

LAW407 Wills, Estates and Elder Law

School: School of Law and Society

2025 | Semester 1

UniSC Sunshine Coast
UniSC Moreton Bay

**BLENDED
LEARNING**

Most of your course is on campus but you may be able to do some components of this course online.

Online

ONLINE

You can do this course without coming onto campus, unless your program has specified a mandatory onsite requirement.

Please go to usc.edu.au for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1. Description

In this course you will study legal issues of particular significance to aged persons ('elders'). Some issues - such as aged care accommodation - affect elders alone. Others - such as impaired decision-making capacity, enduring powers of attorney, social security entitlements, age discrimination, wills and family provision obligations - are of special importance to elders. You will also consider the ethical obligations of lawyers, executors, carers and guardians.

1.2. How will this course be delivered?

| ACTIVITY | HOURS | BEGINNING WEEK | FREQUENCY |
|---|-------|----------------|-----------|
| BLENDED LEARNING | | | |
| Learning materials – Online Learning Materials | 1hr | Week 1 | 12 times |
| Tutorial/Workshop 1 – On-Campus Tutorial | 2hrs | Week 2 | 10 times |
| ONLINE | | | |
| Learning materials – Online Learning Materials | 1hr | Week 1 | 12 times |
| Tutorial/Workshop 1 – Online Tutorial | 2hrs | Week 2 | 10 times |

1.3. Course Topics

Wills, enduring documents and asset identification

Legal capacity

Accommodation

Estate administration

Negligence (wills)

Abuse and discrimination

Family provision applications

1.4. Mature Content

Violence, Adult themes

2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

| COURSE LEARNING OUTCOMES | | GRADUATE QUALITIES |
|---|--|--|
| On successful completion of this course, you should be able to... | | Completing these tasks successfully will contribute to you becoming... |
| 1 | Research, evaluate and synthesise relevant factual, legal and policy matters in relation to wills, estates and elder law. | Knowledgeable Creative and critical thinker |
| 2 | Apply critical thinking, legal and ethical knowledge and judgement to generate appropriate responses to legal issues about wills, estates and elder law. | Creative and critical thinker Ethical |
| 3 | Communicate effectively to different audiences in a required format. | Empowered Engaged |

5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1. Pre-requisites

(LAW202 and LAW204 and LAW206) or (LAW100 and LAW105)

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

Not applicable

5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

6.2. Details of early feedback on progress

Early feedback will be provided by course staff throughout the tutorials.

6.3. Assessment tasks

| DELIVERY MODE | TASK NO. | ASSESSMENT PRODUCT | INDIVIDUAL OR GROUP | WEIGHTING % | WHAT IS THE DURATION / LENGTH? | WHEN SHOULD I SUBMIT? | WHERE SHOULD I SUBMIT IT? |
|---------------|----------|-----------------------------------|---------------------|-------------|--------------------------------|-----------------------|--|
| All | 1 | Written Piece | Individual | 30% | 1500 words | Week 5 | Online Assignment Submission with plagiarism check |
| All | 2 | Written Piece | Individual | 20% | 1000 words | Week 10 | Online Assignment Submission with plagiarism check |
| All | 3 | Examination - Centrally Scheduled | Individual | 50% | 3 Hours | Exam Period | Online Assignment Submission with plagiarism check |

All - Assessment Task 1: Memorandum of advice

| | | | |
|-----------------|---|--|---------------------------|
| GOAL: | To research, evaluate and synthesise relevant factual, legal and policy matters; apply critical thinking, legal and ethical knowledge and judgment to generate appropriate responses to legal issues; and communicate effectively in the required format when providing advice. | | |
| PRODUCT: | Written Piece | | |
| FORMAT: | Written work in the form of a professional memorandum of advice, 1500 words (not counting references). | | |
| CRITERIA: | No. | | Learning Outcome assessed |
| | 1 | Research, evaluation and synthesis | 1 |
| | 2 | Application of critical thinking and judgement to generate appropriate responses to legal and ethical issues | 2 |
| | 3 | Effective written communication and presentation in the required format | 3 |
| GENERIC SKILLS: | Communication, Problem solving, Organisation, Information literacy | | |

All - Assessment Task 2: Letter of advice

| | | | |
|-----------------|---|--|---------------------------|
| GOAL: | To research, evaluate and synthesise relevant factual, legal and policy matters; apply critical thinking, legal and ethical knowledge and judgment to generate appropriate responses to legal issues; and communicate effectively in the required format when responding to a client. | | |
| PRODUCT: | Written Piece | | |
| FORMAT: | A letter of advice (1000 words, not counting references) | | |
| CRITERIA: | No. | | Learning Outcome assessed |
| | 1 | Research, evaluation and synthesis | 1 |
| | 2 | Application of critical thinking and judgement to generate appropriate responses to legal and ethical issues | 2 |
| | 3 | Effective written communication and presentation in the required format | 3 |
| GENERIC SKILLS: | Communication, Problem solving, Organisation, Information literacy | | |

All - Assessment Task 3: Final Examination

| | | |
|------------------------|---|---|
| GOAL: | In this task, you will demonstrate your knowledge and application of Wills, Estates and Elder Law in response to unseen exam questions. | |
| PRODUCT: | Examination - Centrally Scheduled | |
| FORMAT: | This assessment task is an online, open-book exam. | |
| CRITERIA: | No. | Learning Outcome assessed |
| | 1 | Evaluation and synthesis of relevant legal, factual and policy matters 1 |
| | 2 | Application of critical thinking and judgement to generate appropriate responses to legal and ethical issues 2 |
| GENERIC SKILLS: | Collaboration, Problem solving, Organisation | |

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

There are no required/recommended resources for this course.

8.2. Specific requirements

Nil

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

10.2. Assessment: Additional Requirements

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

- (a) The final mark is in the percentage range 47% to 49.4%; and
- (b) The course is graded using the Standard Grading scale

10.3. Assessment: Submission penalties

Late submissions may be penalised up to and including the following maximum percentage of the assessment task's identified value, with weekdays and weekends included in the calculation of days late:

- (a) One day: deduct 5%;
- (b) Two days: deduct 10%;
- (c) Three days: deduct 20%;
- (d) Four days: deduct 40%;
- (e) Five days: deduct 60%;
- (f) Six days: deduct 80%;
- (g) Seven days: A result of zero is awarded for the assessment task.

The following penalties will apply for a late submission for an online examination:

Less than 15 minutes: No penalty

From 15 minutes to 30 minutes: 20% penalty

More than 30 minutes: 100% penalty

10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email safe@usc.edu.au.

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10.General Enquiries

In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au