

**WESTERN STATE UNIVERSITY
COLLEGE OF LAW**

ESTATES--SUMMER 2022

SYLLABUS & POLICIES

PROFESSOR SCOTT FEIG, ESQ.

PROFESSOR: Scott Feig, J.D., M.A.
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E-MAIL: FEIGLawFirm@gmail.com
CLASS TIME: Mondays at 6:40-9:50 PM (3 hours); and,
Wednesdays at 6:40-9:50 PM (3 hours)
OFFICE HOURS: By appointment

CLASS MATERIALS:

REQUIRED TEXTS: California Wills and Trusts, Cases, Statutes, Problems, and Materials. (2017, Wendel, Peter T.) (Carolina Academic Press).

California Probate Code. (Desktop Edition, 2020, 2021 or 2022) (West Publishing).

OBJECTIVES & METHODOLGY:

1. To understand the substantive law of estate law in California, including but not limited to, intestate succession, wills, trusts, and non-probate transfers.
2. To develop the skill of statutory analysis;
3. To develop analytical skills that require each student to think, write, and problem-solve;
4. To identify the factual and legal issues implicated by a fact pattern and to appropriately use cases and rules to predict how a court would decide an issue;
5. To identify and evaluate public policy-based arguments and evaluate how public policy can impact the application of a rule to a legal issue;
6. To locate relevant legal authority and properly cite to such legal authority; and,
7. To engage in correct conventions of grammar to write succinctly and effectively.

The case method: The textbook contains cases, notes, and questions. Students are responsible for reading and briefing the case material in all assigned chapters.

The problem method: The textbook contains a “PROBLEMS” section within each chapter. Students are expected to prepare a written response for each of the hypotheticals set out in the “Problems.”

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The application method: Problems will be presented during class that will require application of fact patterns to specific rules.

CLASS PARTICIPATION & ATTENDANCE:

- (A) ***Class Participation:*** Students are expected to be prepared for class, which includes:
1. Students are expected to complete the required reading and assigned problems.
 2. Students are expected to prepare a WRITTEN BRIEF for each of the cases in the assigned reading. “Book Briefing” is not a “written brief.”
 3. Students are expected to prepare written responses to all of the problems in the assigned reading.
 4. Students are expected to be able to recite/brief a case in front of the class from the assigned reading.
 5. Students are expected to participate in all class discussions.

Note: **Unpreparedness** will be marked as an “**absence**” for that class period. **Late** to class will be marked as an “**absence**” for that class period.

- (B) ***Attendance:*** You must be logged in before the start of the class. Attendance will be taken daily. Once class begins, please do not leave the room except for emergencies or medical reasons. You are responsible for keeping track of your own absences.

If you incur **more than 2 (two) absences**, you will be withdrawn from the course and receive a failing grade, which is in accordance with the policies of Western State College of Law.

ADDITIONAL RULES:

- (A) **Electronic Devices:**

1. **Computer Use:** Classes will be conducted remotely via Zoom. During class, students are prohibited from being on the Internet for checking email, playing games, texting, accessing social media, instant messaging, or the like.
2. **Cell Phones:** Shut-off or silent cell phone before the class begins. Students are prohibited from using cellphones in class. However, if you have a genuine exigency requiring you to monitor your cellphone for an urgent text or email message, please seek my permission in advance of that particular class.
3. **Audio/Video Recording and Photographs:** Taking or transmitting photographic images during class, or recording or transmitting audio or video of any portion of any lecture,

comments, or remarks by the instructor is prohibited absent the instructor's advance written permission.

4. *Commercial Materials*: You may not recite from commercial outlines, briefs, or other commercial study aids. If you bring these materials to the class meeting, they must be closed at all times.

Note: A violation of any of these policies may result in ejection of an offending student from the class, his or her being deemed "absent" and/or a negative "class-participation" grade, in addition to any other remedy or penalty available under the rules of the university or under state and/or federal law.

ASSIGNMENTS: Below are the assignments for Estates—Summer 2022. In addition, it is highly recommended that you complete CALI lessons. **The assignments for Estates are designed so you are expected to complete at least two hours of preparation for every one hour of class time.**

Note: Class coverage of the reading assignments is fluid, which means that we may not always cover all of the assigned material during the scheduled class period. As such, it is your responsibility to make sure you are prepared for each class. Always prepare the current assignment before arriving to class. Also, it your responsibility to check the TWEN site for changes to the Assignments, as the Assignments are subject to change.

"ASSIGNMENTS" ON FOLLOWING PAGE

Monday ("Day 1")	Tuesday ("Day 2")	Topic(s) & Assigned Reading
June 6	June 8	Day 1: Chapter 1 and Chapter 2 Day 2: Chapter 3 and Chapter 4
June 13	June 15	Day 1: Chapter 5 Day 2: Chapter 6
June 20	June 22	Day 1: Chapter 8 (Chapter 8 to be read <i>before</i> Chapter 7) Day 2: Chapter 7
June 27	June 29	Day 1: Chapter 9 Day 2: Chapter 9 (cont.) and Chapter 10
July 4 (no class)	July 6	Day 1: Chapter 11 and Chapter 12 Day 2: Chapter 14, Sections I, II, III, IV (skip Chapter 13 for now)
July 11	July 13	Day 1: Chapter 14, Section V, VI Day 2: Essay Practice (Breach of Fiduciary Duties)
July 18	July 20	Day 1: Additional Essay Practice Day 2: Additional Essay Practice
July 25 (last class)	XXXX	Day 3: Additional Essay Practice

EXAMINATIONS AND GRADING:

1. Final Exam: 100% (One Hundred Percent) of your grade for the course.

All exams are open-book and administered in a take-home manner to be submitted by a specified day and time. Although you will be permitted to use books or notes during the exam, it behooves you to start your outline early and to update it regularly so you can quickly reference the rule statements from your memory to apply to specific issues raised in the exams. Students are encouraged to allot 3 (three) hours to complete the final exam in a quiet location to be completed without disruption.

WESTERN STATE COLLEGE OF LAW—PROGRAMMATIC LEARNING OUTCOMES:

Western State College of Law Programmatic Learning Outcomes (PLOs), attached.

COURSE LEARNING OUTCOMES:

1. **Analytical Reasoning:** Analyze issues objectively, interpret and synthesize data and ideas, and develop feasible, flexible, and creative solutions to real world problems.
2. **Effective Communication:** Identify audiences, assess information provided, interpret needs, and present relevant information using appropriate written, oral, and listening skills and media to meet the needs of the situation.
3. **Information Competency:** Gather, evaluate, and ethically use information from a variety of relevant technological and library resources to make decisions and take action.
4. **Interpersonal Effectiveness:** Develop individual and group interpersonal skills to improve and foster participation and interaction critical for achieving individual and group goals.
5. **Personal and Professional Integrity and Ethical Behavior:** Demonstrate a multi dimensional awareness of individual and social responsibility to act ethically and with integrity in a diverse, global society.
6. **Professional Competence:** Apply skills appropriate to program objectives and employ critical reasoning to contribute to one's field and profession.

DISABILITY SERVICES STATEMENT: Western State College of Law provides accommodations to qualified students with disabilities. The **Disabilities** Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Allen Easley at aeasley@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."