

Syllabus/Class Assignments-

Administration of Estates and Guardianships,

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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 ,2024 or later. **Bring a highlighter to class.** I recommend West's Estates Code due to the lesser cost. But you can use any Code. However Last year, students ordered a brown covered Estates Code from Amazon. It was incomplete and missing sections of the statutes so buyer beware the one Amazon is selling. It was around \$34. You can buy a 2024 code perhaps used. We spend a lot of time reviewing code sections so you need a complete code. One student downloaded the Code and took

it to Office Depot and had it copied and put in a binder. It saved money. You could save more by downloading only those code sections mentioned in the assignments and having those copied.

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.** We 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 and you will be assigned 2-3 cases at one time.

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

We can pretty much be reached via email 9am-4:30 pm Mon-Thursday. On the weekends and after hours, We are still able to get email and will respond.

Should you need to see with either of us in person, make an appointment to meet with us. We 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 us We try to be on campus prior to class. If you have questions or concerns, you will find me usually outside the classroom or nearby.

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!!!!

AI Generated Text and Work Product

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Text in relation to any AI Generated Text in relation to any activity or assessment of this course. This obligation includes that your assessment materials in the course is without any contribution from AI Generated Text.

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 [Justin Dart, Jr. Student Accessibility Center](#). 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)

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 email.

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 us at any time if you want to make us aware of your chosen name or preferred pronoun, or if you have concerns about how we or your classmates address you.

INCLUSIVITY AND SUPPORT

If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let us know as soon as possible, so that we may make arrangements.

If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), please feel free to reach out to me so that we may discuss options. If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in room 44A TU-II in the Office of Student Services suite, and she can be reached at sary@central.uh.edu or 713-743-7466. Requests for accommodation that involve graded assignments **must be directed to Ms. Ary** and should be made as soon as possible to allow adequate time to document and to process the request.

The Texas Lawyers' Assistance Program ("TLAP") also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

COURSE & UNIVERSITY RESOURCES & SERVICES

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.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday – Friday, 8am-4:30 to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don’t know where to start. CSAC is a “home away from home” and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard all students can get up to 30 lbs of FREE groceries a week. Additionally we provide 1:1 appointments to get you connected to on and off campus resources related to essential needs, safety and advocacy and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social communication and helps the cougar community come closer together. Visit the CSAC home page or follow us on Instagram @uh_CSAC and @uhcupbd.

Women and Gender Resource Center

The mission of the WGRC is to advance the UH and promote the success of all students, faculty and staff through educating, empowering and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack or check out one of the WGRC programs or resources. Stop by Student Center South room B13 from 9am to 5pm Monday through Friday

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.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Security Escorts and Cougar Ride

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our Security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety please call [713-743-3333](tel:713-743-3333). Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Resources for Online Learning

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our [Power-On](#) website. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

Since this is a small class, We will be emailing you from our email rather than using UH email.

Webcams

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on (*state when webcams are required to be on and the academic basis for requiring them to be on*). (Example: Webcams must be turned on during exams to ensure the academic integrity of exam administration.)

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe

that you have a disability requiring an academic adjustments/auxiliary aid, please contact [the Justin Dart Jr. Student Accessibility Center](#) (formerly the Justin Dart, Jr. Center for Students with Disabilities).

Helpful Information

Coogs Care: <https://uh.edu/dsa/coogscare/>

Student Health Center: <https://www.uh.edu/healthcenter/>