### Law 13 - Wills & Trusts

Fall 2013 - Section #3200 Hybrid Class meets Tuesday Evenings, <u>CSB 207</u> - 8:30pm - 10 pm

<u>Prof Henry Soledad</u> - Read <u>Dear Online Student</u> - <u>Study Guide</u> and <u>Welcome Message</u> **Academic Calendar** 

### All of the work below is done under etudes

Instructor: <u>Henry Soledad, Esq.</u>
Office: Faculty Offices

Office hours: Tuesdays before or after class - CSB 207

Phone: **424-248-7325 (voicemail)**Email: <a href="mailto:henrysoledad@gmail.com">henrysoledad@gmail.com</a>

etudes site: <a href="http://etudes.org">http://etudes.org</a>

LexisNexis\*

**Textbook:** 

Lexis Nexis is required for the class

http://abogado.pbworks.com/w/page/63168047/lexisnexis

click on this link to order your textbook

### **Course Description:**

Study of the law of wills and trusts, including simple wills, codicils, trust forms, living trusts, pour over wills, advance directives, powers of attorney, guardianship, conservatorship, caretakers, basic estate planning, life estates, disposition of property outside probate, tax issues, and life insurance trusts.

**Course Organization:** Law 13 is organized into assignments, quizzes, and forum discussions. Read "Where to Start"

**Student Learning Outcomes:** Upon successful completion of this course, a student will be able to:

- 1. Brief law cases in wills and trusts including living wills, living trusts, guardianships and convervatorships.
- 2. Critically analyze and argue issues of wills, trusts, living trusts, powers of attorney, advance directives, and estate planning devices.

3. Prepare legal documents, forms or papers for a simple and complex will, a trust, living trust, health care and advance directives, along with conservatorships and guardianships, and powers of attorney.

**Skill Level:** College level reading and writing; ability to access the internet. Necessary skills include proficiency using a word processing program, including spell checker, using a web browser, sending and receiving email, saving documents as RTFs (rich text format), uploading and attaching documents.

**Estimated Time per Week:** 10 hours (see Carnegie Rule)

**Class format:** This class is a hybrid class. You will have to attend a campus meeting once per week and participate online. We use the <u>etudes</u> course management system. Read information at <a href="http://etudes.pbworks.com">http://etudes.pbworks.com</a> Carefully read <u>our policies</u>.

The class follows a weekly format. There are many opportunities for you to participate and earn points to attain a good grade.

Hybrid classes require your attention and effort. If you fail to log into etudes or miss class <u>during the first two weeks</u> you will be excluded from the class. There are activities and assignments each week; you will need to log into Etudes several times a week.

To be a successful online/hybrid student, you need to do schedule a regular time for studying, read and complete on line activities, and <u>more</u>.

**Technical Requirements:** The minimum computer requirements are: Computer, either a Macintosh or IBM compatible; modem, minimum 28.8, broadband or high speed internet access is preferred and is required to view the videos. Software: Web browser software, preferably Firefox 3.5 or Internet Explorer 8, an e-mail address and a word processing program.

Get Firefox: <a href="http://www.mozilla.com/en-US/firefox/all.html">http://www.mozilla.com/en-US/firefox/all.html</a>

Get Internet Explorer: <a href="http://www.microsoft.com/windows/Internet-explorer/default.apx">http://www.microsoft.com/windows/Internet-explorer/default.apx</a>

You are assigned a LACCD student account. This is where you will receive any communications for this class.

Students who do not have regular computer access may use computers in the campus Learning Resource Center. Be sure to save all your papers and assignments on a flash drive.

Course Login: http://etudes.org

**Contacting Your Instructor:** I check my email several times a day and respond to emails within 24 hours. Please don't hesitate to contact me with any questions; email me at: in the subject line put: Law 13 #3200. I am also available by telephone on Wednesdays, 4:00 - 5:00 PM.

### **EXPECTATIONS FOR WRITTEN WORK:**

VOCABULARY - You are expected to read and understand the material presented in the assigned text and articles you locate.

FORMAT - Papers submitted should be written in accordance with the *APA*, *Bluebook*, or *other recognized formatting style*.

GRAMMAR - Use active voice in your writing. Also use the spelling and grammar check feature of your Word Processor before submitting your papers.

The following rubric is used to measure participation in the discussion forums.

Homework Assignments: Assignments require you to read and brief law cases. Read the information on "briefing law cases". Below is the grading rubric for your case "briefs"

### CASE BRIEF GRADING RUBRIC

	Outstanding A	Proficient B	Adequate C	Inadequate D/F
Case Name and Citation	Complete case name and properly formatted citation appear at the top of the case brief	Complete case name is provided but citation is incomplete	Complete case name is provided but no citation is give	Neither the case name nor the citation appears at the top of the case brief OR both case name and citation are incorrect.
Operative Facts	Operative facts are relevant to the issue being examined by the court and are logically organized.	Facts are relevant to the question being answered but lack coherence or organization.	Irrelevant facts are included. Lack of logical organization.	Relevant facts are omitted or lost in discussion of unrelated information.
Procedural Facts	Procedural history of the case is clearly and logically presented in	Procedural history of the case is presented	Some procedural history is presented.	No procedural history is presented.

	proper chronology.	but chronology is confusing.		
Issue/Short Answer	Includes all elements (applicable law, issue being examined and relevant facts) in a well crafted, grammatically correct question. Answer responds to question being posed.	Issue is separately articulated, but does not include all elements; applicable law, issue being examined and relevant facts. Answer responds to question being posed.	Issue is not separately articulated, but implied through description of facts or discussion of law.  Answer does not respond to question being posed.	Issue is not articulated  No answer is given.
Law	Law is correct and is relevant to the question being answered. Rule(s) of law succinctly paraphrased rather than quoted.	Law is correct and is relevant to the question being answered, but is not paraphrased	Rules of law are used in providing answer, but it is unclear if writer understands the law and is properly applying it.	Rules of law are omitted from answer or incorrect law is used.
Rationale	The court's reasoning is presented in a clear and logical fashion, leading the reader to an understanding of the rationale behind the law.	Law is applied to the facts, but the underlying rationale is not clear.	Analysis is unclear, causing the reader to question whether the law is correct.	No analysis of the law is given.
Writing Mechanics	Sentence structure, grammar, punctuation are substantially correct. Each component's material is logically organized and presented in a clear, concise manner.	Sentence structure, grammar, punctuation are substantially correct. Organization is logical but needs better consistency and clarity.	Adherence to rules of writing is poor. Material lacks organization and/or is unclear, making it difficult to understand.	Rules of writing are ignored or misunderstood. No apparent logic to the organization of the material. Writing lacks clarity.

<sup>\*\*</sup>above adopted from case grading rubric - AAFPE.org website

Students who plagiarize will fail the assignment and/or class and may be subject to further disciplinary action with accordance to college policy as outlined in the course catalog.

**Late Assignments** Our "Late Work" Policy is firm.

**Grading Policy:** Letter grades will be determined based upon the following:

### **Grade Distribution**

**Quizzes** - 40 % of your grade **Assignments**- 45 % of your grade **Attendance**- 15 % of your grade

Grade Scale: A 90-100

B 80-89 C 70-79 D 60-69 F \le 60

Please note that a **grade of C or higher** is required for each of the 12 paralegal certificate classes.

**Reasonable Accommodation:** For students requiring accommodation the DSPS office provides special assistance in areas like: registering for courses, specialized tutoring, note-taking, mobility assistance, special instruction, testing assistance, special equipment, special materials, instructor liaisons, community referrals, and job placement. The phone number for the Office of Students with Disabled Student Programs and Services is: (818) 364-7732 and also their website at <a href="http://lamission.edu/dsps">http://lamission.edu/dsps</a>

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### **Grade Distribution**

A = 90% or above

B = 80% or above

C = 70% or above

D = 60% or above

A grade of C or greater is required to pass the class

#### SPECIAL ACCOMMODATIONS

If you require special accommodations for a disability, religious holiday, or any other reason please inform your instructor(s) within the first week of the course and we will accommodate you if at all possible. For accommodations due to disability, you must consult with the Disabled Students Programs and Services Office after which we will abide by their recommendations.

### COLLEGE RESOURCES FOR LAMC STUDENTS

see http://lamission.edu/de/student-services

**Admissions and Records:** Students can register for classes, request transcripts, file petitions for graduation, and drop classes at this office. For more information call 818-833-3322 or visit:http://www.lamission.edu/admissions/

**Assessment Center:** Offers student assessments in English, English-as-a-Second-Language (ESL) and Mathematics. Please contact the Assessment Center at (818) 364-7613 for more information or visithttp://www.lamission.edu/assessment/

**Bookstore:** For hours of operation, book availability, buybacks, and other information call 818-364-7767 or 7768 or visithttp://eagleslanding.lamission.edu/default.asp

**Counseling Department:** For appointments and information call 818-364-7655 or visit <a href="http://www.lamission.edu/counseling/">http://www.lamission.edu/counseling/</a>

**Disabled Students Programs and Services (DSP&S):** For appointments, eligibility and information call 818-364-7732 or visit <a href="http://www.lamission.edu/dsps/">http://www.lamission.edu/dsps/</a>

**Extended Opportunity Programs and Services (EOP&S)**: For appointments, eligibility and information call 818-364-7645 or visit <a href="http://www.lamission.edu/eops/">http://www.lamission.edu/eops/</a>

**Financial Aid:** For information and applications call 818-364-7648 or visit <a href="http://www.lamission.edu/financialaid/">http://www.lamission.edu/financialaid/</a>

**Library:** For information on hours, resources, workshops, and other services contact 818-364-7106 or visithttp://www.lamission.edu/library/

**STEM Office:** For information on free tutoring, resources and academic counseling for STEM (Science, Technology, Engineering, and Technology) students visit: <a href="http://www.lamission.edu/stem">http://www.lamission.edu/stem</a>

**Tutoring Services in Learning Center:** Laboratories for Learning, Writing, Math & Science. Walk-in and appointment services offered. Call 818-364-7754 or visit <a href="https://www.lamission.edu/learningcenter/">www.lamission.edu/learningcenter/</a>

### **Three Attempt Limit**

A new state policy in effect as of 2012 limits students to three attempts per course.

Receiving a grade or a "W" for a course counts as an attempt, **regardless of when the course was taken**. Withdrawal by the deadline to avoid a "W" will not count as an attempt. For Spring 2013 the deadline to avoid a "W" is Monday, February 18<sup>th</sup>.

Important Dates

Website opens Sunday 8/25/13 at 6 pm

Due Dates

**GENERAL CALENDAR DATES** 

Due Dates

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Fall 2013

August 25, 2013

Residency Determination Date for Fall 2013

August 26, 2013

DAY & EVENING CLASSES BEGIN

August 31, 2013

SATURDAY classes begin for Fall 2013

September 02, 2013

Labor Day (College CLOSED)

September 06, 2013

ADD Dates Deadline to add full term (semester lenght) classes

September 06, 2013

Last day to add an AUDIT

September 06, 2013

Last day to do a SECTION TRANSFER

**September 08, 2013** 

Last day to DROP(16-week classes) ONLINE ONLY classes without receiving a "W" or incurring fees or with refund

October 04, 2013

Last day to petition for Credit/No-Credit

October 18, 2013

Deadline to petition for Fall 2013 graduation

November 11, 2013

Veteran's Day (College CLOSED)

## November 17, 2013

Last day to DROP classes with a "W" ONLINE ONLY - Letter grade is required after this date and forward

November 28, 2013 - December 01, 2013

Thanksgiving holidays (College CLOSED)

December 07, 2013

Classes End Fall 2013

December 09, 2013 - December 14, 2013

FINAL EXAMS FOR FALL 2013

December 15, 2013

Semester ends Fall 2013

After September 8, 2013 please note: This is an earlier and revised deadline. A "W" will appear on your transcript record after this date. This is a new LACCD enrollment limit. The limit is now three times to take a class and includes both substandard grades and withdrawals.

<u>Drop classes with a "W" - Letter grade is required after this date and forward - November</u> 17

If you stop attending a class (or wish to drop a class), **YOU MUST DROP THE CLASS YOURSELF ONLINE- OFFICIALLY - on or before November 17, 2013. Failure to do so may result in a grade of "F" in that class.** 

REGISTRATION INFORMATION Website – <a href="http://www.laccd.edu">http://www.laccd.edu</a> (Student Information System)

Admission Regular Office Hours (Subject to change) Monday and Thursday – 8am-5pm Tuesday and Wednesday – 8am-7pm Friday – 8am-12noon

# **HOLIDAYS (College CLOSED)**

Labor Day - September 2

Veteran's Day – November 11

Thanksgiving – November 28 to December 1

Please note that if you do not drop the class by November 17th (internet), then you must receive a grade, and cannot request to be dropped or to receive and Incomplete grade.

\*PLEASE NOTE: The District required earlier and revised deadlines starting Summer 2012. A "W" will appear on your transcript record after this date.

REMINDER: There is a new LACCD enrollment limit. The limit is now three times to take a class and includes both substandard grades and withdrawals. (See Important Notice, page 3 of the College Catalog)

If you stop attending a class (or wish to drop a class), YOU MUST DROP THE CLASS YOURSELF – OFFICIALLY – on or before November 17th, 2013 (Internet). Failure to do so may result in a grade of "F" in that class

## **New 3 Repeat Rule**

# **IMPORTANT NOTICE**

# **All Students Please Read**

# **Beginning Summer 2012: New 3 Repeat Rule**

EFFECTIVE SUMMER 2012, course withdrawal ("W") or a substandard grade ("D," "F," or "NP") count as an attempt at a course. Only three attempts at any one course will be allowed, with some exceptions. Listed below are the new rules that all students need to know about.

- Students who drop or are excluded after the last day to drop without a grade of "W" will have a "W" appear on their transcript. The "W" will count as an attempt for that course.
- For the Fall Semester, September 8, 2013 is the last day to drop a 16-week semester length class without a "W." Students will be able to drop a class online until this date. Contact the office of Admissions and Records for deadlines on late start, short-term and special program classes.
- A course in a student's transcript which currently shows a recorded "W" counts as an attempt for that course.
- Students will not be allowed to register for any course within the LACCD if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.
- Add permits for a course within the LACCD will not be processed if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.
- For courses specifically designated as "repeatable," students may repeat up to three times (See Title 5 California Code of Regulations sections 55040, 55041, 58161).
- Where the student's number of enrollments in a course exceeds the allowable amount, the student may petition for an additional enrollment in cases of extenuating circumstances.

#### What students should do:

- Be sure you are academically ready for classes you enroll in.
- If you must drop a course, drop before the specifi ed deadline for dropping a class without a grade of "W."

### updated 8/16/13 @ 12:19 pm