

**SAN DIEGO COMMUNITY COLLEGE DISTRICT  
CITY, AND MIRAMAR COLLEGES  
ASSOCIATE DEGREE COURSE OUTLINE**

**SECTION I**

**SUBJECT AREA AND COURSE NUMBER:** Legal Assistant 175

**COURSE TITLE:** Estates, Trusts, and Wills

**Units: 3**  
Grade Only

**CATALOG COURSE DESCRIPTION:**

This course identifies responsibilities and duties that paralegals perform under estate attorney supervision. Students review estate administration legal principles and terminology. They also study the procedural steps required to complete the administration, including current federal and state tax consequences.

**REQUISITES:**

**Prerequisite:**

LEGL 100B with a grade of "C" or better, or equivalent

**Advisory:**

ENGL 049 with a grade of "C" or better, or equivalent or Assessment Skill Level W5  
&  
ENGL 048 with a grade of "C" or better, or equivalent or Assessment Skill Level R5

**Limitation on Enrollment:**

This course is not open to students with previous credit for BUSE 265: Estates, Trusts, and Wills.

**FIELD TRIP REQUIREMENTS:** May be required

**TRANSFER APPLICABILITY:** Associate Degree Credit & transfer to CSU and/or private colleges and universities

**TOTAL LECTURE HOURS:** 48 - 54

**TOTAL LAB HOURS:**

**STUDENT LEARNING OBJECTIVES:**

Upon successful completion of the course the student will be able to:

1. Examine the paralegal's responsibilities and duties in estate administration
2. Describe estate planning legal principles and procedures
3. Analyze & brief cases related to estate planning.
4. Identify and differentiate necessary legal forms
5. Prepare simple wills and trusts
6. Collaborate with team to prepare estate plan and final project.
7. Analyze federal and state income tax consequences.

## **SECTION II**

### **1. COURSE OUTLINE AND SCOPE:**

#### **A. Outline Of Topics:**

The following topics are included in the framework of the course but are not intended as limits on content. The order of presentation and relative emphasis will vary with each instructor.

- I. Overview of estate planning and administration
  - A. Terminology
  - B. Client dynamics
  - C. Legal assistant duties and responsibilities.
- II. Participants and proper court
  - A. Improperly advised clients
  - B. Clear and convincing evidence; burden of proof.
- III. The concept of property
  - A. Intestate succession
  - B. Rules of dying testate
  - C. Participants and the court
  - D. Avoiding probate.
- IV. Legal requirements for preparing a will
  - A. Drafting powers of attorney and advance health directives
  - B. Wills and codicils
  - C. Grounds for a will contest.
- V. Preparing wills
  - A. Checklists for preparing a will
  - B. Client conferences
  - C. Drafting and executing a will.
- VI. Introduction to trusts
  - A. Preliminary discussion of trusts
  - B. Conservatorships and responsibilities
  - C. Elements of a revocable trust package.
- VII. Formal probate administration
  - A. Informal probate administration
  - B. Uniform Probate Code.
- VIII. Tax considerations
  - A. Processing a probate estate
  - B. Inventory, appraisal, and accounting.

#### **B. Reading Assignments:**

Reading assignments are required and may include but, are not limited to, the following:

- I. Textbook chapters
- II. Study guide
- III. Selections from supplemental texts, such as Paul Jordan's Paralegal Studies
- IV. Legal case studies
- V. Related articles from magazines and journals, such as Estate Planning, Legal Affairs, and National Paralegal Reporter.

#### **C. Appropriate Assignments that Demonstrate Critical Thinking:**

Critical thinking assignments are required and may include, but are not limited to, the following:

- I. Preparing wills and trusts
- II. Solving problems associated with the administration of an estate
- III. Differentiating and preparing legal forms
- IV. Analyzing federal and state income tax consequences.

#### **D. Appropriate Outside Assignments:**

Outside assignments may include, but are not limited to, the following:

- I. Conduct library and Internet research
- II. Complete reading and writing assignments.

**E. Writing Assignments:**

Writing assignments are required and may include, but are not limited to, the following:

- I. Prepare legal forms and other related documents
- II. Write client reports/letters
- III. Prepare appropriate schedules
- IV. Prepare wills, trust plans, motions, and pleadings
- V. Analyze appropriate cases through written briefs.

**2. METHODS OF EVALUATION:**

A student's grade will be based on multiple measures of performance unless the course requires no grade. Multiple measures may include, but are not limited to, the following:

- I. Performance on written analyses of cases
- II. Performance on essay examinations
- III. Completion of written reports
- IV. Contributions to class discussion.

**3. METHODS OF INSTRUCTION:**

Methods of instruction may include, but are not limited to, the following:

- \* Computer Assisted Instruction
- \* Lecture Discussion
- \* Collaborative Learning
- \* Lecture

**4. REQUIRED TEXTS AND SUPPLIES:**

Textbooks may include, but are not limited to:

**TEXTBOOKS:**

1. Gau, Michael J. Practical Guide to Estate Planning and Administration, 1st ed. Delmar Learning, 2004, ISBN: 1401817980
2. Hower, Dennis R. Wills, Trusts and Estate Administration for the Paralegal, 5th ed. Delmar Learning, 2001, ISBN: 0766820513
3. Mack, Zella. California Estate Administration, 1st ed. Delmar Learning, 1996, ISBN: 0827373058

**MANUALS:**

**PERIODICALS:**

**SOFTWARE:**

**SUPPLIES:**

**ORIGINATOR:** Darrel Harrison

**CO-CONTRIBUTOR(S)**

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