

Wills and Trusts
Professor Gerstenblith
Fall 2008

SYLLABUS

Wills and Trusts is the first course in the estate planning sequence. The topics covered include: intestacy, formal and mental capacity requirements for execution of wills, interpretation of wills, will substitutes, trusts, health care directives, administration of trusts, and fiduciary obligations of trustees.

The required texts for this course are: Dukeminier, Johanson, Lindgren and Sitkoff, *Wills, Trusts, and Estates* (Aspen Publishers, 7th ed. 2005), and West's Illinois Probate Act and Related Laws (2008 ed.). Additional materials and problems will be distributed during the semester. These problems are separately numbered on the syllabus and are available on the Blackboard web-site for this course. A full assignment list for the semester will also be posted on the Blackboard web-site.

The final grade will be based on a three-hour, open-book exam to be administered at the end of the semester at the regularly scheduled time. The final exam will include a section of multiple-choice questions. Students are permitted to bring to the exam any materials, including the casebook, student-prepared materials (such as class notes and outlines), and materials distributed during the semester. Up to five additional points may be added to the grade a student receives on the final exam for class participation that is both consistent throughout the semester and of high quality.

Students are expected to attend class on a regular basis and to be prepared to participate in class discussion based on the reading assignments, the problems accompanying the reading assignments in the casebook and those distributed in class. In addition, students are responsible for preparing those sections of the Illinois Probate Act that are relevant to that day's assignment. Students should check the Blackboard web site for this course on a regular basis, so that they can receive important information throughout the semester. The assignment for the next class is posted on the Blackboard site following each class session; students are responsible for checking so that they know exactly what material will be covered in the next class. Lack of attendance, lack of participation, or failure to place one's name on the seating chart may result in the lowering of the final grade by a half or full letter grade or, in more serious situations, in an involuntary withdrawal from the course or a grade of Fx.

Students are invited to contact the professor by calling (312) 362-6175, meeting with her during posted office hours or by individual appointment (Office 1165), or communicating by email: pgersten@depaul.edu. Office hours will be held on Mondays and Wednesdays 2:30-4:00 p.m.