

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

**Course Discipline and Number: PARA 220**

**Year: 2023-2024**

**Course Title: Wills, Trusts, Estate Planning**

**Credit Hours: 3**

**I. Course Description:** In this course, paralegal majors become familiar with aspects of this subject in order that they will be able to competently assist the attorney in the practice of Trust and Estate Law. 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. Prerequisites: ENGL 101; C or better grade in BUAD 201, PARA 101, and PARA 130. 3 Cr. (3 Lec.) Spring semesters.

**II. Additional Course Information:**

1. This course will be offered online only; students must have access to a reliable computer and internet.
2. This course is required for the Paralegal A.A.S. degree.
3. Students will have access to Westlaw & Lexis online legal research tool at no additional charge. Use of these resources is required.

**III. Student Learning Outcomes**

Upon successful completion of this course, students will be able to:

1. Explain the basic terminology, procedures, and characteristics of wills and estate planning and the appropriate court procedures.
2. Draft a simple will and other relevant documents, using appropriate procedures and complying with required instructions with meticulous attention to detail, demonstrating competence in computer use, online research, and use of appropriate software.
3. Recognize legal problems, distinguish between relevant and irrelevant information in legal problem situations, apply legal concepts and rules to unfamiliar as well as familiar situations, communicate legal concepts and procedures in written and practical form, and critically analyze other legal information including closing documents, tax documents, deeds, and title information.
4. Describe and apply both lawyer and paralegal ethics rule in a wills and estates context.

**IV. Tompkins Cortland Institutional Learning Outcomes; Program Learning Outcomes; SUNY General Education Outcomes**

**Tompkins Cortland ILOs**

**N/A**

Complete this section for “service” courses only (e.g. courses that are required of all students; courses that are not program specific but satisfy liberal arts requirements; or commonly used in multiple academic programs to meet non-program-specific requirements). Check only Institutional Learning Outcomes (ILOs) that are meaningfully developed and assessed in this course. For each ILO chosen, include the SLO to which it aligns.

Students will:

☐ Communicate effectively, in oral and written forms, taking into consideration audience and purpose.

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- ☐ Apply principles and methods of scientific inquiry and quantitative reasoning appropriate to their discipline.
- ☐ Use information, critical thinking, and the creative process to solve problems and reach conclusions.
- ☐ Use technology appropriate to their discipline.
- ☐ Describe the ways in which social, economic, or environmental sustainability depends on their own and the collective contributions of a diversity of ideas and people.

### **Program Learning Outcomes**

Complete this section for program-specific courses (e.g. those that share the same 4 letter designation as the academic program or satisfy requirements in related programs). List the academic program(s) here and note which Student Learning Outcomes align to specific Programmatic Learning Outcomes. Please see the MCS Instructions for more details.

Specify the Academic Program

#### **Paralegal AAS**

**PLO 1:** Read and understand legal writing: met through reading course materials, and required primary and secondary source documents.

**and**

**PLO 2:** Research & Writing- Conduct legal research and prepare professional legal memos and documents: met through assignments

**and**

**PLO 4:** Proficiency of technology, both in general and in proprietary legal technology: legal technology met through assignments requiring the use of Westlaw and Lexis; general technology is required to complete the asynchronous course and preparing legal documents using contemporary software. SLO 1, 2, 3, 4

#### **SLOs:**

1. Explain the basic terminology, procedures, and characteristics of wills and estate planning and the appropriate court procedures.
2. Draft a simple will and other relevant documents, using appropriate procedures and complying with required instructions with meticulous attention to detail, demonstrating competence in computer use, online research, and use of appropriate software.
3. Recognize legal problems, distinguish between relevant and irrelevant information in legal problem situations, apply legal concepts and rules to unfamiliar as well as familiar situations, communicate legal concepts and procedures in written and practical form, and critically analyze other legal information including closing documents, tax documents, deeds, and title information.
4. Describe and apply both lawyer and paralegal ethics rule in a wills and estates context.

**PLO 3:** Understanding the role of a paralegal in working independently and meticulously under the supervision of an attorney, within ethical boundaries: met through reading and lecture materials. SLO 1, 3, 4

#### **SLOs:**

1. Explain the basic terminology, procedures, and characteristics of wills and estate planning and the appropriate court procedures.
3. Recognize legal problems, distinguish between relevant and irrelevant information in legal problem situations, apply legal concepts and rules to unfamiliar as well as familiar situations, communicate legal concepts and procedures in written and practical form, and critically analyze other legal information including closing documents, tax documents, deeds, and title information.
4. Describe and apply both lawyer and paralegal ethics rule in a wills and estates context.

**SUNY General Education Outcomes    N/A**

If this course **assesses** a SUNY GEN ED Outcome, check all that apply and indicate which course outcome(s) address each checked item:

☐ **CRITICAL THINKING** - Students will:

- a. identify, analyze, and evaluate arguments as they occur in their own or others' work; and
- b. develop well-reasoned arguments.

☐ **INFORMATION MANAGEMENT** - Students will:

- a. perform the basic operations of personal computer use;
- b. understand and use basic research techniques; and
- c. locate, evaluate and synthesize information from a variety of sources.

☐ **GENERAL EDUCATION CATEGORY** - Area(s):

For courses that are approved to meet one (or more) of the ten SUNY General Education categories, indicate which category the course fulfills, and which outcome(s) are aligned with the SUNY outcomes for that category:

☐ This course does not address any of the above Tompkins Cortland ILOs, PLOs, or SUNY General Education Outcomes.

**V. Essential Topics/Themes**

1. Purpose of Wills, Terms & Definitions
2. Understanding Real and Personal Property
3. Correct Courts and Proper Parties
4. Intestate Succession
5. Elective Share/Spousal Rights
6. Introduction to Wills/ Will Contests
7. Drafting & Executing Wills
8. Probate of Estates
9. Trusts & Gifts, Estate Planning
10. Personal Representation & Fiduciaries
11. Tax Considerations
12. Ethics/ Right To Die/ Advance Directives

**VI. Methods of Assessment/Evaluation**

Method	% Course Grade
1. Weekly assignments (typically best 10 of 13)	30-65%
2. Exams (typically best 3 of 4)	30-40%
3. Discussion Participation/ Attendance	5-30%
4. Optional Project(s): Individual or group projects as designed by the instructor	0-10%

## VII. Texts – Required

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| 1. Cooper, Ilene S. <i>Wills, Trusts and Estates. Essential Tools for the New York Paralegal</i> , Cooper, 3 <sup>rd</sup> Ed., Aspen Publishers, © 2010 OR current edition. |
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## VIII. Bibliography of Supplemental Materials

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| 1. Herskowitz, Suzan. <i>Wills, Trusts, and Estates Administration</i> , 4 <sup>th</sup> Ed., Pearson, 2013 OR current edition.   |
| 2. Hower & Kahn. <i>Wills, Trusts and Estate Administration</i> , 7 <sup>th</sup> Ed., Cengage Learning, 2011 OR current edition. |

## IX. Other Learning Resources

<b>Audiovisual:</b> None specified
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<b>Electronic:</b> Students will need access to a reliable computer with internet access
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<b>Other:</b> Students will need to apply for access to Westlaw and Lexis as directed by course materials; there is no additional cost to the student for this.
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**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.*

**Academic Integrity:** *Every student at Tompkins Cortland Community College is expected to act in an academically honest fashion in all aspects of his or her academic work: in writing papers and reports, in taking examinations, in performing laboratory experiments and reporting the results, in clinical and cooperative learning experiences, and in attending to paperwork such as registration forms.*

*Any written work submitted by a student must be his or her own. If the student uses the words or ideas of someone else, he or she must cite the source by such means as a footnote. Our guiding principle is that any honest evaluation of a student's performance must be based on that student's work. Any action taken by a student that would result in misrepresentation of someone else's work or actions as the student's own — such as cheating on a test, submitting for credit a paper written by another person, or forging an advisor's signature — is intellectually dishonest and deserving of censure.*

*Several degree programs offer student learning opportunities (such as internships, field work, and clinical experiences) outside the standard classroom setting. As part of the learning process, students must understand and engage in conduct that adheres to principles guiding employment within the professional workplace. These behaviors include, but are not limited to, academic integrity, accountability, reliability, respect, use of appropriate language and dress, civility, professional ethics, honesty, and trustworthiness. Disciplinary action may be initiated for inappropriate conduct occurring while participating in any course-related project or event.*