

LAW 319 - TRUSTS
COURSE DESCRIPTION, OBJECTIVES AND EVALUATION

Unit Value:

1.5 units

Hours per Week:

3, one term

Term Offered:

Fall 2009

Principal Instructor:

Gillen

A. 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 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.

B. 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.

C. TEACHING METHODOLOGIES

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

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D. EVALUATION

The evaluation will be as follows:

1. a 100% final exam consisting of a closed-book part and an open-book part.
- or
2. A research paper option (counting for 40% of the final grade) if you have some academic and/or practical experience in a trust law related context. You must obtain my permission to write a research paper and for your research topic before Thursday, October 1, 2009. The research paper will be between 4,500 to 5,000 words in length. If you choose option 2, you will write the same final examination as those who choose option 1. However, your examination will count for 60% of your final grade. You will be able to “opt back” at your discretion to a 100% final examination until Thursday, October 15, 2009. After October 15th, you must obtain my permission to write a 100% final examination.