

LAW 151, ESTATE PLANNING AND PROBATE

Syllabus Fall 2011 Section 32468

Instructor: Jarrett P. Macanas, J.D., Associate Professor
Office: KCC, Kopiko Building, Room 212
Office Hours: Wednesdays, 4:00 to 6:00 p.m., or by appointment
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Course Dates: August 22, 2011 - December 16, 2011
Meeting Times: Wednesdays, 6:25 to 9:05 p.m.
Class Room: Kopiko 126
Semester Hours: 3

COURSE DESCRIPTION: LAW 151 trains the student in the principles and primary forms utilized in estate planning and probate in the State of Hawaii. Coverage includes testate and intestate succession, wills, trusts, probate, and estate administration.

COURSE OBJECTIVES/COMPETENCIES:

- Classify ownership of property for estate planning purposes.
- Apply the law of intestate succession to a specific situation
- Select appropriate estate planning tools for a specified client
- Identify estate planning tax considerations for a specified client
- Interview the client for probate information.
- Draft a basic will based on estate planning standards.
- Identify and compare procedures in the handling of estate administration, including intestate and testate proceedings, formal probate, informal probate, and supervised administration
- Assemble the documents necessary to gather together an estate

REQUIRED TEXTBOOK: Kent, G. W. (2008). *Wills, Trusts, and Estates for Paralegals*. New York: McGraw-Hill.

REFERENCE MATERIALS: Various publications and online resources relating to estate planning and probate, as well as pertinent federal and state tax forms/publications.

CLASS MEETINGS: This class will meet every Wednesday evening, from 6:25 to 9:05 p.m., from August 24, 2011 until December 14, 2011. Please refer to separate schedule and weekly assignments.

ATTENDANCE AND CLASS PARTICIPATION (25%): Attendance and class participation are important parts of the class. In order to receive full points (10 pts. maximum; see below) you must meet the following:

5 pts. - Full class attendance (on time and stay for the entire class time)

5 pts. - Participate in class discussions, group discussions, etc. by raising questions or responding to questions.

ASSIGNMENTS (25%): All assignments should be sent to the instructor via Lulima on or before the due date, usually a Wednesday, at 11:59 p.m. or earlier. To ensure documented receipt of your assignment, it is highly recommended that you submit your assignment before the 11:59 p.m. deadline.

Similar to the real-world legal environment, all deadlines must be met. **ASSIGNMENTS WILL NOT BE ACCEPTED AFTER THE STATED DUE DATE AND TIME.** Although limited, there are one or two extra credit assignments that may be completed to make up for missing or late assignments.

Each assignment must be your own work and must be completed independently of other students in the course. Plagiarism is not acceptable and may result in Student Conduct proceedings and possible expulsion from the course and/or the college. If it is obvious that an assignment has been copied or plagiarized, a zero score will be given for that assignment and a memo to that effect will be placed in the student's department file.

All assignments shall be completed in a professional looking manner adhering to required format rule/requirements. Assignments must be in printed form, computer generated. Assignments may not be turned in via e-mail, CD, or computer disk unless the student has made arrangements to do so with the instructor prior to the due date of the assignment. No assignment may be handwritten unless otherwise directed.

QUIZZES (25%): Students will usually have one week to complete a quiz covering each chapter. See lecture notes and schedule. No make-up quizzes will be allowed, so please plan accordingly and allow for early completion in case of technical problems or other commitments. Please note that one or two quizzes will be dropped prior to the calculation of the final percentage. If you miss a quiz, you may count this as one of those dropped quizzes

FINAL EXAM (25%): The final exam covers the entire course, readings, vocabulary, and discussion topics. It must be taken at an authorized testing center and is a closed book exam. **The Final Exam is required to be taken regardless of your average before the final.**

EVALUATION: The final grade is determined by the student's performance in the following areas:

Class Attendance/Participation:	25%
Assignments:	25%
Quizzes:	25%
Final Exam:	25%
Total:	100%

Each of the four areas noted above will be graded as follows:

<u>PERCENTAGE OF TOTAL POINTS</u>	<u>GRADE</u>
90-100	A
80-89	B
70-79	C
60-69	D
60 and below	F

CLASSROOM ENVIRONMENT: The classroom environment will be conducive to the sharing of ideas and everyone is welcome to ask questions at any time. The primary objective is to maximize learning through a disciplined, yet stimulating environment for maximum exposure to the understanding of the material presented.

STUDENT CONDUCT: Students are expected to behave and conduct themselves in an appropriate, business-like, respectful, and professional manner. Please refer to the Student Conduct Code in the most current KCC General Catalog. Any student whose speech or actions intentionally are disrespectful, offensive, and/or threatening; interferes with the learning activities of other students; impedes the delivery of College services; or has a negative impact in any learning environment may be subject to disciplinary action by the College.

PLAGIARISM AND CHEATING: Plagiarism is forbidden. Plagiarism is the copying of another's work either in part or whole, word-for-word, or paraphrased, without giving the author due credit. You must do your own work. If students are using another's words or ideas, they must reference them appropriately. Any student, including collaborators, who cheats or plagiarizes on any quiz, exam, or assignment will receive a "zero score" and will be asked to withdraw from class. If you turn in someone else's work or reformat another person's work as your own, it is cheating. Be honest with yourself and with others. If you have concerns, please discuss them with your instructor. For more information, please refer to "Student Conduct Code," in the most current KCC General Catalog.

QUESTIONS OR PROBLEMS: If you have any questions about the course, including problems with deadlines or class attendance, please contact the instructor as soon as the problems arise so that the issues can be resolved together in a timely manner. If your questions only pertain to the course, you are encouraged to post them to Questions under Discussion and Private Messages in Laulima. Others might have the same question and/or can assist you even before the instructor answers your question. Everyone is encouraged to help each other.

WITHDRAWAL: If personal or work issues prevent you from completing the requirements for this course, please be sure to speak to your counselor or withdraw by the deadline of October 27, 2009. Complete withdrawal from college (all courses at KCC) must be done in person at KISC.

MISCELLANEOUS: See Attachment ADDENDUM TO SYLLABUS.