WHO SHOULD ATTEND?

The course is aimed primarily at solicitors. It will also be of benefit to barristers with a practice in Chancery or Probate and any professional who works in the administration of estates. Experienced legal executives would also benefit from the course.

MODULE ONE - KNOWING THE LAW

This initial module will comprise an overview of succession law. The module will consider the legal principles relevant to the execution and drafting of wills as well as those related principles that govern administration of estates. It will include some lesser known areas including miscellaneous equitable doctrines which present traps for the unwary.

MODULE TWO - THE PROFESSIONAL WILL-DRAFTER’S DUTY OF CARE

The lot of the professional will drafter has changed beyond recognition in the last quarter of a century. This module will chart the main testamentary negligence decisions and what they mean for the busy practitioner. This will include consideration of the mental elements: Testamentary Capacity, Knowledge and Approval, Undue Influence, Fraudulent Calumny and Minimising Future Disputes. Consideration will also be given to the importance of clarifying the retainer, drafting client care letters and what makes a good attendance note.

MODULE THREE - THE ANATOMY OF A TYPICAL WILL: THE TOP 10 MISTAKES

This module will focus on the basic features of a will, including:
- Introduction
- Revocation
- Appointment of executors/guardians
- Different types of gifts
- Misdescribed charities
- Administrative provisions
- Class gifts

The module will also look at avoiding partial intestacies, dealing with the burden of liabilities including IHT and words and phrases to avoid.

MODULE FOUR - TAKING, EVALUATING AND IMPLEMENTING INSTRUCTIONS - SPECIFIC CASE STUDIES

In this session we will focus on specific case studies where things have gone wrong!

We will look more closely at:
- Drafting rights of residence
- Dealing with blended families
- Issues that can arise with the transferable nil rate bands
- Wills for businesses

MODULE FIVE - DEALING WITH POST-DEATH ISSUES

This module will consider how a lawyer deals with some common post death issues relating to wills.
- The custody of the original will
- Who exactly is your client?
- The solicitor as executor – when to go and when to insist on staying
- Conflict between executors
- Dealing with validity challenges – Larke v Nugus
- How to spot conflicts of interests early
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How to get more information

Visit our website for the latest availability, dates and fees:
www.qub.ac.uk/schools/InstituteofProfessionalLegalStudies/ or contact us on 028 9097 5699
or e-mail: Claire Armstrong on c.a.armstrong@qub.ac.uk

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