADMINISTRATION**
5. **UNITS: 3**
6. **CATALOG COURSE DESCRIPTION:**

This course is a study of the fundamental principles of the law of wills and trusts, including simple will and trust forms and formation; it is also an examination of the organization and jurisdiction of the California Probate Court and of the administration of estates in California Probate Courts including gift, inheritance and estates taxes.

7. CLASS SCHEDULE COURSE DESCRIPTION:

This course is a study of the fundamental principles of the law of wills and trusts, including simple will and trust forms and formation; it is also an examination of the organization and jurisdiction of the California Probate Court and of the administration of estates in California Probate Courts including gift, inheritance and estates taxes.

8. **INITIAL COLLEGE APPROVAL DATE: 1974**
9. **COURSE OUTLINE UPDATE APPROVAL DATE: 11/17/09**

Minor change in course description; no prerequisite

10. CLASS HOURS:

	Standard Hrs Per Week (based On 18 weeks)	Total Hs per Term (hrs per week x 18)	Units
Lecture:	3	54	3
Lab/Activity (w / homework):	0	0	0
Lab/Activity (w /o homework):	0	0	0
Totals:	Lecture: 3	Lecture: 54	Lecture: 3
	Lab: 0	Lab: 0	Lab: 0
	Total: 3	Total: 54	Total: 3
<i>Totals In Protocol:</i>	Lecture: 3	Lecture: 54	
	Lab: 0	Lab: 0	
	Total: 3	Total: 54	Total: 3

11. PREREQUISITES, COREQUISITES, ADVISORIES ON RECOMMENDED PREPARATION, and LIMITATION ON ENROLLMENT:

Note: The LACCD's *Policy on Prerequisites, Corequisites and Advisories* requires that the curriculum committee take a separate action verifying that a course's prerequisite, corequisite or advisory is an 'appropriate and rational measure of a student's readiness to enter the course or program' and that the prerequisite, corequisite or advisory meets the level of scrutiny delineated in the policy.

PREREQUISITES: No

	Subject	Number	Course Title	Units	Validation Approval Date

COREQUISITES: No

	Subject	Number	Course Title	Units	Validation Approval Date

ADVISORIES: No

	Subject	Number	Course Title	Units	Validation Approval Date

12. OTHER LIMITATIONS ON ENROLLMENT: (See Title 5, Section 58106 and Board Rule 8603 for policy on allowable limitations. Other appropriate statutory or regulatory requirements may also apply):

None

Section II: COURSE CONTENT AND OBJECTIVES

1. COURSE CONTENT AND OBJECTIVES:

COURSE CONTENT AND SCOPE - Lecture: Outline the topics included in the lecture portion of the course (<i>Outline reflects course description, all topics covered in class</i>).	Hours per topic	COURSE OBJECTIVES - Lecture: Upon successful completion of this course, the student will be able to..(Use action verbs - see <u><i>Bloom's Taxonomy</i></u> for 'action verbs requiring cognitive outcomes.')
I. Professional Responsibility in Estate Planning A. Ethical handling of estate documents B. Due diligence & confidentiality C. Issues of mental capacity & undue influence D. Attorney fees & client billing E. Issues of conflict of interest F. Fiduciary responsibilities	3 hrs	1. Analyze the ethical duties and responsibilities of attorneys and paralegals in estate planning.
II. Methods of Transfer of Property Other Than By Wills &/or Trusts A. Intestate Succession B. Community Property Division at Death C. Effect of multiple ownership of property D. Inter vivos gifts E. Custodianship & powers of attorney F. Totten trusts	3 hrs	2. Analyze the various methods of transferring property upon death without a will and/or trust.
III. Limitations on Right to Dispose of Property at Death A. State Statutes regarding spousal elective share B. Waiver of estate rights C. Family Allowances D. Pretermitted heirs E. Right of creditors in estate proceedings	3hrs	3. Evaluate the limitations on rights to dispose of property after death.
IV. Estate & Inheritance Taxes A. Unified federal transfer tax B. Federal gift tax C. Federal estate tax D. Generation skipping transfer tax E. State estate/inheritance taxes F. The effect of taxes upon estate planning	3hrs	4. Determine the various taxes due on the estate of the decedent.
V. Estate Planning Process A. Client Interview B. Estate planning checklist C. Preparation & Drafting of Wills - What is a will - Who may make a will - Types of wills - Who can take property under a will - What a will can accomplish - Drafting considerations for wills - Will execution - Undue influence & wills - Changes to wills - Will contests	6hrs	5. Appraise the stages of the estate planning process.
VI. Testamentary Gifts A. Bequests & devises B. Gifts per capita, per stirpes, by representation	3hrs	6. Create a will and explain the methods of will drafting.

<p>C. Future interests - rule against perpetuities D. Anti-lapse statutes E. Ademption & abatement F. Powers of appointment G. Testamentary trusts</p>		
<p>VII. Use of Trusts in Estate Planning A. Elements of Trust & definition - Settlor, grantor, donor - Property placed in trust - Person charged with administration of trust - Transfer of property to trust - Trust agreement - Trust beneficiaries B. Functions or purposes of trusts - Remove assets from taxable estate (irrevocable) - Protect assets from creditors - Avoid probate - Control beneficiary's receipt and use of property - Keep property in family - Provide for management of property - Medical planning - Educational trusts - Charitable planning C. Types of trusts - Testamentary - Intervivos - Revocable & Irrevocable - Special purpose trusts D. Termination of trusts and rule against perpetuities</p>	9hrs	7. Create a trust and explain the methods of trust drafting and their uses.
<p>VIII. Planning for Incapacity A. Living Will or health care proxy B. Durable springing power of attorney C. Retained Life Estate D. Organ Donation E. Funeral arrangements F. MediCare/MediCal issues</p>	4hrs	8. Evaluate methods creating legal protections against incapacity.
<p>IX. Estate Administration A. Client Interviews B. Determination of assets & valuation C. Creditors' claims D. Liquidity E. Transfer of property F. Accountings G. Distribution of assets</p>	9hrs	9. Evaluate the stages and methods of decedent estate administration.
<p>X. Probate Administration Proceedings A. Selecting the proper court - jurisdiction B. Selecting the proper proceeding C. Judicial Council Forms D. Ancillary administration E. Selection of representative F. Issuance of letters G. Liquidity of estate H. Disposition of real estate I. Disposition of closely held business J. Disposition of miscellaneous assets K. Preparing estate tax returns L. Closing the Estate</p>	9hrs	10. Appraise the use of probate administration and its regular stages.

FINAL EXAMINATION	2hrs	
Total:	54	
Total Hrs In Protocol:	54	

1. (cont'd) LAB:

COURSE CONTENT AND SCOPE - Lab: Outline the topics included in the laboratory portion of the course (<i>Outline reflects course description, all topics covered in class.</i>)	Hours per topic	COURSE OBJECTIVES - Lab: Upon successful completion of this course, the student will be able to.. (<i>Use action verbs - see Bloom's Taxonomy for 'action verbs requiring cognitive outcomes.'</i>)
Total:	0	
Total Hrs In Protocol:	0	

1. (cont'd) SLO:

The student will.. (outcome)	As measured by the following method.. (assessment strategy)	And, if applicable, scored by the following learning rubric. (provide attachment)	Results are examined to determine if the outcome is achieved. Include planned or actual assessment date. (results & evaluation)	Recommendations to improve teaching and learning. (modifications)
1. The student will create a simple will which will comply with the California Probate Code. SLO REVIEWED 11/14/09 GY	Students will submit the simple will at the end of semester and will be evaluated using a rubric: Exemplary: 1) The Will must contain the name & address of the testator. 2) The Will must cancel all previous wills & codicils of the testator. 3) The Will must contain the marital status of the testator. 4) The Will must provide statutory inheritance to spouse of testator. 5) The Will must name an executor. 6) The Will must distribute all of the testator's personal property. 7) The Will must distribute all of the testator's real property. 8) The Will must name a guardian for testator's minor children. 9) The Will must provide for payment of testator's debts. 10) The will must provide for payment of estate taxes, if any. 11) The Will must have a no contest close. 12) The Will must provide for the testator's burial manner & costs. 13) The Will must have a residuary paragraph to take care of un-named property of testator.	Rubric is in column #2	Spring 2010	No modifications are needed at this time

	<p>14) The Will must be dated. 15) The Will must be signed by testators. 16) The execution of the Will must be witnessed by at least two adult witnesses.</p> <p>Acceptable: If items # 9, 10, &/or 11 stated above are missing.</p> <p>Unacceptable: If items # 1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, &/or 16 are missing.</p> <p>Desired Expectation: 70% or more at the Exemplary level</p>			
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2. REQUIRED TEXTS:

Provide a representative list of textbooks and other required reading; include author, title and date of publication:

Administration of Wills 3rd Edition, Brown, Gordon, 2003; Thomson Delmar Publishing Hower, 5th Edition, Dennis R., 2002

3. READING ASSIGNMENTS:

Provide a representative list of textbooks and other required reading; include author, title and date of publication:

Mennell, Robert L., Wills & Trusts in a Nutshell 2nd Edition (1994) West Publishing

4. WRITING ASSIGNMENTS:

Writing assignments, as required by Title 5, in this course may include, but are not limited to the following:

- Draft a will. - Draft an irrevocable trust. - Draft three short will codicils. - Prepare documents necessary for transfer of assets to trust.

5. REPRESENTATIVE OUTSIDE ASSIGNMENTS (HOMEWORK):

Out of class assignments (Homework) may include, but are not limited to the following:

- Research cases involving will contests. - Draft all required forms related to administration of an intestate estate.

6. REPRESENTATIVE ASSIGNMENTS THAT DEMONSTRATE CRITICAL THINKING:

Provide examples of assignments, as required by Title 5, that demonstrate critical thinking.

- Study California probate codes which govern will drafting. - Draft a will that complies with the California Probate Code.

7. METHODS OF EVALUATION:

Title 5, section 55002 requires grades to be 'based on demonstrated proficiency in subject matter and the ability to demonstrate that proficiency, at least in part, by means of essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.' Methods of evaluation may include, but are not limited to the following (please note that evaluation should measure the outcomes detailed 'Course Objectives' at the beginning of Section II):

Midterm Examination (30%) - Final Examination (50%) - Term Paper (20%)

8. METHODS OF INSTRUCTION:

Please Check All That Apply

- Lecture**
- Discussion**
- Laboratory**
- Activity**
- Field Experience**
- Independent Study**
- Other (Please Explain)**

9. SUPPLIES:

List the supplies the student must provide.

10. COMPUTER COMPETENCY:

If applicable, explain how computer competency is included in the course.

Students will use on-line Lexis-Nexis to research related case and statutory law.

11. INFORMATION COMPETENCY:

If applicable, explain how information competency is included in the course.

Students will use Law Library to research case and statutory law.

12. DIVERSITY:

If applicable, explain how diversity (e.g., cultural, gender, etc.) is included in the course.

This course will address the issue of diversity in Wills, Trusts & Estate Administration Laws as related to the college's diverse student body

13. SCANS COMPETENCIES:

(required for all courses with vocational TOP Codes; recommended for all courses)

SCANS (Secretary's Commission on Necessary Skills) are skills the Department of Labor identified, in consultation with business and industry leaders, which reflect the skills necessary for success in the workplace. Check the appropriate boxes to indicate the areas where students will develop the following skills (please note that all SCANS competencies do not apply to all courses):

RESOURCES

- Managing Time:** Selecting relevant goal-related activities, ranking them in order of importance, allocating time to activities, and understanding, preparing and following schedules.
- Managing Money:** Using or preparing budgets, including making cost and revenue forecasts; keeping detailed records to track budget performance, and making appropriate adjustments.
- Managing Material and Facility Resources:** Acquiring, storing, allocating, and distributing materials, supplies, parts, equipment, space or final products in order to make the best use of them.

INTERPERSONAL

- Participating as Member of a Team:** Working cooperatively with others and contributing to group's efforts with ideas, suggestions and effort.
- Teaching Others New Skills:** Helping others learn needed knowledge and skills.
- Exercising Leadership:** Communicating thoughts, feelings, and ideas to justify a position, encouraging, persuading, convincing or otherwise motivating an individual or group, including responsibly challenging existing procedures, policies or authority.
- Negotiating:** Working toward agreement that may involve exchanging specific resources or resolving divergent interests.
- Working with Cultural Diversity:** Working well with men and women and with people from a variety of ethnic, social, or educational backgrounds.

INFORMATION

- Acquiring and Evaluating Information:** Identifying a need for data, obtaining the data from existing sources or creating them, and evaluating their relevance and accuracy.
- Organizing and Maintaining Information:** Organizing, processing and maintaining written or computerized records and other forms of information in a systematic fashion.
- Interpreting and Communicating Information:** Selecting and analyzing information and communicating the results of others, using oral, written, graphic, pictorial, or multimedia methods.

- Using Computers to Process Information:** Employing computers to acquire, organize, analyze and communicate information.

SYSTEMS

- Understanding Systems:** Knowing how social, organizational and technological systems work and operating effectively with them.
- Monitoring and Correcting Performance:** Distinguishing trends, predicting impacts of actions on system operations, diagnosing deviations in the functioning of a system/organization, and taking necessary steps to correct performance.
- Improving or Designs Systems:** Making suggestions to modify existing systems in order to improve the quality of products or services and developing new or alternative systems.

TECHNOLOGY

- Selecting Technology:** Judging which sets of procedures, tools or machines, including computers and their programs, will produce the desired results.
- Applying Technology to Tasks:** Understanding overall intent and proper procedures for setting up and operating machines, including computers and their reprogramming systems.
- Maintaining and Troubleshooting Equipment:** Preventing, identifying, or solving problems with equipment, including computers and other technologies.

Section III: RELATIONSHIP TO COLLEGE PROGRAMS

1. THIS COURSE WILL BE AN APPROVED REQUIREMENT FOR AN APPROVED ASSOCIATE DEGREE OR CERTIFICATE PROGRAM: Yes

a. If yes, the course will be a requirement portion of the 'approved program' listed on the State Chancellor's Inventory of Approved Programs (approved programs can be found on the State Chancellor's Office website at <https://misweb.cccco.edu/webproginv/prod/invmenu.htm>)

Law/Paralegal AA - Program: 140200 State ID: 02878

2. GENERAL EDUCATION REQUIREMENTS FOR THE ASSOCIATE DEGREE STATUS:

a. Area Requested:

Approval Date:

If applicable, provide an explanation of how the course meets the General Education parameters for one of the five general education areas - Natural Sciences, Social and Behavioral Sciences, Humanities, Language and Rationality, Health and Physical Education -- contained in Board Rule 6201.14 -General Education Requirements. http://marlin.laccd.edu/district/BoardRules_AdmRegs/boardrules.htm

b. Area Requested: None

Approval Date:

If applicable, provide an explanation of how the course meets the General Education parameters for one of the five general education areas - Natural Sciences, Social and Behavioral Sciences, Humanities, Language and Rationality, Health and Physical Education -- contained in Board Rule 6201.14 -General Education Requirements. http://marlin.laccd.edu/district/BoardRules_AdmRegs/boardrules.htm

Section IV: ARTICULATION INFORMATION

(Complete in consultation with College Articulation Officer)

1. TRANSFER STATUS:

a. Transferable to the University of California: b. UC Approval Date:	c. Transferable to the California State University: d. College Approval Date:
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2. GENERAL EDUCATION FOR TRANSFER:

<p><i>IGETC Certification</i></p> <p>a. Area Requested: b. Date Requested: c. IGETC Approval Date:</p> <p>If applicable, provide an explanation of how the course meets the appropriate General Education parameters, as defined in IGETC Certification Guidelines.</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	<p><i>CSU Certification</i></p> <p>a. Area Requested: b. Date Requested: c. CSU Approval Date:</p> <p>If applicable, provide an explanation of how the course meets the appropriate General Education parameters, as defined in CSU Certification Guidelines.</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
<p>a. 2nd Area Requested: b. Date Requested: c. IGETC Approval Date:</p> <p>If applicable, provide an explanation of how the course meets the appropriate General Education parameters, as defined in IGETC Certification Guidelines.</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	<p>a. 2nd Area Requested: b. Date Requested: c. CSU Approval Date:</p> <p>If applicable, provide an explanation of how the course meets the appropriate General Education parameters, as defined in CSU Certification Guidelines.</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>

3. MAJOR REQUIREMENT FOR TRANSFER: N/A

Will this course be articulated to meet lower division major requirements?:

List college/university and the majors:

CAN NUMBER: **CAN SEQUENCE #: N/A**

CAN Approval -

Date requested: Date approved:

Section V: SUPPLEMENTAL COURSE INFORMATION

1. **DEPT/DIVISION NAME:** Business
2. **DEPT/DIVISION CODE:** 03
3. **SUBJECT CODE:** 559
4. **SUBJECT ABBREVIATION:** LAW
5. **RECOMMENDED MINIMUM QUALIFICATION AREA:**
6. **ABBREVIATION FOR TRANSCRIPTS:** WILLS/TRUST/PROB ADM
7. **DEGREE CREDIT:**

Indicate whether the course meet the 'standards for approval' for degree credit course set forth in Title 5, section 55002(a)(2), which requires the course to have a degree of intensity, difficulty, and vocabulary that the curriculum committee has determined to be at the college level: **Degree Applicable**

8. **GRADING METHOD:** LETTER GRADE
9. **REPETITIONS:** # of times repeated for credit: **0**

If this course is repeatable, explain how repetition of this course meets Title 5, section 55041(c)(2)(B):

10. **PRIOR TO TRANSFERABLE LEVEL:**

This course attribute applies to **English, Writing, ESL, reading and mathematics** courses ONLY. If applicable, indicate how many levels below the transferable level this course should be placed: **Not applicable**

11. **CREDIT BASIC SKILLS:**

Title 5, section 55000(j) defines basic skills as 'courses in reading, writing, computation, and English as a Second Language, which are designated as non-degree credit courses pursuant to Title 5, section 55002(b).': **No**

12. **CROSS REFERENCE:**

Is this course listed as equivalent in content to existing College/District courses in another discipline?: **No**

If Yes, list courses (documentation of cross-discipline agreement must be provided):

13. **COURSE SPECIFICALLY DESIGNED FOR STUDENTS W/ DISABILITIES:**

Title 5, section 56029 allows a course to be repeatable when continuing success of the students with disabilities is dependent on additional repetitions of a specific class. Is this course designated as an 'approved special class' for students with disabilities?: **No**

If yes, provide an explanation of how this course meets the requirements of Title 5, section 56029:

14. COOPERATIVE EDUCATION STATUS:

Title 5, section 55252 allows for two types of Cooperative Education: 1) General Work Experience Education -- i.e., supervised employment, which is intended to assist students in acquiring desirable work habits, attitudes and career awareness, which need not be related to the students' educational goals; or 2) Occupational Work Experience Education - i.e., supervised employment, extending classroom based occupational learning at an on-the-job learning station, which is related to the students' educational or occupational goal. Is this course part of the college's approved cooperative work experience education program?: **No**

15. COURSE CLASSIFICATION: Occupational

Note: A course's Classification, TOP Code and SAM code must be aligned: e.g., Courses with an 'Occupational' Course Classification must have an 'Occupational' TOP Code and a SAM Code of A, B, C, or D; courses that do not have an 'Occupational' Course Classification cannot have an Occupational TOP Code and must have an 'E' SAM Code. Courses coded as 'basic skills' in #11 should be coded 'Adult and Secondary Basic Skills.'

16. TOP CODE - (6 digits XXXX.XX): 1402.00

Course content should match discipline description in Taxonomy of Programs found at <http://ecd.laccd.edu/TaxonomyOfPrograms.doccurriculum.htm>

17. SAM CODE (Student Accountability Model): C

18. FUNDING AGENCY CODE:

19. STATE COURSE ID:

Section VI: APPROVAL STATUS**1. APPROVAL STATUS:**

		Approval Date Of	Board Date	Requested Effective Semester	Approved Effective Semester
a.	<input type="checkbox"/> New Course	College:	Board:	Effective Semester:	Effective Semester:
b.	<input type="checkbox"/> Addition of Existing District Course	College:	Board:	Effective Semester:	Effective Semester:
c.	<input type="checkbox"/> Course Change*	College:		Effective Semester:	Effective Semester:
d.	<input checked="" type="checkbox"/> Outline Update	College: 11/17/09			Effective Semester:
e.	<input type="checkbox"/> New Course	College:		Effective Semester:	Effective Semester:
f.	<input type="checkbox"/> New Course	College:	Board:	Effective Semester:	Effective Semester:

* Changes to a course require the completion of a 'Course Change Request' form and approval by the college's Curriculum Committee. In some cases districtwide approval is also required; see, Administrative Regulation E-65, section 3(c) for details.

Section VII: APPROVAL INFORMATION FOR NEW OR ADDED COURSES

(complete in consultation with Department Chair and the appropriate Academic Administrator)

N/A – Existing Course

1. **ORIGINATOR: Southwest User/ J. Bowman**

2. **DEPARTMENT: 03**

3. **IF THIS IS A NEW COURSE, INDICATE HOW THE COLLEGE PLANS TO MEET THE EXPENSE OF THIS COURSE:**

By additional funds. Describe:

By deleting courses from the college catalog and course database. List specific courses to be deleted:

By deleting sections of existing course. List courses and number of sections to be deleted:

FIRST YEAR: SECOND YEAR: THIRD YEAR:

By rotating sections of existing courses. List courses and number of sections to be rotated, as well as the semesters in which they will be offered:

4. **IMPACT**

IMPACT -- Will this course directly impact other course offerings and/or associate degree or certificate programs on campus? No (If yes, briefly explain how)

5. **METHOD OF SUPPORT**

-- Indicate how the college plans to support the proposed course:

Additional staff -- List additional staff needed:

Classroom -- List classroom type needed:

Equipment -- List new equipment needed and indicate funding source for any new equipment:

Supplies- List supplies and indicate dollar value:

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Library/Learning Resources- The course initiator shall consult with the College Librarian and review the college library, book, periodical, and electronic resource collections relevant to this course. List additional titles and resources to be considered for purchase as funding permits:

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CERTIFICATION AND RECOMMENDATION

- This course meets Title 5 requirements for Associate Degree applicable college credit towards an Associate Degree.
- This course meets Title 5 requirements but does not satisfy the requirements for an Associate Degree applicable course.

We certify that the information and answers above properly represent this course.

Nouha Toure for J Bowman	11/17/2009
Originator	Date
Nouha Toure	11/17/2009
Department/Cluster Chairperson	Date
Linda Larson-Singer	11/17/2009
Articulation Officer	Date
Ramon Miramontes	11/17/2009
Librarian	Date
Elmer Bugg	11/17/2009
Dean (if applicable)	Date
Linda Larson-Singer	11/17/2009
Curriculum Committee Chairperson	Date
Allison Moore	11/30/2009
Academic Senate President	Date
Mary Callahan	12/08/2009
Vice President, Academic Affairs	Date