



# Decedents' Estates: Cases and Materials (Carolina Academic Press)

*Raymond C. O'Brien, Michael T. Flannery*

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Decedents' Estates: Cases and Materials, Second Edition offers a current and refined look at the most recent developments in the law of wills, trusts, and estates while retaining the structure and clarity of the first edition. To present a focused overview of the most recent changes occurring within the field, the book uses Tool Bars that introduce each chapter, comprehensive statutory analysis relevant to each topic, and insightful Notes expanding upon each case. The authors discuss the current posturing of states adopting the Uniform Trust Code, the most recent amendments to the Uniform Probate Code, the effect of the federal estate tax laws, and the most modern views on constantly expanding issues such as spousal elective share, non-biological heirship, same-sex inheritance rights, and the proliferation of non-probate transfers. The authors also respond to the effect of the ongoing economic collapse by integrating a comprehensive overview of the rules of prudent investing and their significance to the modern trust and estate practitioner. The second edition offers a refreshing insight on what is new, but it also respects what continues to motivate so much change family. Through an introductory hypothetical, Chapter One of the text introduces a myriad of issues that every family will confront upon the death of a family member, and that every professor will address in a course on decedents' estates. Each chapter then incorporates and dissects these issues, from the formulae underlying the rules of intestacy in Chapter Two and the statutory requirements of wills in Chapter Three, to government restraints on the transfer of wealth in Chapter Five, the utilization of trusts in Chapter Seven, and the planning for incapacity in Chapter Eight. From start to finish, the text offers a modern perspective on an ever-changing area of law that every professor and student of the subject must recognize and consider. With a variety of cases, statutes, forms, and web-based resources, this text offers a clear and comprehensive resource for professors to engage these considerations, and for students to enter the field of wills, trusts and estates with clarity and confidence.

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