

MODULE DESCRIPTOR

Module Title

Private Client			
Reference	LLM559	Version	2
Created	August 2023	SCQF Level	SCQF 11
Approved	March 2013	SCQF Points	20
Amended	August 2023	ECTS Points	10

Aims of Module

To develop the practical skills of taking instructions from clients, advising on testate and intestate succession, preparing wills, administering executries, preparing and advising on power of attorney documentation, guardianship and related applications. Developing a working knowledge of trusts and IHT matters.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Interview and take instructions from a client for preparation of wills. Write to the client advising on basic matters in relation to estate planning, including the giving of simple tax planning advice and plan and draft a suitable will and other testamentary documentation for a client taking account of the tax implications.
- 2 Advise a client on matters in relation to intestate succession including prior rights and legal rights, distribution of the estate, identify the appropriate executor on intestacy and draft the related documents. Acquire knowledge of Bond of Caution.
- 3 Understand and apply the law of testate succession and interpretation of wills. Learn how to administer an executry, demonstrate an awareness of the implications of income tax, capital gains tax and Inheritance tax on the executries and beneficiaries. Gain awareness of the forms that are required in the winding up of an estate. Gain awareness of the exemptions and allowances available to estates.
- 4 Understand and explain the law on trusts including tax implications and be able to recognise different types of trusts.
- 5 Draft appropriate documentation for appointment of power of attorney or guardians / intervenors. Be aware of timescales surrounding these. Be aware of the role of the Office of the Public Guardian in Scotland. Have an ability to advise on options of executing advance medical directives and the requirements surrounding these.
- 6 Communicate with clients and other solicitors and businesses by letter, telephone and email in a professional manner. Appreciate when the most appropriate time is to use each of the above methods. Have an awareness of any Law Society guidance related to any of your areas of practice.

Indicative Module Content

Interview skills, professional communication by letter writing, telephone and email, testate and intestate succession, drafting testamentary and intestate documents, tax planning, administering an executry, law of trusts, the law on incapacity, appointment of attorney or guardian, advance medical directives.

Module Delivery

Small group tutorials/seminars, role play, problem solving, drafting exercises and portfolio building

Indicative Student Workload

	Full Time	Part Time
Contact Hours	52	52
Non-Contact Hours	148	148
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	200	200
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type: Coursework Weighting: 100% Outcomes Assessed: 1, 2, 3, 4, 5, 6

Description: Role play and written coursework exercises

Component 2

Type: Coursework Weighting: 0% Outcomes Assessed: 1, 2, 3, 4, 5, 6

Description: Class participation

MODULE PERFORMANCE DESCRIPTOR

Explanatory Text

The module is assessed by way of a single assessment component weighted at 100%. Additionally there is a participation requirement which is assessed on a pass/fail basis. Relative to the participation requirement each student is normally required to pass such on-campus activities as identified in the module. Non-submission or non-completion of the competencies will result in an NS grade. An overall minimum grade D is required to pass the module.

Module Grade	Minimum Requirements to achieve Module Grade:
A	A:Pass
B	B:Pass
C	C:Pass
D	D:Pass
E	E:Pass
F	F:Pass
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module

None.

Corequisites for module

None.

Precluded Modules

None.

ADDITIONAL NOTES

The book Currie on Confirmation is available to all students who can access Westlaw on the RGU website. The course notes are on the Moodle page for this module.

INDICATIVE BIBLIOGRAPHY

- 1 GIBB, A. and GORDON, A., LAW BASICS - SUCCESSION. *Succession..* most up to date ed. Edinburgh: W. Green. (Law Basics series)
- 2 SCOBIE E.M., 2010. *Currie on Confirmation of executors*. 9th ed. Edinburgh: Thomson/W. Green Available through Westlaw.