

Syllabus/Class Assignments-

Administration of Estates and Guardianships,

Georgia Akers, instructor

gakerslaw@gmail.com 713-252-3320

Course Description;Overview and Objectives

Administration of Estates and Guardianships is a survey/skills practical course that will cover what is necessary to get an estate opened in probate and how to administer an estate.

The course will provide you with an in-depth review of the Texas Estates Code and how it governs estate and guardianship administration. The course will cover wills (the good, the bad and the awful) and how to get them admitted into probate, dependent administrations, independent administrations, intestate estates, contested matters, creditor claims, alternatives to estate administrations mental health commitments and administration of guardianships and the most commonly used pleadings in Administration.

The class will be a combination lecture, case studies, pleadings review, drafting and **class participation**.

Learning Outcomes

This course you will become proficient in the following:

Probate: Ability to draft a simple will; review wills to determine if it is a will and meets code requirements and if it does not what are the alternatives to opening an estate; filing the pleadings required by law to open and administer an independent as well as dependent estate; reviewing what the alternatives are when someone dies without estate and how to calculate the heirs' share of the estate; methods that might be necessary to represent the beneficiary; out of probate assets; finding missing assets; pre-probate matters necessary to open an estate.

Guardianships: Ability to open a guardianship and all the ramifications of guardianship; alternatives to guardianships; duties of the guardian; reviewing the various types of pleadings necessary in a guardianship: closing a guardianship.

Course Material

Texas Estates Code ,2022 **Bring a highlighter to class. I recommend West's Estates Code due to the lesser cost.**

Selected Cases , Pleadings and Worksheets will be provided in the case/workbook that you picked up prior to class. . **You may prefer to put the workbook in a three ring binder. You do not have to bring the entire book to each class. But be sure to bring the section we are discussing in class because of the drafting assignments, pleadings and defective wills that are included.** I would suggest sectioning off into 4-5 Chapters at a time.

Case Law: You are to review them prior to class and **be prepared to discuss in class**. If you are assigned a case and cannot be present, it is your responsibility to find a student to cover for you. Failure to do so will cause a deduction of points on your final grade.

Statutes: Statutes from the Estates Code should be reviewed prior to class and **be prepared to discuss in class**

Assignments

Be prepared to discuss the assigned case and code sections at each class. Cases will be assigned to students. Should you not be present when a case that has been assigned to you is to be discussed, it is your responsibility to switch with another student. Should you fail to arrange someone to cover for you, points will be deducted from your final grade. I will adjust grades based on lack of participation and being prepared.

Office Hours

I can pretty much be reached via email 9am-4:30 pm Mon-Thursday. On the weekends and after hours, I am still able to get email and will respond. Should you need to see me in person, make an appointment to meet with me. I will be happy to meet with students before or after class or at a time/place mutually convenient. If you are having any questions or concerns regarding the course or material, please contact me. I try to be on campus prior to class. If you have questions or concerns, you will find me usually outside the classroom or near by.

Computer Use

You are permitted to use personal computers for class-reviewing notes, taking notes. You are not permitted to "surf the web" face book, messaging etc. while in my class. Since my final comes from material discussed in class, it behooves you to pay attention and take notes.

Inclement Weather

If there is flooding or icy conditions, please check with me around noon to see what the status of the class will be. If there is flooding or icy conditions we will have class via zoom.

Class

Each class will be a combination of lecture, case law, estate problems, and reviewing statutes that are connected to the lecture and case law. The Statutes cited and the case law will be applicable to the subject matter of the class. We will also reviewing actual pleadings that have been filed in probate courts that are applicable to the subject being discussed in the class, as well as reviewing one Last Will (most will be defective) and determine what is necessary to get an estate administration opened for that will.

The material may seem confusing at first but think of each class as a separate segment teaching you how to proceed with an estate administration when you are faced with those particular circumstances.

READ THE CODE STATUTES THAT ARE ASSIGNED. VERY IMPORTANT. Be sure you have a current, updated Estates Code.

Grading

Mid Term: You will be given a drafting assignment which will be 40% of your grade. This will be a take home exam to be completed individually.

Final Exam: Multiple choice/true false 60% of your grade. You will be permitted to use the Estates Code but not your notes.

Per Law Center policy, I reserve the right to make adjustments to grades based on class participation. This is a small class, So Participate!!!!

Counseling and Psychological Services (CAPS)

CAPS can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus. www.uh.edu/caps/outreach/lets_talk.html .

Sexual Misconduct Policy

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University system’s Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php>

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d7.pdf> (antidiscrimination)

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d8.pdf> (sexual misconduct)

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Names and Pronouns

Chosen names and preferred pronouns (including non-binary ones such as they/them/their) must be respected in my classroom. Please feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun, or if you have concerns about how I or your classmates address you.

Attendance :Instructional Mode

This class will be taught in person but designated classes may occasionally be via zoom especially during inclement weather. This is assuming that the technology is available.

Recording of Class (required for all courses)

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Center for Students with DISABILITIES](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Syllabus Changes (required for all courses)

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through (*specify how students will be notified of changes*).

being asked to leave the classroom immediately and a disciplinary referral through the Dean of Students Office. Requests for accommodations relating to the face covering policy may be directed to the [Center for Students with DISABILITIES \(CSD\)](#).

COVID GUIDELINES

The University encourages face coverings indoors. Since this class is small, I encourage social distancing
And vaccination!.