

**Laws 2121 – Law of Succession Syllabus  
2 Credit Hours**

Fall 2018

**Class hours,** Wednesday 11:30 am to 1:20 pm, Weldon W104

**Instructor:** Debbie Garson

**Office:** N/A

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**Course Description**

This course provides an opportunity to consider current legal issues involving wills, distribution of assets, and probate of estates, with a practical focus. In addition to the common law, we will consider Nova Scotia legislation including the Wills Act, Intestate Succession Act, Probate Act, Testators' Family Maintenance Act and Matrimonial Property Act, as well as the Code of Professional Conduct. Topics to be discussed include the formalities of execution, substantive challenges to wills such as testamentary capacity and undue influence, construction and administration of wills, problems relating to mistake, lapse and ademption, conjugal matters, vesting and class gifts, as well as dying without a will.

**Learning Management System Site Information**

Materials for this course will be located on the LAWS 2121 – Law of Succession Brightspace site.

**Required Text(s)**

- 1) Casebook – Law of Succession – posted on Brightspace
- 2) Statutory Supplement – posted on Brightspace



## **Submission of Major Papers and Assignments**

Major papers and assignments must be submitted in hard copy. Students should hand papers in to the place stipulated by the instructor and ensure they are date and time stamped. Please read the law school policy on late penalties:

<https://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>

Please note students may also be required to provide an identical electronic copy of their paper to the instructor by the due date. Papers may be submitted by the instructor to a text-matching software service to check for originality. Students wishing to choose an alternative method of checking the authenticity of their work must indicate to the instructor, by no later than the add/drop date of the course, which one of the following alternative methods they choose:

- a) submit copies of multiple drafts demonstrating development of their work
- b) submit copies of sources
- c) submit an annotated bibliography

## **Plagiarism**

All students must read the University policies on plagiarism and academic honesty <http://academicintegrity.dal.ca/> and the Law School policy on plagiarism

<http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>.

Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

## **General Resources**

\* General Academic Support – Advising Halifax:

[https://www.dal.ca/campus\\_life/academic-support/advising.html](https://www.dal.ca/campus_life/academic-support/advising.html)

\* Fair Dealing Guidelines

<https://libraries.dal.ca/services/copyright-office/guidelines/fair-dealing-guidelines.html>