I (45 minutes)

lost will - presumed revoked  (if so, Victor's heirs take)
   evidence of inadvertent destruction?
if will is not intentionally destroyed, copy can be used to prove will contents
joint life tenancy - right of survivorship
   do Victor's heirs take?  (who are they?)
      rule of repugnancy  (what interest would Walter get? life estate + power, or fee simple?)      by residuary clause  (or because will is presumed revoked)      lapse - anti-lapse statute  (who takes as heir, since William predeceased?)      effect of adoption - adult spousal adoption
         is Walter an heir (as husband of Victor's niece Ella)?
   do Walter's heirs take?  (who are they?)      power of appointment - not exercised (he died intestate)      120 hour survival statute  (effect on Walter's fee, if that is what he got?)      lapse - anti-lapse statute  (who takes fee in Walter's place, if Walter got fee?)

II (75 minutes)

A.
trust creation - oral declaration OK when corpus is personalty
   here, there was written notation on envelope as well
   was there a trust in the stock itself, as well as in dividends?
   failure to reregister stock in name of trust does not invalidate trust
trustee management - duty to preserve corpus: sale of declining-value assets and reinvestment
   liability for loss
      - traditional rule: strict liability for losses occurring during breach of trust:
         - failure to register / commingling with trustee's personal assets?
      - modern view: liability only for losses resulting from breach
         - no disappearance of stock
   there is liability for failure to sell stock & reinvest

B.
devise to trust:
   "pour-over" trusts are valid: are not considered invalid testamentary dispositions but "pour-over" trusts must be in writing ab initio; this one wasn't
   hence, devise is invalid; property goes under residuary clause to sister
   - since wife is getting more than ½ of hotchpot, she can't get $200,000 by electing against will

C.
does a general devise exercise a power of appointment?
   UPC (1980) & RSMo § 456.235 require that power be exercised expressly; it wasn't
even UPC (1991) requires special power (as here) to be exercised expressly
but if property is expressly disposed of, it is an effective exercise (as here)
is Joan Jones a "relative"
  children are relatives
  illegitimate children are children of mother (as here)
  but adopted-out children lose inheritance rights from natural parents (Mo. law)
does that law apply also to definition of "relative" under power of appointment?
  law of class gifts applies; same law as inheritance applies (RSMo § 474.435)

III (60 minutes)

holographic will - validity [1988 will]
  testamentary intent? - is handwritten instrument a will, or a memo to lawyer?
  plain meaning rule re "Mother"
    should personal usage exception be applied?
revocation of prior will [1979 will]
  mutilation
  valid if done by proxy?
  dependent relative revocation
omitted child share [for Colleen]?
  applies only re 1979 will, not 1988 will
  doesn't apply because her mother was given substantial portion of estate
partial intestacy: cash, investments, 1 car
  who are heirs?
spouse's elective share - should Jane elect against will?
  calculate elective share (including hotchpot & offsets)

IX. (30 minutes)

definitions:
  (1) line-of-sight test
  (2) ademption
  (3) satisfaction
  (4) spendthrift trust
  (5) semi-secret trust
  (6) exoneration
  (7) incorporation by reference
  (8) disclaimer
  (9) Rule in Wild's Case
  (10) cy pres doctrine