

TRUSTS AND ESTATES COURSE SYLLABUS

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

Spring 2020

Course: Estate Planning
LAW 972
Sections 512 (JD) and 491 (LLM)

Instructors: **Professor Angela Vallario** avallario@ubalt.edu
ALC 1013: Office hours by appointment
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Days/Time: **Tuesdays**
6:15 pm - 9:00 pm

Location: 608

Course Description: Methods of disposing of estates by will, life insurance, inter vivos arrangements and consideration of resulting tax and administrative problems. Course also focuses on gathering and analyzing facts in the planning and drafting of trusts, wills, and related documents. Prerequisite: Estate and Gift Taxation.

Course Materials: Kathryn G. Henkel, Estate Planning and Wealth Preservation Abridged Student Edition (plus separately bound current supplement and separately bound study problems).

Student Learning Outcomes:

At the successful completion of this course students will be able to:

1. Understand basic and more sophisticated estate planning techniques.
2. Address and discuss issues techniques relevant to the practice area of estate planning.
3. Solve problems related to the drafting, tax consequences, and construction of legal instruments.
4. Assemble forms and address tax consequences that demonstrate a conceptual understanding of the material covered in the course.
5. Identify and analyze issues of a hypothetical estate planning client and propose solutions.
6. Recommend the revision of documents to avoid undesirable tax consequences of a hypothetical client.
7. Advise trustees as to which course of action to pursue to appropriately balance the interests of all beneficiaries from a tax and non-tax perspective.

Grades:

Class Participation	10%
Final Exam	<u>90%</u> - check exam schedule
TOTAL	<u>100%</u>

Exam:

There will be a 3-hour closed book, CUMULATIVE final exam.

Course Expectations:

American Bar Association Accreditation Standards establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work per week for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

CLASS PREPARATION, PARTICIPATION, AND PROFESSIONALISM.

Students must be prepared for class. Ten percent (10%) of your grade in the course is based on your participation.

Every student is expected to be prepared for all Lessons in the assigned readings. Supplemental handouts material are found on the TWEN page.

Attendance:

Prompt attendance at class meetings is expected for any JD students and attendance will be taken. A JD student who exceeds 5 absences may be compelled to withdraw from the course, or may be barred from sitting for the final exam. JD Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

Course Web Site:

A TWEN home page is being used for this course. Each student must register for TWEN and provide an email address that will be checked on a regular basis.

Computers:

Students may use laptop computers for class related purposes.

Class Cancellation:

If the instructor must cancel a class, notices will be sent to students via TWEN and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

Academic Integrity:

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [Reference to School of Law Honor Code, https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm]

Course Evaluations

It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

Title IX Sexual Harassment and Sexual Misconduct Policy:

The University of Baltimore's Sexual Harassment and Sexual Misconduct policies are compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the University any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

Disability Policy:

If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University's facilities, please contact the Office of Academic Affairs, at ublawacadaff@ubalt.edu or (410) 837-4468.

Student Assistance Program (SAP) provides you with free, confidential, accessible support to manage life's challenges and stay healthy and safe while at UB. For more information <http://www.ubalt.edu/about-ub/offices-and-services/dean-of-students/sap/index.cfm>.

	Topic	Reading	Problems
Class 1 1/14	Overview of Estate Planning Fact gathering Probate Probate avoidance	Chap. 7 Handouts	Lesson 7 - #1, 2, and 3
Class 2 1/21	Gifts Lifetime transfers Trust taxation	Chaps. 8, 10 Chaps. 28, 30 Chap. 5 - 5.07 Chap. 6	Lesson 8 - #5 and 6, Lesson 1 - #1 Lesson 32 - #1 Lesson 34 - #1 Lesson 5 - #5
Class 3 1/28	Trust planning	Chap. 4 – 4.03 and 4.04	Lesson 4 - #2
Class 4 2/4	Trust planning continued	Chap. 4 – 4.03 and 4.04 Handouts	Lesson 4 - #2
Class 5 2/11	Marital deduction planning IRD	Chap. 4 – 4.01 and 4.04 Chap. 49 Handouts	Lesson 4 - #1 Lesson 22 - #1
Class 6 2/18	Marital deduction planning continued		
Class 7 2/25	Life insurance ILITs	Chap 12 – 12.01 - .04; 12.07 - .09 Handouts	Lesson 12 - #1
Class 8 3/3	Buy-Sell Agreements Succession planning	Chap. 27 Chaps. 15, 18	Lesson 31 - #1 Lesson 27 - #1
Class 9 3/10	Family limited partnerships	Chaps. 16, 17 Handouts	Lesson 25 - #1 Lesson 26 - #1
Class 10 3/17	Retirement benefits	Chap. 14	Lesson 14 - #1 and 2
3/24	Spring break		
Class 11 3/31	Charitable planning	Chaps. 32 - 38	Lesson 39 - #1 Lesson 41 - #1 Lesson 42 - #1
Class 12 4/7	Post-mortem planning	Chaps. 45 - 47	
Class 13 4/14	Asset protection planning	Handouts	
Class 14 4/14	Review		