

## Law 330-R01 | Trust & Estate | Spring 2025 | 3 credits

**Professor(s):** Chantelle DiLorenzo & Elizabeth Parks

Mon. & Wed. 8:10 – 9:35 pm EST | **Final Exam:** Friday, May 2, 6:00 pm EST

*Tentative Syllabus: We may deviate from this tentative syllabus with assignments and case law additions as we go. Although we will generally try to stick to this schedule and assignments, there may be additional reading—but you will be advised by the prior class as to what is required for the next class.*

### **Reading(s): [REQUIRED]**

Wills, Trust and Estates in Focus, Naomi R. Cahn; Alyssa DiRusso; Susan N. Gary (2019)

### **Communication(s):**

1. Prof. DiLorenzo: [cdilore@gmu.edu](mailto:cdilore@gmu.edu)
2. Prof. Parks: [mparks6@gmu.edu](mailto:mparks6@gmu.edu)

### **COURSE DESCRIPTION**

Trusts and Estates is one of the areas of law you will almost be guaranteed to encounter on your bar exam. It is also, in the field, one of the more interesting practices of law as it intersects with so many other practice areas. This course is designed to provide a practical approach to the field of trusts and estates. We will be using Wills, Trust and Estates in Focus for this semester. Although rooted in caselaw and statute, our approach will be conversation-based to work outside the frame of the coursebook.

### **COURSE OBJECTIVES**

By the end of the semester, students should have acquired a working knowledge of trusts and estates, be conversant in this practice area and identify Virginia-specific nuances, as well as be able to identify other areas of law that may overlap in the day to day practice of trusts and estates.

### **GRADING & PARTICIPATION**

#### *Grading*

Substantive grades will be based upon classroom (virtual) participation and engagement (10%), a midterm (30%), and performance on the final written exam (60%). For participation and engagement, the grade will be based on your participation during the class(es) you are scheduled, as well as voluntary participation other evenings. There will be a pop quiz or poll each class as a way to confirm everyone is engaged; a timely response is required- the content of your response is not graded.

#### *Exams*

**Midterm Exam:** The Midterm is essay format, administered Wednesday, March 5, 2025, during usual class time.

**Final Exam:** The final exam is May 2, 2025, at 6 p.m. The final exam will consist of a selection of multiple choice and short answer questions. A short essay may be included.

### **COURSE SCHEDULE & ASSIGNMENTS**

Below is the anticipated schedule so you can review and prepare. All reading assignments should be completed before class, in preparation for class discussion.

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<b>Week 1: January 22</b> Chapter 1 Introduction to the Law and Practice of Trusts and Estates
<b>Week 2: January 27 &amp; 29</b> Chapter 2 Intestacy
<b>Week 3: February 3 &amp; 5</b> Chapter 15 Introduction to Federal Estate and Gift Taxes (Skip Badgett and Bandy cases). Chapter 7 Nonprobate Transfers and Planning for Incapacity Planning for Incapacity p. 236- end of chapter; Applying the Concepts #5
<b>Week 4: February 10 &amp; 12</b> Chapter 3 Creation of Wills
<b>Week 5: February 17 &amp; 19</b> Chapter 7 Nonprobate Transfers and Planning for Incapacity Nonprobate Transfers p. 217- p. 236; Applying the Concepts #1-4 Chapter 9 Creation of Trusts
<b>Week 6: February 24 &amp; 26</b> Chapter 9 Creation of Trusts (cont.) Chapter 10 Rights of Beneficiaries and Creditors in Trust Property
<b>Week 7: March 3 &amp; 5</b> Chapter 10 Rights of Beneficiaries and Creditors in Trust Property (cont.) <b>WEDNESDAY MIDTERM</b>
<b>SPRING RECESS: No Classes March 10 and 12</b>
<b>Week 8: March 17 &amp; 19</b> Chapter 12 Powers of Appointment Chapter 11 Fiduciary Duties and Modification and Termination of Trusts
<b>Week 9: March 24 &amp; 26</b> Chapter 4 Amendment and Revocation of Wills
<b>Week 10: March 31 &amp; April 2</b> Chapter 5 Wills—Construction and Interpretation
<b>Week 11: April 7 &amp; 9</b> Chapter 14 Estate Administration and the Probate Process

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**Week 12: April 14 & 16**

Chapter 6 Will Contests

**Week 13: April 21, 23 & 24**

April 21 & 23 Chapter 8 Family Protection

April 24 Chapter 13 Professional Ethics in Trusts and Estates