

**FACULTY OF LAW, UNIVERSITY OF VICTORIA**  
**20010-11 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION<sup>1</sup>**

<b>COURSE</b>	Law 319 Trusts
<b>UNIT VALUE</b>	1.5 Units (3 hours per week)
<b>INSTRUCTOR</b>	Mark Gillen
<b>TERM OFFERED</b>	Spring 2012
<b>CLASS TIMES</b>	See Schedule
<b>PREREQUISITES/CO-REQUISITES</b>	None

## **COURSE DESCRIPTION**

The course provides an introduction to the main aspects of express trusts and briefly canvasses trusts created by the operation of law. It will also examine some modern uses of trusts and the public trust doctrine.

In examining the express trust the course will consider both trusts for persons and purpose trusts (both charitable and non-charitable). It will look at the administration of express trusts and, time permitting, compare express trusts to other similar legal concepts. It will very briefly note trusts by operation of law including both resulting and constructive trusts. Time permitting, trust remedies may also be examined.

## **COURSE OBJECTIVES**

Students should be able to:

- 1. Base Knowledge:** Demonstrate a basic knowledge of the material covered in the course (terminology, legal rules, concepts and policy considerations) by answering short questions on a mid-term quiz and/or final exam.
- 2. Application:** Identify legal issues relating to the law of trusts raised in a given fact situation, set out the applicable law and apply the law to the facts noting relevant policy considerations and how those policy considerations apply in the particular fact situation.
- 3. Policy:** Demonstrate an appreciation of broader policy issues by writing an exam essay responding to a question or commenting on a statement or by using a policy analysis in the context of answering a fact pattern question.

## **TEACHING METHODOLOGIES**

The teaching methodology will involve lectures reviewing the readings supplemented by sample problems that will be taken up in class.

## **EVALUATION**

The evaluation will be either:

- (a) A final exam for 100% of the final grade;
- (b) A final exam that will count for 60% of the final grade and a 6,000 word paper that will count for 40% of the final grade; or
- (c) A final exam that will count for 50% of the final grade and a 7,500 word paper that will count for 50% of the final grade (and could count as a "major paper").

If you choose option (b) or (c) you need to submit a topic by the Friday, January 29<sup>th</sup>, 2012 that will be subject to my approval. If a topic has not been submitted by Friday, January 29<sup>th</sup>, 2012 you will no longer be permitted to do option (b) and you will be evaluated under option (a).

The final exam will be partly closed-book (for 20 to 30% of the exam) and partly open-book (for 70 to 80% of the exam).

*January 10, 2012*

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