

# Wills and Trusts

*In this subject, CALI has Lessons and eLangdell Press Texts. There are also Casebook Correlations available on the CALI website to aid you in assigning lessons.*

## CALI Lessons:

### California Intestate Succession

This exercise introduces users to the principal provisions of the California Probate Code which governs intestacy. It also illustrates the application of those provisions to typical fact situations. The exercise explores inheritance by descendants, ancestors and collateral heirs in the context of both separate, community and quasicommunity property. Finally, the program explores subsidiary problems of inheritance such as the rights of posthumous heirs, adopted heirs, illegitimate children, foster-children, the slayer of the decedent and the treatment of the simultaneous death problem.

**Lesson Completion Time:** 1.5 hours

**Author:** Charles Nelson, Dean and Professor of Law, Faulkner University Thomas Goode Jones School of Law

### Equitable Remedies - An Overview

This exercise gives a basic overview of the types of equitable remedies. You need not have read any particular materials or taken any particular law school courses in order to complete the tutorial. It can be used to provide background in your courses where equity is especially relevant or to review the types of equitable remedies for use in a remedies course. The lesson will not examine doctrines of substantive equity (other than to note their existence) nor will the lesson explore the prerequisites for obtaining, defending against, or enforcing equitable remedies. Rather, the lesson is designed to introduce you to the basic vocabulary of equitable remedies.

**Lesson Completion Time:** 45 minutes

**Author:** Barbara Glesner Fines, Associate Dean & Rubey M. Hulen Professor of Law, University of Missouri - Kansas City School of Law

## Intestate Succession Under the Uniform Probate Code (Based on 2008 Amendments)

This exercise introduces users to the Uniform Probate Code scheme of intestate succession. It explores the application of the Code (as amended in 2008) to various hypothetical situations and gives feedback to the student utilizing the applicable Code provisions. The program examines the inheritance rights of descendants, ancestors and collateral heirs and looks to subsidiary problems of inheritance such as the rights of posthumous heirs, adopted heirs, illegitimate children, and the slayer of the decedent. The requirement of survivorship is also explored.

This exercise is based on the 2008 amendments to the U.P.C.

**Lesson Completion Time:** 1.5 hours

**Author:** Charles Nelson, Dean and Professor of Law, Faulkner University Thomas Goode Jones School of Law

## Powers of Appointment

This lesson addresses the creation and exercise of a power of appointment. The lesson discusses the different parties involved in the creation of a power of appointment. The lesson includes a variety of problems designed to test the student's understanding of the rules governing the power of appointment.

**Lesson Completion Time:** 55 minutes

**Author:** Browne Lewis, Associate Professor, Leon and Gloria Plevin Professor of Law and Director, Center for Health Law & Policy, Cleveland-Marshall College of Law, Cleveland State University

## The Execution and Revocation of Wills Under the Uniform Probate Code (Based on 1990 UPC & 2008 Amendments)

This exercise helps users understand the requirements of the Uniform Probate Code for the execution and revocation of testamentary instruments such as wills and codicils. It looks at the requirements for both attested written wills and holographic wills in the context of hypothetical estates. It explores the rights of pretermitted heirs. This lesson was revised to reflect the 2008 Amendments.

This exercise is based on the 1990 version of the U.P.C. with amendments through 1998.

**Lesson Completion Time:** 1.5 hours

**Author:** Charles Nelson, Dean and Professor of Law, Faulkner University Thomas Goode Jones School of Law

# The Interpretation of Wills Under the Uniform Probate Code

This program explores the Uniform Probate Code rules for interpreting wills where devisees die before the testator or there are changes in the nature or extent of the estate property. Survival, lapse and antilapse and statements of contrary intent are explored at some length along with ademption, increase and advancements of bequests.

**Lesson Completion Time:** 1.5 hours

**Author:** Charles Nelson, Dean and Professor of Law, Faulkner University Thomas Goode Jones School of Law

## eLangdell Press Texts:

### Estates and Trust

**Author:** Browne C. Lewis, Associate Professor, Leon and Gloria Plevin Professor of Law and Director, Center for Health Law & Policy, Cleveland-Marshall College of Law, Cleveland State University

**Length:** 160,186 Words, 395 Pages in PDF

The use of testamentary trusts is becoming an important part of estate planning. As a result, students who want to make a living as probate attorneys will need to know how trusts fit into estate planning. In addition, bar examiners realize that it is important for students to have a basic knowledge of trust law. That realization will result in bar examination questions that test that knowledge. This book is designed for use as a supplementary text for a course on wills and trusts and the primary text in a seminar or course exploring the law of trusts.