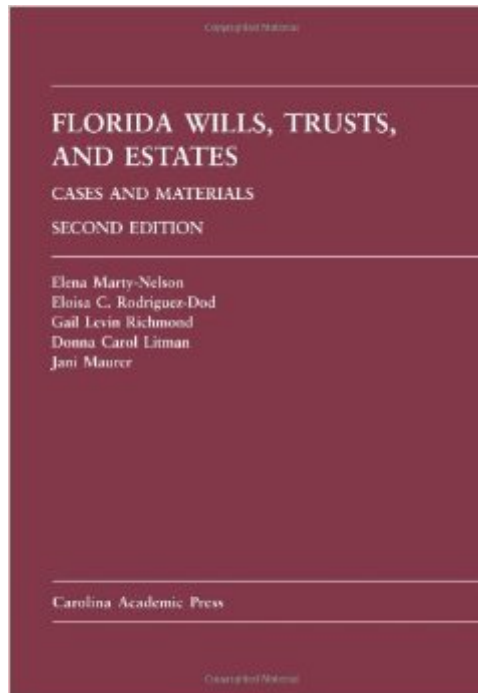


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Florida Wills, Trusts, And Estates: Cases And Materials, 2nd



Synopsis

The second edition of this unique casebook provides a comprehensive treatment of wills and trusts by examining Florida statutes and judicial decisions in the area. Because the laws governing wills and trusts reflect state law adoption of (or variance from) uniform laws, a state-focused book lets students focus on a coherent set of rules. Florida law is particularly well suited for studying wills and trusts. Florida has a well-developed probate code and its common law wills and trusts decisions address issues in fascinating factual situations that students find engaging. Moreover, in 2006 Florida adopted its version of the UTC referred to as the Florida Trust Code (FTC), effective July 1, 2007, making Florida a perfect platform for studying modern trusts law and practice. Although Florida law is the focus, this casebook includes discussions of the common law from other states and uniform codes (particularly the UPC and UTC), particularly when they differ significantly from Florida law. Demonstrating how Florida law varies from that of other states (or uniform codes) serves a pedagogical purpose. It crystallizes the issues students will face when they practice wills and trusts by allowing them to see how other states may resolve these issues. This casebook may be productively used by students who expect to practice in Florida or in other states. Although the case or statutory law differs from state to state, the concepts and issues students will encounter and ponder are the same. This casebook is also unique in the breadth and depth of its coverage in that it covers trusts as extensively as it does wills. That coverage recognizes modern trends in family wealth planning. It also treats topics that relate to both testate and intestate estates together. Covering topics such as disclaimers, slayer statutes, and simultaneous death together reinforces students' understanding of the statutory rules and when the use of wills or other documents may be employed to achieve different outcomes. It introduces several related topics: durable powers of attorney and designations of health care surrogates; principal and income allocations; estate planning; and the probate process. These introductions are a useful bridge to such advanced courses as Elder Law, Estate Planning, and Probate Practice. Finally, this casebook includes wills and trusts forms, with extensive annotations provided by Northern Trust Corporation. We have found that students learn best when they can see various forms. We have designed this book to encourage students to think about the issues from the standpoint of both planners and litigators. Accordingly, we include numerous questions that require students to think about ways to draft or plan to avoid litigation. Notes accompanying cases suggest related issues and also guide students to think about even more nuanced problems. The second edition expands further on its coverage of new rules governing trusts and trustees and provides increased focus on topical planning techniques involving non-probate assets, elective share trusts, creditor protection planning, and

planning for incapacity. This edition includes statutory changes enacted through July 2010 and many recent judicial decisions. The second edition also includes more examples, revised and updated problems, and discussion questions that consider ethical issues and drafting alternatives. The problems are motivating and help make the subject appealing to students. A comprehensive teacher's manual is available. The teacher's manual analyzes all of the cases, discusses issues raised in each chapter, provides solutions to the problems, and suggests teaching methods for coverage of the materials.

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I used this in conjunction with the UPC and fastcase. Very helpful for explaining difficult concepts and intricacies. Note: didn't use for a class.

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