

## **COURSE SYLLABUS**

### **POLITICAL SCIENCE 321 - PROBATE**

**Spring 2022**

**(3 semester hours)**

#### **Online Course**

**Live Lecture: Wednesdays, 7:20 –10:00 PM**

**Instructor:** Noble Walker, Hunt County District Attorney  
**Office Hours:** Available for Consultation upon Request.  
**Office Phone:** (903) 408-4180 – Office Number  
(903) 456-4686 – Cell Number  
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[nwalker@huntcounty.net](mailto:nwalker@huntcounty.net)

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#### **Required Text**

Wills, Trusts, and Estate Administration, 9<sup>th</sup> Edition

Author: Walter

ISBN: 9780357452196

Publisher: Cengage L

#### **Course Description**

This course focuses on legal principles involved in Probate and Administration of Estates. The topics to be covered include Property Related to Wills/Estate Administration, Estate Planning, the need for Estate Planning, Laws of Succession, Validity of Wills, Will Contests, Drafting of Wills/Estate documents, Probate Courts, Personal Representatives, Probate and Estate Administration, Trusts, and Informal Probate Administration.

#### **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/Participation Policy

You are expected to know how to navigate and use the D2L platform by utilizing the trainings made available to you by the University. You are expected to attend and participate in the online live lectures each week. Unless you experience technological difficulties, you are expected to use earphones and a microphone to participate in each of the live lectures.

In addition, you are required to participate in the discussion each week you have assigned readings. You must prepare for the discussion by reading ALL of the material assigned. Questions may be posted related to each topic the week readings are assigned. You must thoughtfully respond to any posted questions. Short posts unsupported by information in the readings may be given ZERO points.

## Grading Policy

**Lectures and Discussion:** 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 during the online discussions. This is a cumulative grade over the course of the semester.

**Writing Assignments:** There will be three (3) writing assignments this semester. The documents to be drafted will be discussed in class.

All assignments must have a cover page indicating the following: your name, class, chapter, name of the assignment, and date the assignment is due. A deduction of 10 points will be assessed to all assignments turned in without a cover page. You will submit your assignments in the dropbox provided to you in the D2L platform and/or via email to the instructor.

All written work will be graded not only on content, but also on writing style, including punctuation and grammar.

**Late Work:** All written work must be submitted before the deadline provided to you. Written work turned in late will receive a deduction of 10 points for each day it is late. You are expected to submit case briefs, homework, writing assignments, and take home exams on time. Exceptions will be granted only under the most EXTREME, verifiable circumstances.

**Exams:** The examinations will primarily consist of multiple choice, short answer questions and essay. Any collaboration with other students with regards to the substance of the exams will result in a failing grade.

Your grade will be calculated according to the following formula:

Writing Assignments	25 points
1 <sup>st</sup> Exam	25 points
2 <sup>nd</sup> Exam	25 points
Final Exam	<u>25 points</u>
TOTAL	100 points

Grade Distribution is as follows:

A = 90-99

B = 80-89

C = 70-79

D = 60-69

F = 59 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. Failure to adhere to these policies may result in removal from the online course. Please be respectful of others' opinions even if you do not agree with them. I look forward to reading a variety of thoughts and opinions and I want you to express yourselves, but please be respectful. Remember, all caps means you are yelling.

### **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](mailto:StudentDisabilityServices@tamuc.edu)**

### **Nondiscrimination Statement**

Texas A&M University - Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

## **Campus Carry Statement**

Texas Senate Bill - 11 (Government Code 411.2031, et al.) authorizes the carrying of a concealed handgun in Texas A&M University-Commerce buildings only by persons who have been issued and are in possession of a Texas License to Carry a Handgun. Qualified law enforcement officers or those who are otherwise authorized to carry a concealed handgun in the State of Texas are also permitted to do so. Pursuant to Penal Code (PC) 46.035 and A&M-Commerce Rule 34.06.02.R1, license holders may not carry a concealed handgun in restricted locations. For a list of locations, please refer to

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf> (and/or consult your event organizer). Pursuant to PC 46.035, the open carrying of handguns is prohibited on all A&M-Commerce campuses. Report violations to the University Police Department at 903-886-5868 or call 9-1-1.

## **Counseling Center**

The Counseling Center at A&M-Commerce, located in the Halladay Building, Room 203, offers counseling services, educational programming, and connection to community resources for students. Students have 24/7 access to the Counseling Center's crisis assessment services by calling (903) 886-5145. For more information regarding Counseling Center events and confidential services, please visit [www.tamuc.edu/counsel](http://www.tamuc.edu/counsel).

## **Plagiarism Statement**

"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](http://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 Humanities, Social Sciences, and Arts.**

## TECHNOLOGY REQUIREMENTS LMS

All course sections offered by Texas A&M University-Commerce have a corresponding course shell in the myLeo Online Learning Management System (LMS). Below are technical requirements:

LMS Requirements:

<https://community.brightspace.com/s/article/Brightspace-Platform-Requirements>

LMS Browser Support:

[https://documentation.brightspace.com/EN/brightspace/requirements/all/browser\\_support.htm](https://documentation.brightspace.com/EN/brightspace/requirements/all/browser_support.htm)

YouSeeU Virtual Classroom Requirements:

<https://support.youseeu.com/hc/en-us/articles/115007031107-Basic-System-Requirements>

## ACCESS AND NAVIGATION

You will need your campus-wide ID (CWID) and password to log into the course. If you do not know your CWID or have forgotten your password, contact the Center for IT Excellence (CITE) at 903.468.6000 or [helpdesk@tamuc.edu](mailto:helpdesk@tamuc.edu).

**Note:** Personal computer and internet connection problems do not excuse the requirement to complete all course work in a timely and satisfactory manner. Each student needs to have a backup method to deal with these inevitable problems. These methods might include the availability of a backup PC at home or work, the temporary use of a computer at a friend's home, the local library, office service companies, Starbucks, a TAMUC campus open computer lab, etc.

## COMMUNICATION AND SUPPORT

If you have any questions or are having difficulties with the course material, please contact your Instructor.

### Technical Support

If you are having technical difficulty with any part of Brightspace, please contact Brightspace Technical Support at 1-877-325-7778. Other support options can be found here:

<https://community.brightspace.com/support/s/contactsupport>

***As Instructor, I reserve the right to amend, modify, or alter this syllabus as the situation may require.***

### Tentative Course Schedule

#### Week 1

01/12          First Day of Class: Discuss syllabus, text book, course overview

#### Week 2

01/19          Chapter 1:      Estate Plan/Need for a Will

#### Week 3

01/26          Chapter 2:      Concept of Property Related to a Will

#### Week 4

02/02          Chapter 3:      Law of Succession: Death Testate/Intestate

#### Week 5

02/09          Chapter 4:      Validity Requirements for Will – Review for 1<sup>st</sup> Exam  
First Writing Assignment Due

#### Week 6

02/16          First Exam

Week 7

02/23 Chapter 5: Preparation to Draft a Will

Week 8

03/02 Chapter 6: Final Draft and Execution of a Will

Week 9

03/09 Chapter 7: Participants and the Proper Court

Week 10

03/16 NO CLASS – SPRING BREAK

Week 11

03/23 Chapter 8: Personal Representatives  
Second Writing Assignment Due

Week 12

03/30 Second Exam

Week 13

04/06 Chapter 9: Probate and Estate Administration

Week 14

04/13 Chapter 10: Informal Probate Administration

Week 15

04/20 Chapter 12: Introduction to Trusts

04/27 Chapter 14: Estate Planning – Review for Final Exam  
Third Writing Assignment Due

05/04 Final Exam

05/11 Alternate/Reserve Final Exam Date