The Probate Process

Course Description

This course focuses on the steps necessary to administer the estate of a deceased person. The course details the process from the initial steps to be taken immediately after death through the closing of the estate. The course identifies the documents needed to file a probate petition, discusses the probate and administration process, and covers resolving disputes and successfully completing the estate administration process.

Course Learning Outcomes

At the completion of this course, students will be able to:

- Identify the documents needed after death to commence a probate proceeding
- Explain the process of preparing and filing a probate petition
- Analyze when probate is necessary, and what types of assets do not require probate
- Discuss the various types of administration proceedings that are necessary, depending on the nature of the estate
- Identify matters of dispute that an executor may be responsible to resolve
- Set forth the steps necessary to close an estate

Final Exam

Grades and credit recommendations are based solely on a final exam. When students are ready to take the final exam, they should register for a LawShelf account (or simply log in, for those with existing accounts). Go to the video-course page and click "Take the Final Exam" and pay the exam fee, where applicable. Students will be given instructions on how to take the exam. All exams are proctored by the Voice Proctor® proctoring system. An overview of the system is **provided here** and it requires no training or learning curve. Grades of 70% or above are considered passing grades and qualify for recommended transfer credit.

The final exam is based on the video course modules. Additional resources detailed in this syllabus are helpful for background and for building greater understanding of the course materials.

Inquiries can be made through the LawShelf Contact form on our website by clicking the

"email us" button that appears at the bottom of most LawShelf pages. Transcripts can be ordered via Parchment, as detailed on our website.

Case Studies

Many LawShelf video courses include case studies. These do not necessarily teach new material but are meant to demonstrate how the materials covered in the course are applied by various courts. Concepts covered in the case studies are covered on the final exam; so watching the case studies is necessary before taking the exam. However, it is unnecessary to memorize the facts and details of the cases covered in these case studies.

Self-Quizzes

Video-course modules and case studies feature self-quizzes that consist of practice questions on the materials covered in the videos. These questions are presented for the benefit of the student and are important to review before taking the final exam because they are similar in style and substance to the questions on the final exam. These quizzes are not graded or monitored and there is no record of how students answer these questions. Students may answer these questions as many times as they like and are encouraged to keep re-taking the quizzes until they have mastered all the questions.

Study Guide

<u>Introductory Videos</u>

These videos provide background to help students better understand the main parts of the course, which are the <u>video-course modules</u> below.

The Rules of Intestacy
https://lawshelf.com/shortvideoscontentview/rules-of-intestacy

Elder Law and Estate Planning
https://lawshelf.com/shortvideoscontentview/elder-law-and-estate-planning-the-probate-proceeding

Estate Planning and Elder Law: Strategies for Avoiding Probate
https://lawshelf.com/shortvideoscontentview/estate-planning-and-elder-law-strategies-for-avoiding-probate

Courseware Readings

These courseware readings provide background to help students better understand the main parts of the course, which are the video-course modules below.

Read the following sections of "Foundations of Law" courseware:

https://lawshelf.com/coursewareview

The following chapters under Wills Trusts & Estates:

Estate Administration
Probate and Uniform Probate Code
Will Contests
Personal Representative
Management of the Estate
Creditors' Claims
Distribution & Informal Administration

Video Course Modules

These videos constitute the main part of the course and are they sources of the questions on the final exam.

The Probate Process Plans Course Overview
https://lawshelf.com/videocoursescontentview/the-probate-process

When and Where to Bring Probate Proceedings - Module 1 of 5
https://lawshelf.com/videocoursesmoduleview/when-and-where-to-bring-probate-proceedings-module-1-of-5

The Probate Process - Module 2 of 5
https://lawshelf.com/videocoursesmoduleview/the-probate-process-module-2-of-5

Administering the Estate - Module 3 of 5
https://lawshelf.com/videocoursesmoduleview/administering-the-estate-module-3-of-5

Resolving Disputes - Module 4 of 5
https://lawshelf.com/videocoursesmoduleview/resolving-disputes-module-4-of-5

Fiduciary Duties and Wrapping up the Estate - Module 5 of 5
https://lawshelf.com/videocoursesmoduleview/fiduciary-duties-and-wrapping-up-the-estate-module-5-of-5

Supplemental Suggested Readings

These materials enable students to achieve a deeper understanding of the course materials and in applying the course to real-life situations.

Estate Procedures for Executors, Administrators, Collectors by Affidavit and Summary Administration
https://www.nccourts.gov/assets/documents/forms/e850-en.pdf?wAfy5o3sqw7oCN0qFSPp5N1aWnKA7nNK

Beyer, Will Contests – Prediction and Prevention
https://epj.us/article/21342-will-contests-prediction-and-prevention