Douglas College

EFFECTIVE: SEPTEMBER, 2007

CURRICULUM GUIDELINES

A.	Division:	**Education**	Effective Date:		**September 2007**	
B.	Department / Program Area:	**Commerce & Business Admin/ Office Administration**	Revision	X	New Course	
			If Revision, Section(s) Revised:		Q	
			Date of Previous Revision:			
			Date of Current Revision:		March 2007	

C: **OADM 1437**	**D:** **Wills and Estates**	**E:** **2**
Subject & Course No.	Descriptive Title	Semester Credits

F: Calendar Description:

This is a BCCampus online provincial course. This course introduces the student to the role and responsibilities of a Legal Administrative Assistant employed in the field of wills and estates in British Columbia. Students will gain knowledge and practical experience in preparation of wills and codicils and the documents necessary to apply grants of Letters Probate and Letters of Administration (with and without a Will), Administration Bonds, transferring the deceased's assets, and winding up estates. Students will prepare documents acceptable to the Probate Registry for filing, followed by transmission and distribution of estates. This is a "hands-on" course in which the students integrate keyboard, computer, document formatting, and transcription skills, with knowledge of estate law.

G: Allocation of Contact Hours to Type of Instruction / Learning Settings

Primary Methods of Instructional Delivery and/or Learning Settings:

Online lecture
Online lab

Number of Contact Hours: (per week / semester for each descriptor)

Lecture: **3 Hours**
Lab: **1 Hour**

Number of Weeks per Semester:

15 weeks X 4 hours/week = 60 hours/semester

H: Course Prerequisites:

OADM 1430 and OADM 1431

I: Course Corequisites:

None

J: Course for which this Course is a Prerequisite

None

K: Maximum Class Size:

24

L: PLEASE INDICATE:

	Non-Credit
X	College Credit Non-Transfer
	College Credit Transfer:

SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS (www.bctransferguide.ca)

M: Course Objectives / Learning Outcomes
The learner has reliably demonstrated the ability to:

1. explain basic principles of trust law and the ways in which they apply to estate work. Explain the purpose of wills and/or codicils;
2. accurately prepare and proofread wills and/or codicils;
3. outline the correct execution procedures for testamentary documents;
4. explain the purpose of the probate and/or administration of estates and the roles of the various parties involved in the estate;
5. list the relevant statutes and their roles in the handling of testamentary documents and estates;
6. utilize legal reference materials, in particular the Rules of Court, along with other sources of information in the processing of estates;
7. translate an understanding of a simple probate by creating correspondence and documents inclusive of all procedures from file opening to file closing;
8. translate an understanding of a simple administration (with will) by creating correspondence and documents inclusive of all procedures from file opening to file closing;
9. translate an understanding of a simple administration (without will) by creating correspondence and documents inclusive of all procedures from file opening to file closing;
10. define and correctly spell legal terms;
11. observe professional standards in the maintenance and use of checklists.

N: Course Content:

1. Basic Trust Principles
   a) Definition of a trust
   b) Parties to a trust
   c) Elements required for a trust
   d) Appointing a trustee
   e) Responsibilities of a trustee
   f) Application of the *Trustee Act* to trusts
   g) Purpose of a testamentary trust
   h) Characteristics of a testamentary trust
   i) The Application of trust principles to probates and administrations

2. Acts (Statutes)
   a) *Wills Act*
   b) *Wills Variation Act*
   c) *Estate Administration Act*
   d) *Trustee Act*

3. Court Applications
   a) Letters of Probate
   b) Letters of Administration
   c) Letters of Administration With Will Annexed

4. Wills
   a) Definition of a Will
   b) The creation of a testamentary trust through the creation of a Will.
   c) Validity requirements including legal requirements of making a Will
   d) Reasons for making a Will
   e) Execution
   f) Formatting a Will
   g) Clauses in a Will
   h) Codicil
   i) Memorandum To Will
   j) B.C. Supreme Court Rules
      i. Rule 61
      ii. Rule 62
   k) Safeguarding the Will

- l) Filing a Wills Notice
- m) Execution of a new Will
- n) Revocation of a Will
- o) Execution of a Codicil
- p) Relocation of a Will or Codicil
- q) Wills – Forms and Letters
- r) Wills Instruction Form
- s) Reporting to the Client
- t) Wills and Estates Terminology

5. Probate
    - a) Obtaining Will
    - b) Identifying Trustee (Executor/Executrix)
    - c) Trustee's Duties:
        - i Gathering Information
        - ii Preserving Assets
        - iii Notifying Beneficiaries and Creditors
        - iv Maintaining Accounts
        - v Preparing Disclosure Document
        - vi. Distribution of Estate
    - d) Documentation Required For Letters Probate.
        - i. Requisition
        - ii. Wills Notice Search
        - iii. Notice of Intention to Apply for Probate
        - iv. Affidavits of Notice Pursuant to Section 112 of the Estate Administration Act
        - v. Disclosure Document
        - vi. Affidavit of the Executor
        - vii. Consents of Creditors
    - e) Post-Application Procedures
        - i. Transmission of assets to the personal representative
        - ii. Preparation and filing of Income Tax Returns
        - iii. Request For Clearance Certificate
    - f) Conditions Met Prior To Distribution

6. Administration With Will Annexed
    - a) Obtaining Will
    - b) Appointing A Trustee (Administrator/Administratrix)
    - c) Trustee's Duties:
        - i Gathering Information
        - ii Preserving Assets
        - iii Notifying Beneficiaries and Creditors
        - iv Maintaining Accounts
        - v Preparing Disclosure Document
        - vi. Distribution of Estate
        - vii. Administrative Bonds
    - d) Documentation Required For Administration With Will Annexed
        - i. Requisition
        - ii. Wills Notice Search
        - iii. Notice of Intention to Apply for Administration
        - iv. Affidavits of Notice Pursuant to Section 112 of the Estate Administration Act
        - v. Disclosure Document
        - vi. Affidavit of the Administrator
        - vii. Renunciations and Consents of Creditors
        - viii. Order
    - e) Post-Application Procedures
        - i. Transmission of assets to the personal representative
        - ii. Preparation and filing of Income Tax Returns
        - iii. Request For Clearance Certificate

f) Conditions Met Prior To Distribution

7. Administration
   a) Confirming Intestacy
   b) Appointing A Trustee (Administrator/Administratrix)
   c) Trustee's Duties:
      i Gathering Information
      ii Preserving Assets
      iii Identifying and Notifying Beneficiaries and Creditors
      iv Maintaining Accounts
      v Preparing Disclosure Document
      vi. Distribution of Estate
      vii. Administrative Bonds
   d) Documentation Required For Administration
      i. Requisition
      ii. Wills Notice Search
      iii. Notice of Intention to Apply for Administration
      iv. Affidavits of Notice Pursuant to Section 112 of the Estate Administration Act
      v. Disclosure Document
      vi. Affidavit of the Administrator
      vii. Renunciations and Consents of Creditors
      viii. Order
   e) Post-Application Procedures
      i. Transmission of assets to the personal representative
      ii. Preparation and filing of Income Tax Returns
      iii. Request For Clearance Certificate
   f) Conditions Met Prior To Distribution

8. Miscellaneous
   a) Calculation Of Probate Fees
   b) Documents To Be Filed In Probate Registry
   c) Court Certified Copies Of Probate.

O: Methods of Instruction

Communication between instructor and students will be conducted online using WebCT e-mail, discussion, chat utilities, guided practices, assignments, and case studies. Students will work both independently and collaboratively to learn and apply procedures and tasks carried on in a legal office. Both learning activities and evaluations will be structured to stress problem solving, accuracy, and working within time constraints.

P: Textbooks and Materials to be Purchased by Students

Yip, Titus. Introduction to Wills and Estates. DFC Publications. (Latest Edition)

. WAV pedal & computer headphones are required for digital transcription activities.

Software:

1. Microsoft Internet Explorer version 5.0 or higher or Netscape 6.2 or higher
2. Microsoft Word 97 or higher
3. Adobe Reader 6.0 or higher
4. Express Scribe digital transcription software

Q: Means of Assessment

Assignments	5%
Simulation – Probate (Spouse with Adult Children)	15%
Simulation – Probate (Spouse with Minor Children)	15%
Simulation - Administration – with Will	15%
Simulation – Administration – intestacy (Spouse with minor children)	15%
Quizzes	10%
Final exam	25%
	100%

R: Prior Learning Assessment and Recognition: specify whether course is open for PLAR

This course is open for PLAR.

Course Designer(s) Titus Yip

Education Council / Curriculum CommitteeRepresentative

Dean / Director Rosilyn Coulson

Registrar Trish Angus