

1. **Title of the module**

Wills and Administration of Estates

2. **School or partner institution which will be responsible for management of the module**

Pearson College London

3. **The level of the module**

Level 6

4. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS)

5. **Which term(s) the module is to be taught in (or other teaching pattern)**

The module will always be taught in the second term of a student's studies at level 6 (whether or not they start in September or January).

6. **Prerequisite and co-requisite modules**

Prerequisites: none

Co-requisites - none

7. **The programmes of study to which the module contributes**

Certificate of Higher Education

Diploma of Higher Education

LLB (Honours)

LLB Law with Accountancy

LLB Law with Business Management

MLaw Legal Professional Practice (Exempting)

8. **The intended subject specific learning outcomes**

On successful completion of the module, students should be able to demonstrate:

**Subject Specific Knowledge and Skills**

1. A systematic understanding of key aspects of this area, including: the principles relating to the validity of Wills, the intestacy rules and the inheritance tax ("IHT") implications; the different types of Grant; and the powers and duties of Administrators.

2. An awareness of the ways in which ethical issues can arise in this practice area, and a knowledge and understanding of how the SRA Principles and professional Code of Conduct apply in such circumstances.

3. An ability to critically analyse and evaluate arguments, assumptions, abstract concepts and data (that may be incomplete), to make judgments, and to frame appropriate questions to achieve a solution - or identify a range of solutions - to problems in this area.

4. An ability to identify the client's objectives and devise appropriate means of achieving those objectives, whilst demonstrating an awareness of the financial, commercial and personal priorities and constraints of the client and the costs, benefits and risks involved in particular courses of action.

5. An ability to conduct detailed research and apply their evolving knowledge of this area of the law and related legal practice accurately and effectively in the context of complex practical problems involving realistic factual scenarios.

6. An ability to perform the tasks required to advance transactions or matters in this area.

### **General Transferable Skills**

1. An ability to reflect on their learning and identify their learning needs, exercising initiative and personal responsibility.

### **9. The intended generic learning outcomes**

#### **On successfully completing the module students will be able to:**

An ability to reflect on their learning and identify their learning needs, exercising initiative and personal responsibility.

### **10. A synopsis of the curriculum**

This module aims to introduce students to the content, format and validity of Wills to enable them to demonstrate a knowledge and understanding of the process of obtaining grants of representation and administration of an estate.

### **Outline syllabus**

**Element 1: Pre-grant practice** - validity, revocation and alteration of wills and codicils; total and partial intestacy; identification of property passing by will, intestacy or outside of the estate; and valuation of assets and liabilities and the taxable estate.

**Element 2: Application for a grant of representation** - the necessity for and main types of a grant; the powers and duties of personal representatives and their protection; and the main types of oath for executors or administrators.

**Element 3: Post-grant practice** - collection and realisation of assets and claims on the estate; raising funds and the payment of inheritance tax and debts; and pecuniary legacies, vesting of gifted property in the beneficiaries entitled and distribution of the residuary estate.

Key Skills include:

- Drafting
- Writing
- Interviewing & Advising
- Practical legal research
- Communication and Literacy
- File management
- Negotiation
- Numeracy
- Teamwork
- Managing and Developing Self
- Managing tasks and solving problems
- Computing and IT Skills

**11. Reading List (Indicative list, current at time of publication. Reading lists will be published annually)**

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> <li>• <b>Title, author, publisher</b></li> </ul>
<b>Core Text</b>	<ul style="list-style-type: none"> <li>• Private Client: Wills, Trusts and Estate planning, Cousal, H &amp; King, L, Legal practice guide</li> </ul>
<b>Essential Reading</b>	<ul style="list-style-type: none"> <li>• Butterworths Wills Probate and Administration Service</li> <li>• SRA Code of Conduct [Online] <a href="http://www.sra.org.uk/solicitors/handbook/code/content.page">http://www.sra.org.uk/solicitors/handbook/code/content.page</a> Solicitors Regulation Authority</li> </ul>
<b>Recommended Reading</b>	<ul style="list-style-type: none"> <li>• Lawyers' Skills, Webb, J et al, OUP</li> <li>• Foundations for the LPC, First, C et al, Legal Practice Guides</li> <li>• Legal Foundations, Bamford K et al, Legal Practice guides</li> </ul>

**12. Learning and Teaching Methods, including the nature and number of contact hours and the total study hours which will be expected of students, and how these relate to achievement of the intended module learning outcomes**

Learning and teaching takes place through four key activities. These comprise a blend of technical skills training, guided tasks assisting in self-directed research and study, practical application, and consolidation. Conceptually, the aim of the learning and teaching method is to mirror as closely as possible a trainee's experience in a law firm.

**Part A – Technical skills training**

The trainee will be briefed on the relevant topic (this may take the form of live or recorded webinars or lectures).

**Part B – Self-directed research/Guided tasks**

The supervising partner will guide the trainee via memoranda, e-mails and/or recorded voicemails into the relevant areas that need to be researched.

This may include reading articles and practitioner texts, preparing checklists and drafting documentation, as well as providing advice on various aspects of the matter and answering client/supervisor questions etc.

**Part C – Seminar**

The trainee will present their findings to the client and/or supervisor. New issues may arise from the presentation and or further client information being provided to change the dynamics of advice etc.

**Section D – Consolidation**

This may be in the form of independent reflection and reading / online student discussion forum / associated tutor dialogue (e.g. via email) as students absorb the issues raised in the briefings and seminars through the consolidation process.

## MODULE SPECIFICATION

The aim is to ensure that the student has all of the applicable practical experience of working on a matter in this area by ensuring that they are required to draft and amend relevant documentation at each stage of the module.

Activity	Notional Hours of Study
Technical skills training	10
Self-directed research / guided tasks	100 (including assessment preparation and completion)
Seminars	20
Consolidation	20
Total	150

### 13. Assessment methods

#### 13.1 Main assessment methods

This module will be assessed by a supervised assessment of three hours' duration, split into two parts:

Part A - an examination based on unseen questions set in a transactional context, in which students will be required to analyse various provided documents in order to advise a client or supervising partner accordingly (2 hours) (70%);

Part B – objective testing (1 hour) (30%).

The pass mark for the module is 50%. Students will be required to attempt both parts of this assessment. Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 50% will be sufficient to pass the assessment.

#### Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students in a way which complies with the Legal Practice Course Assessment Regulations. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

The proposed assessment methodology, combining a transaction-based examination with objective testing we feel achieves both of these goals.

### 14. Map of Module Learning Outcomes to Learning and Teaching Methods and methods of Assessment

Module learning outcome		SS1	SS2	SS3	SS4	SS5	SS6	GTS1
Learning/teaching method	Hours allocate							
Technical skills training	10	X	X		X	X	X	

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<b>Self-directed research / guided tasks</b>	100	X	X	X	X	X	X	X
<b>Seminar</b>	20	X	X	X	X	X	X	
<b>Consolidation</b>	20	X	X		X	X	X	X
<b>Assessment method</b>								
<b>Part A Examination</b>		X	X	X	X	X	X	X
<b>Part B Objective testing</b>		X	X					

### 15. Inclusive module design

The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared disabilities will be made on an individual basis, in consultation with the Collaborative Partner's disability/dyslexia support service, and specialist support will be provided where needed.

### 16. Campus(es) or centre(s) where module will be delivered

Pearson College London

### 17. Internationalisation

All the modules on the MLaw/LLB programme incorporate an international dimension wherever and whenever appropriate. This includes specific areas, such as EU statutory provisions in Contract and Employment Law and Human Right issues in Constitutional and Criminal Law, alongside an all pervasive discussion of the affects of international law on English Law as a whole. In addition to the formal incorporation of international jurisprudence within the programme, the students are actively encouraged to participate in the numerous opportunities the College offers involving comparative analysis within the business world including: guest speakers, industry workshops, alumni events, etc. Specifically, the MLaw/LLB programme provides a number of opportunities for all law students to participate in educational visits to various international institutions within the legal environment including the EU (in Strasbourg, Brussels and Luxembourg), the International Court of Justice in the Hague and the Nuremberg Trials Court House. These trips are heavily subsidised by the college to ensure affordability and maximum participation.

### 18. Partner College/Validated Institution:

Pearson Business School, part of Pearson College London

### 19. University School responsible for the programme:

Kent Law School

# MODULE SPECIFICATION



## FACULTIES SUPPORT OFFICE USE ONLY

Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)