



# EFFECTIVE: SEPTEMBER, 2011 CURRICULUM GUIDELINES

A. Division:	Academic	Effective Date	September 2011	
B. Department / Program Area	Commerce & Business Admin/ Office Administration	Revision	<input checked="" type="checkbox"/> New Course	<input type="checkbox"/>
		If Revision, Section(s) Revised:	A, H, N, P, Q	
		Date Last Revised:	April 2007	
		Date of Current Revision:	May 2011	
C: OADM 1329	D: Legal Office Procedures- Wills And Estates		E: 3	

Subject & Course No.	Descriptive Title	Semester Credits						
<b>F: Calendar Description:</b>  <p><b>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 topics such as Wills and Codicils, Grants of Letters Probate and Letters of Administration with and without a Will, Administration Bonds, transferring the deceased's assets, and winding up estates. This is a "hands-on" course in which the students integrate keyboard, computer, document formatting, and transcription skills, with knowledge of estate law.</b></p>								
<b>G: Allocation of Contact Hours to Type of Instruction / Learning Settings</b>  Primary Methods of Instructional Delivery and/or Learning Settings:  <b>Lecture and Seminar</b>  Number of Contact Hours: (per week / semester for each descriptor)  <b>Lecture 2 hours per week Seminar 2 hours per week</b>  Number of Weeks per Semester:  <b>15 weeks x 4 hours per week = 60 hours</b>	<b>H: Course Prerequisites:</b>  <b>OADM 1218 and OADM 1256 and (45 NWPM or OADM 1303 with a C+ or better)</b>							
	<b>I: Course Corequisites:</b>  <b>Nil</b>							
	<b>J: Course for which this Course is a Prerequisite:</b>  <b>OADM 1401</b>							
	<b>K: Maximum Class Size:</b>  <b>30</b>							
<b>L: PLEASE INDICATE:</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px; text-align: center;"><input type="checkbox"/></td> <td>Non-Credit</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>College Credit Non-Transfer</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>College Credit Transfer:</td> </tr> </table> <p style="text-align: center;">SEE BC TRANSFER GUIDE FOR TRANSFER DETAILS (<a href="http://www.bctransferguide.ca">www.bctransferguide.ca</a>)</p>			<input type="checkbox"/>	Non-Credit	<input checked="" type="checkbox"/>	College Credit Non-Transfer	<input type="checkbox"/>	College Credit Transfer:
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Course Objectives / Learning Outcomes:

**M:**

**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 with adult beneficiaries by creating correspondence and documents inclusive of all procedures from file opening to file closing;
8. translate an understanding of a simple probate with adult beneficiaries by creating correspondence and documents inclusive of all procedures from file opening to file closing;
9. translate an understanding of a simple administration (with will) by creating correspondence and documents inclusive of all procedures from file opening to file closing;
10. translate an understanding of a simple administration (without will) by creating correspondence and documents inclusive of all procedures from file opening to file closing;
11. define and correctly spell legal terms;
12. observe professional standards in the maintenance and use of checklists;
13. transcribe documents and correspondence; and
14. keyboard with speed and accuracy from five-minute timed writings.

**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 applicable statutes 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) Provincial statutes relating to wills, wills variations, estate administration, and trustees.
3. **Court Applications**
  - a) Letters of Probate
  - b) Letters of Administration
  - c) Letters of Administration With Will Attached
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
  - 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) Wills Instruction Form
  - q) Reporting to the Client

- r) **Wills and Estates Terminology**
- 5. **Probate with adult beneficiaries**
  - 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**
    - v. **Disclosure Document**
    - vi. **Affidavit of the Executor**
    - vii. **Consents of Creditors**
    - viii. **Calculation of Probate Fees**
  - 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. **Probate with minor beneficiaries**
  - a) **Obtaining Will**
  - b) **Identifying Trustee (Executor/Executrix)**
  - c) **Obtaining Revocations**
  - d) **Trustee's Duties:**
    - i. **Gathering Information**
    - ii. **Preserving Assets**
    - iii. **Notifying Beneficiaries and Creditors**
    - iv. **Notifying Guardians and Public Guardian and Trustee**
    - v. **Maintaining Accounts**
    - vi. **Preparing Disclosure Document**
    - vii. **Distribution of Estate**
  - e) **Documentation Required For Letters Probate.**
    - i. **Requisition**
    - ii. **Wills Notice Search**
    - iii. **Notice of Intention to Apply for Probate**
    - iv. **Affidavits of Notice**
    - v. **Disclosure Document**
    - vi. **Affidavit of the Executor**
    - vii. **Consents of Creditors**
    - viii. **Calculation of Probate Fees**
  - f) **Post-Application Procedures**
    - i. **Transmission of assets to the personal representative**
    - ii. **Preparation and filing of Income Tax Returns**
    - iii. **Request For Clearance Certificate**
  - g) **Conditions Met Prior To Distribution**
- 7. **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
    - 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. 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
    - 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

**O:** Methods of Instruction:

A combination of lectures, guided practices, assignments and case studies will be used. Active learning is an integral part of this course, and emphasis will be placed on a "hands-on" environment to allow students to 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:

Introduction to Wills and Estates. DFC Publications. (Latest Edition) or other wills and estates textbook as determined by the instructor.

An instructor approved keyboarding timed writing textbook (used in OADM 1303).

Course packs as determined by the instructor.

**Q:** Means of Assessment:

<b>Assignments</b>	<b>5 - 10%</b>
<b>Simulations</b>	<b>35 - 40%</b>
<b>Midterm and/or Test(s)</b>	<b>25 - 30%</b>
<b>Final Exam</b>	<b>20 - 25%</b>
<b>Keyboarding Speed (average of best three 5-minute timings)</b>	<b><u>5%</u></b>
	<b><u>100%</u></b>

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

**This course is open for PLAR.**

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Course Designer: **Titus Yip**

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Education Council / Curriculum Committee Representative

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Dean / Director: **Robert Buller**

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Registrar

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