I. (60 minutes)

allocation of property between probate & nonprobate categories
identification of joint tenancies & p.o.d. contracts
exemptions & allowances
mortgage & debts; exoneration;
abatement
stock split factor: Union Pacific stock
ademption: 1980 GMC minivan to daughter Mary
advancement or satisfaction problem: loan to daughter Mary
attestation problem with Herman's will
posthumous child problem: daughter Sarah
pretermitted child problem: daughter Sarah
lapsing problem: son John
child out wedlock problem: John's son Ellis
length of pregnancy problem: John's son Ellis
will execution problem: "conscious presence"
will notarization problem: failure to acknowledge signatures
will ambiguity problem: "my car"; $5,000 to "children" vs. "nothing" to Richard
intestacy re cottage; Richard is also an heir

II. (60 minutes)

partial intestacy: 500 acres; cash
identification of heirs: parents & siblings
half-blood heir
will execution problems:
absence of notarization of July 4 will
nonavailability of witnesses to July 4 will
incorporation by reference: letter of August 10
July 4 will not valid as holographic will in MO
will revocation problems:
revocation by later will
revocation by presumed destruction:
disappearance of July 4 will
did Jon intend to destroy August 10 letter?: found under bed
dependent relative revocation: "Calamity Jane"
120 hour survival statute: "Calamity Jane"
undue influence issue: "Calamity Jane"
SSUE: is August 20 will completely void because of undue influence, hence reviving July 4 will?
- terms determined by August 10 letter
- or is it an unconditional will which lapses under 120 hour statute, hence causing a total intestacy?

III.
(60 minutes)

settlor as trustee
pour-over provision
trust for animal
charitable trust
retention of power to revoke
spendthrift trust
secret trust
class gift
trust corpus problem
creditors of settlor
trustee discretion problem; creditors of beneficiary
termination problem: consent of beneficiary & trustee
no attempt to revoke
consent termination with one godchild
suit by godchildren to declare peacock, Wriston, and college trust provisions void and to terminate
- purpose of godchildren trust: age, maturity, spendthrift provision
attempted garnishment by creditors of Ellen Allen