

COURSE SYLLABUS

POLITICAL SCIENCE 321: PROBATE (3 semester hours)

Tuesdays, 7:20- 10:00

Instructor: Nobie Walker, Hunt County District Attorney's Office
Office Location: 4th Floor, Hunt County Courthouse, Greenville, Texas
Office Hours: Monday – Friday, 8:00 a.m. – 5:00 p.m.
(or by appointment)
Phone: (903) 408-4180 Office; (903) 456-4686 Cell
Email: nwalker@huntcounty.net

Required Texts

Wills, Trusts, and Estate Administration, 7th Edition; Dennis R. Hower and Peter Kahn, Delmar Cengage Learning

ISBN: 13:978-1-111-13778-6

Course Description

This course provides an overview of Wills, Trusts, Estate Administration, and the Legal System. Topics include the need for a will, probate participants, the courts, the Law of Succession, testate or intestate, validity of wills, drafting a will, trusts, estate planning, personal representatives of an estate, probate and estate administration, informal probate administration, and ethical principles relevant to practicing paralegals.

Course Objectives

The objective of this course is to gain a working understanding of the Probate and Administration of Estate process. This will include understanding the purpose and function of a will, the process of estate administration when an individual dies intestate, intestate succession, the participants in the probate process, requirements for a valid will, steps necessary to draft a valid will, the role of the personal representative or executor, proving up a will and/or administration before a court, and concluding probate. Ethical principles involved in probate matters will be discussed as well. During the course of the semester, each student will draft a valid Will and related documents. At the end of the semester, each student should be able to competently address a probate/administration matter from the drafting of the will to the conclusion of probate.

Attendance Policy

Attendance is required and roll will be taken at every class. If you miss more than 4 classes I reserve the right to drop you from the course. If a student leaves before the end of class, it will be considered 1 absence.

Grading Policy

This class will be taught using the Socratic Method as well as lecture. You may be called on at any time and are expected to be fully prepared to discuss the assigned reading material.

You are also responsible for completing the assignments listed in this syllabus. The assignments may be found within the chapters of the textbook and in handouts I will provide to you.

All assignments must have a cover page indicating the following: your name, class, name of the assignment, and date the assignment is due. All assignments must be stapled. A deduction of 10 points will be assessed to all assignments turned in without stapling or without a cover page.

The examinations will primarily consist of multiple choice, short essay and essay. The three (3) exams, (including the final) will be of equal value and make up 100% of the student's overall grade. Questions for the exams will be taken from classroom discussion and your text. The final exam will not be comprehensive.

Grade Distribution is as follows:

A = 90-100

B = 80-89

C = 70-79

D = 65-69

F = 64 and below

(No extra credit work will be allowed)

Classroom Etiquette

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See Student's Guide Handbook, Policies and Procedures, Conduct) You are expected to exhibit respect for the instructor and fellow students at all times. All electronic devices (except laptops) must be turned off during class. Laptop use is limited to reading notes made for class and taking notes during class. In the event you choose to use a laptop, sound features must be disabled. Surfing the internet and playing games on your laptop during class time are strictly prohibited. Failure to adhere to these policies may result in removal from class.

Disability Statement

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring accommodation, please contact:

Office of Student Disability Resources and Services

Texas A&M University – Commerce

Gee Library

Room 132

Phone: (903)886-5150 or (903)886-5835

Fax: (903)468-8148

StudentDisabilityServices@tamuc.edu

What is Plagiarism?

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. But terms like "copying" and "borrowing" can disguise the seriousness of the offense:

According to the Merriam-Webster Online Dictionary, to "plagiarize" means

1. to steal and pass off (the ideas or words of another) as one's own
2. to use (another's production) without crediting the source
3. to commit literary theft
4. to present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of fraud. It involves both stealing someone else's work and lying about it afterward.

But can words and ideas really be stolen?

According to U.S. law, the answer is yes. The expression of original ideas is considered intellectual property, and is protected by copyright laws, just like original inventions. Almost all forms of expression fall under copyright protection as long as they are recorded in some way (such as a book or a computer file).

All of the following are considered plagiarism:

- turning in someone else's work as your own
- copying words or ideas from someone else without giving credit
- failing to put a quotation in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not (see our section on "fair use" rules)

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.” (www.plagiarism.org)

If you plagiarize, you will receive a ZERO for the assignment in question. I also reserve the right to give you an F in the course. The matter will be referred to the Office of the Dean of the College of Arts and Sciences.

Course Schedule

Assignments: (may be amended or modified at Instructor’s discretion)

January 19, 2016	Overview of Course, Review Fact Scenarios and Writing Assignments
January 26, 2016	“The Purpose and Need for a Will”
February 2, 2016	“Property Related to Wills and Estates”
February 9, 2016	“Participants and the Proper Court”
February 16, 2016	“The Law of Succession”
February 23, 2016	First Exam
March 1, 2016	“Preparing to Draft a Will”
March 8, 2016	“Final Draft and Execution of a Will”
March 15, 2016	No Class – Spring Break
March 22, 2016	“Personal Representatives” Writing Assignments Due
March 29, 2016	“Probate and Estate Administration”
April 5, 2016	Second Exam
April 12, 2016	“Informal Probate Administration”
April 19, 2016	“Introduction to Trusts”
April 26, 2016	“Estate Planning”
May 3, 2016	“Ethical Principles Relevant to Paralegals”
May 10, 2016	Final Exam