

**Tompkins Cortland Community College**  
**Master Course Syllabus**

**Course Discipline and Number: PARC 220**  
**Course Title: Wills, Trusts, Estate Planning**

**Year: 2021-2022**  
**Credit Hours: 3**

**Attendance Policy:** *To maintain good grades, regular attendance in class is necessary. Absence from class is considered a serious matter and absence never excuses a student from class work. It is the responsibility of all instructors to distribute reasonable attendance policies in writing during the first week of class. Students are required to comply with the attendance policy set by each of their instructors. Students are not penalized if they are unable to attend classes or participate in exams on particular days because of religious beliefs, in accordance with Chapter 161, Section 224-a of the Education Law of the State of New York. Students who plan to be absent from classroom activity for religious reasons should discuss the absence in advance with their instructors. See college catalog for more information.*

**Services for Students with Disabilities:** *It is the College's policy to provide, on an individual basis, appropriate academic adjustments for students with disabilities, which may affect their ability to fully participate in program or course activities or to meet course requirements. Students with disabilities should contact the Coordinator of Access and Equity Services, to discuss their particular need for accommodations. All course materials are available in alternate formats upon request.*

### **Course Description**

The drafting of wills and trusts and the administration of estates are a unique combination of art and science. Artistically speaking, the creative use of legal technology and techniques provides a vehicle for a client to literally speak from the grave and dictate control over his or her assets after death. At the same time, the detailed practice and procedural requirements of state and federal statutes give a scientific atmosphere in which the estate practitioner must operate. In this course, paralegal majors become familiar with both aspects of this subject in order that they will be able to competently assist the attorney in the practice of Trust and Estate Law. Prerequisites: MATH 090 and RDNG 116 if required by placement testing; ENGL 101; C or better grade in BUAD 201, PARC 101, and PARC 130. 3 Cr. (3 Lec.) Fall and spring semesters.

### **Course Context/Audience**

This course is a required course for the Post-Bachelor's Paralegal Certificate.

It is generally taken in the second semester in the sequence of Paralegal classes, after completion of PARC 101 Introduction to Paralegalism, PARC 130 Legal Research and Drafting and BUAD 201 Business Law I.

This course teaches the theory and practice of wills, trusts and estates deemed necessary for a paralegal in a law office or other law environment.

Further, this course may be of interest to anyone with an interest in legal procedure including pre-law students, court clerks, county clerks, paralegals, legal secretaries and the like.

### **Basic Skills/Entry Level Expectations**

**Writing:** WC College level writing skills are required. See course co-requisites or pre-requisites.

**Math:** M2 Completed MATH 090 (if needed) - Course requires only the use of basic mathematical skills.

**Reading:** R4 Before taking this course, students must satisfactorily complete RDNG 116 or have assessment indicating that no reading course was required.

### **Course Goals**

To familiarize students with general and specific principals of wills, trusts and estate administration by examining the different areas comprising the subject and their applicable courts and procedures. Mastering the use and understanding of proper legal terminology, documents and procedures involved in the practice of this topic of law from the paralegal

perspective. Continued development of the ability to recognize legal issues, identify relevant information, apply legal concepts and rules, effectively and concisely communicate legal issues and critically analyze factual situations.

**Course Objectives/Topics**

<b>Objective/Topic</b>	<b>% Course</b>
Purpose of Wills, Terms & Definitions	8%
Understanding Real and Personal Property	8%
Correct Court and Proper Parties	8%
Intestate Succession	8%
Elective Share	8%
Drafting & Executing Wills	16%
Probate of Estates	8%
Trusts I	8%
Trusts II, Gifts, Estate Planning	8%
Fiduciaries	8%
Tax Considerations	8%
Ethics	8%

**General Education Goals - Critical Thinking & Social/Global Awareness**

<b>CRITICAL THINKING OUTCOMES</b>	<b>HOW DOES THE COURSE ADDRESS THE OUTCOMES</b> (Include required or recommended instructional resources, strategies, learning activities, assignments, etc., that must or could be used to address the goal/outcomes)
<p>Students will be able to</p> <ul style="list-style-type: none"> <li>➤ develop meaningful questions to address problems or issues.</li> <li>➤ gather, interpret, and evaluate relevant sources of information.</li> <li>➤ reach informed conclusions and solutions.</li> <li>➤ consider analytically the viewpoints of self and others.</li> </ul>	<p>Students will learn to critically read and digest legal information from various legal authority and secondary materials, and will develop legal research and drafting skills that require the acquisition, understanding, and application of legal knowledge as it relates to wills and trusts.</p> <p>Six writing, drafting and research assignments, and three exams, each graded for form and content, each returned to the student with a great deal of written feedback in order for the student to learn from mistakes and to improve in subsequent submissions.</p>
<b>SOCIAL/GLOBAL AWARENESS OUTCOMES</b>	<b>HOW DOES THE COURSE ADDRESS THE OUTCOMES</b> (Include required or recommended instructional resources, strategies, learning activities, assignments, etc., that must or could be used to address the goal/outcomes)
<ul style="list-style-type: none"> <li>➤ Students will begin to understand how their lives are shaped by the complex world in which they live.</li> <li>➤ Students will understand that their actions have social, economic and environmental consequences.</li> </ul>	<p>Students will become more aware of social issues by reviewing legal issues while conducting legal research throughout the semester with a focus on the transfer of property upon death.</p> <p>Six writing, drafting and research assignments, and three exams, each graded for form and content, each returned to the student with a great deal of written feedback in order for the student to learn from mistakes and to improve in subsequent submissions.</p>

**Instructional Methods**

Methods to teach this class include written lecture, reading assignments, which include reading materials in the class, from the text and from outside sources, and weekly assignments and periodic exams.

Assignments are a mix of assignments from the texts, legal memos and drafting pleadings and documents.

Weekly discussions are conducted throughout the semester.

**Methods of Assessment/Evaluation**

Method	% Course Grade
Weekly assignments (typically best 14 of 15)	33%
Participation in module discussions, Current Events discussions, asking questions, and other Web interaction	33%
Three Exams	33%

**Text(s)**

Wills, Trusts and Estates. Third edition. Suzan D. Herskowitz., Prentice Hall Publishers.  
 NY Greenbook - 2010 SCPA-EPTL, Matthew Bender, Latest Edition, © 2010

**Bibliography**

Stasky, Wernet, CASE ANALYSIS and FUNDAMENTALS of LEGAL WRITING, West

Brand, White, LEGAL WRITING, The STRATEGY OF PERSUASION, St. Marin's Press

Block, EFFECTIVE LEGAL WRITING, Foundation Press

Charrow and Erhardt, CLEAR and EFFECTIVE LEGAL WRITING, Little and Brown

**Other Learning Resources****Audiovisual**

No resources specified

**Electronic**

No resources specified

**Other**

Internet, Westlaw and LEXIS