

COURSE SYLLABUS

POLITICAL SCIENCE 321: PROBATE (3 semester hours)

Wednesdays, 7:20 – 10:00 PM
Live lecture presented online

Instructor: Steven Lilley, Attorney at Law

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Availability: I will be available on Tuesdays after class concludes. You may also contact me with any questions or concerns you have

Required Texts and Software

Wills, Trusts, and Estate Administration, 9th Edition; Janis Walter, Emma Fletcher, Cengage
Texas Estates Code – We will discuss which portions of the code you will need and how to obtain them at our first class

Microsoft Word – NOTE: Google Docs or other similar program MAY NOT be substituted

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. It is vital to attend each class as we only meet once per week. Unless you are granted an exception for a particular class period, you will only be considered to have attended class if you are present during the live online presentation. Attendance/participation contributes 10% of the total final grade. The follow table illustrates how missed classes will affect this portion of your overall grade

<u>Classes missed</u>	<u>% deduction from attendance/participation</u>
1	0%
2	2%
3	5%
4 or more	10% and possible failure of class

Grading Policy

You are also responsible for completing weekly assignments. Your assignments will be reviewed, graded and returned to you. This is a cumulative grade over the course of the semester. Weekly assignments cover the material who have just finished learning about in class and are due at the beginning of next class meeting.

All assignments must have a cover page indicating the following: your name, class, name of the assignment, and date the assignment is due.

All written work will be graded not only on content, but also on writing style, including punctuation and grammar. You will turn in work via the D2L online Assignments portal. Please do not email completed assignments, they will not be graded. Late submissions to the portal will be subject to at least a deduction and will not be graded for credit after the portal for the assignment has been closed. We will discuss this further in class.

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)

Your grade will be calculated according to the following formula:

Attendance/Participation\	10 points
Assignments	15 points
Exam 1	25 points
Exam 2	25 points
Exam 3	<u>25 points</u>
Total	100 points

Grade Distribution is as follows:

- A = 90-99
- B = 80-89
- C = 70-79
- D = 65-69
- F = 64 and below

Student Conduct and 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.

The University's Pandemic Response

A&M-Commerce requires the use of face-coverings in all instructional and research classrooms/laboratories. Exceptions may be made by faculty where warranted. Faculty have management over their classrooms. Students not using face-coverings can be required to leave class. Repetitive refusal to comply can be reported to the Office of Students' Rights and Responsibilities as a violation of the student Code of Conduct. Students should not attend class when ill or after exposure to anyone with a communicable illness. Communicate such instances directly with your instructor. Faculty will work to support the student getting access to missed content or completing missed assignments.

Students with Disabilities

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

Non-discrimination notice

A&M-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 discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

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

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.

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>

Statement regarding on campus firearms

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-0Commerce Rule 34.06.02R1, license holders may not carry a concealed handgun in restricted locations. For a list of locations, please refer to:

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatments/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 9-1-1.

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 an F for the assignment in question and the matter will be referred to the Office of the Dean of the College of Arts and Sciences.

Course Reading Assignments***Please note that written assignments and references to the Texas Estates Code will be added***

Date	Topics from Textbook
January 10	Chapter 1 – Estate Plan and Purpose and Need for a Will
January 17	Chapter 2 – Property related to Wills, Trusts and Estates
January 24	Chapter 3 – Law of Succession
February 31	Chapter 4 – Will Validity Requirements, etc
February 7	Chapters 5&6 – Will Preparation and Execution
February 14	EXAM 1
February 21	Chapter 7 – Participants and Proper Court
February 28	Chapter 8 – Personal Representatives
March 6	Chapter 9&10– Probate and Estate Administration, Informal Administration
March 13	<i>SPRING BREAK – NO CLASS</i>
March 20	Chapter 11 – Tax Considerations
March 27	EXAM 2
April 3	Chapter 12 – Intro to Trusts
April 10	<i>NO CLASS</i>
April 17	Chapter 13 – Classification of Trusts
April 24	Chapter 14 – Estate Planning
May 1	Chapter 15 – Long Term Care
May 8	FINAL EXAM

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