TRUSTS AND ESTATES - PROFESSOR SUBOTNIK

READINGS FOR FIRST TWO WEEKS – SPRING 2016

(A full syllabus should be available the end of this week or during first class session.)

Statutory Supplement: NY EPTL & SCPA (Lexis Nexis 2016)

Note: Write out answers to problems in casebook and handouts under EPTL and SCPA (where applicable) as well as under the UPC sections included in the casebook. Read and study all sections of statutes very carefully.

I. Introduction to Estate Planning
   A. The Power to Transmit Property at Death - pp. 1-4; 15-28
   B. Transfer of the Decedent’s Estate - pp. 41-52
      EPTL - Be familiar with definitional sections in articles 1 and 2
   C. An Estate Planning Problem and Professional Responsibility – Appendix, pp. 981-94; pp. 55-62

II. Intestacy: An Estate Plan by Default
   A. The Basic Scheme
      1. Introduction - pp. 63-70
         EPTL §§ 1-2.14; 1-2.16; 2-1.2; 4-1.1; 4-1.4 - Read carefully and compare
         UPC Sections 2-101-2 to 2-105 (pp.67-69).
      2. Share of Surviving Spouse - pp. 70-75
      3. Simultaneous Death - pp. 75-81 note 4
         EPTL § 2-1.6
      4. Shares of Descendants - pp. 81-85
      5. Shares of Ancestors, Collaterals and Others - pp. 85-91
         Intestacy Problems (to be handed in)