



SPRING 2026 SYLLABUS

Trusts and Estates
Law 330 (001) – (3 cr.)

INSTRUCTORS

[Thomas D. Yates](mailto:tyates2@gmu.edu) (tyates2@gmu.edu)

Office Hours: By appointment. Email to schedule.

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Office Hours: By appointment. Email to schedule.

CLASS MEETINGS

Mondays & Wednesdays, 9:40 – 11:05 am, in person

MATERIALS

- Sitkoff & Dukeminier, Wills, Trusts & Estates (11th ed. 2021)
E-book or physical book (student's choice)
- Various provisions of the Virginia Code (links will be provided)

Reading assignments for each class will be posted in Canvas.

GRADES

Exam. Grades in this course will be based primarily on a secure, closed-book final exam. The exam will have both multiple choice and short answer questions. Most of the questions on the exam will require you to apply the law to facts.

Participation. Your participation in classroom discussions can, in the instructors' discretion, alter your grade in the course by one increment. So, for example, if you earn a B+ on the exam, your grade in the course could be an A-, B+, or B, depending on your efforts to contribute to in-class discussions. Please note that you will need to make substantive contributions to in-class discussions on several occasions to avoid a downward adjustment.

PREREQUISITES AND COREQUISITES

None.

OVERVIEW AND LEARNING OUTCOMES

This course is about gratuitous transfers of property, with a focus on transfers at death by will, trust, and operation of law.

There are several layers of law relevant to gratuitous transfers of property at death, the most notable of which are state law and federal tax law. State law establishes the rules for creating and administering wills and trusts, and this course will focus on the state law. We will cover uniform laws, particularly in the trust context, and uniform or Virginia law in the other contexts. We chose Virginia over other states because (1) most Scalia Law graduates take the DC or Virginia bar exam, and, beginning in July of 2026, trusts and estates will be tested on the Virginia exam but not the DC exam, and (2) we practice Virginia law and are (we hope) less likely to be wrong about Virginia law than the law of other states.

Through this course, we will acquaint you with the principles of trusts and estates law. More specifically, we will cover the basics of the following: the default rules of inheritance (i.e., intestacy law and statutory rights); the requirements for the creation and modification of wills and trusts; interpretive issues in wills and trusts; the grounds for challenging wills and trusts; fiduciary administration; and the types and natures of beneficial interests in trusts. We will also address the rule against perpetuities, wealth transfer taxation, or remedial trusts, depending on class interest. We hope that by the end of the course, you will be able to spot and analyze some of the major issues in wills, trusts, and estates for the bar exam and the friends and family who will ask.

CLASSROOM POLICIES

PREPARATION & PARTICIPATION

We have kept the reading assignments to a manageable number of pages per class, and we expect students to have completed the assigned reading before each class.

We expect each student to make substantive and regular contributions to discussions in the classroom. Your contributions to in-class discussions can affect your final grade as an upward or downward participation adjustment.

ATTENDANCE

Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

USE OF TECHNOLOGY & AI

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, study, explore, and otherwise prepare for discussions, assignments, and exams. Students may not use AI during classroom discussions, during any quiz or exam, or as the primary source for the content of written assignments. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

USE OF ELECTRONIC TEXT BOOKS DURING EXAMS

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's written exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

STUDENT RESOURCES

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

[Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:](#)

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703 -380-1434 or Counseling and Psychological Services (CAPS) at 703 -993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703 -993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)