

LAWS 6008 WILLS AND SUCCESSION

Credit Points 10

Coordinator Sandy Noakes ([https://directory.westernsydney.edu.au/search/name/Sandy Noakes/](https://directory.westernsydney.edu.au/search/name/Sandy%20Noakes/))

Description This subject analyses law and policy relevant to the devolution of property upon death. The legal issues relating to wills and succession are examined in their social, cultural, and ethical contexts. The subject encompasses topics such as the law relating to intestacy, the making of a valid will, the administration of the estate and testator's family maintenance. This subject is of particular importance to those students who intend to practice either as a solicitor or barrister as Wills and Succession forms a significant part of private practice. Students will engage in professional learning activities to demonstrate their application of this body of law in practice.

School Law

Discipline Legal Practice

Student Contribution Band HECS Band 4 10cp

Level Postgraduate Coursework Level 6 subject

Pre-requisite(s) LAWS 7067 Property Law

Incompatible Subjects LAWS 3071 Wills and Succession

Restrictions

Students must be enrolled in the 2826 Juris Doctor Program.

Learning Outcomes

After successful completion of this subject, students will be able to:

1. Apply knowledge of the major doctrines of succession law to particular contexts.
2. Critically analyse the complex interaction of legal doctrines which operate in succession law, considering social, cultural and ethical contexts.
3. Analyse the jurisdiction of the probate court, including the types of application for probate and grants of administration.
4. Apply knowledge of the law of wills in particular contexts
5. Analyse aspects of the administration of estates.
6. Develop advanced written and/or oral communication skills.

Subject Content

- Death
- Intestate Succession, including intestacy laws relating to Indigenous people
- Family Provision
- The Nature of a Will
- Formal Requirements
- Capacity
- Revocation, Republication and Revival
- Obliterations, Interlineations and Alterations
- Construction-General
- Construction-Specific
- Grants of Representation
- Administration and Distribution of the Estate

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Professional Task	2 hours	25	N	Individual
Intra-session Exam	2 hours	45	N	Individual
Viva Voce	30 minutes	30	N	Individual

Teaching Periods

Spring (2023)

Online

Online

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View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS6008_23-SPR_ON_2#subjects)