**Comparative Succession Law**

**Lecturer:** Karen J. Sneddon

**Email:** sneddon\_kj@law.mercer.edu

**Availability:** I will be available 30 minutes before and 30 minutes after each class meeting. I will also schedule appointments as needed, and I would be happy to respond to questions via email.

**Course Description**

This course will provide students the opportunity to gain a comparative perspective on the private law governing the gratuitous transfer of property upon death, commonly referred to as “succession.” Primarily, although not exclusively, comparing common law based approaches and civil law based approaches, the course will consider how social, cultural, economic, and technological changes have altered our understanding of family relationships and property such that succession laws, once thought a local matter, may need to be globally harmonized and even unified. The course will include comparisons of intestate succession, testate succession, nonprobate succession, trusts, and miscellaneous issues concerning estate administration.

**Course Schedule**

This block seminar will have 10 class meetings with each class meeting being 90 minutes. The class meetings will be held Monday through Friday during the week of October 7 and the week of October 14. The course will begin by establishing the foundational succession principles for various legal systems, with particular attention devoted to common law based and civil law based legal systems. The course will compare designations of heirs, analyze the role of testate succession (e.g., wills) and nonprobate succession (e.g., will substitutes) in estate planning, and evaluate the impact of trusts (and trust-like relationships) on the management and transfer of property. The course will conclude by considering the future of succession, including potential reforms.

**Course Materials**

Professor supplied materials will be distributed via Neptun. The readings will include selected primary materials (such as constitutions, cases, and statutes) and secondary materials (such as excerpts of law review articles). PowerPoints will be available for each class meeting.

**Assessment**

Assessment will be based upon the following criteria:

 15% Participation

* Class attendance
* Responses to questions during class
* Completion in-class learning activities/exercises

25% Response Paper

* 500 – 750 word paper based upon the first week of class meetings

 60% Final Exam

* Take Home, Open Book Essay Exam
* 3 questions

**Learning Outcomes**

By the conclusion of the course, students will be able to do the following:

* contrast the foundational principles underlying succession in different legal systems
* compare the mechanics of probate succession and nonprobate succession
* analyze the methods for determining heirs considering the influence of changes in family law
* describe the different types of property subject to disposition in light of financial and technological innovations
* identify strategies that a property owner may use to opt out/alter the otherwise governing laws of succession
* predict future reforms for succession laws based upon demographic changes, expanding definitions of family, and creation of new forms of property interests

**Lecturer’s Biography**

Karen J. Sneddon is a Professor of Law at Mercer University School of Law in Macon, Georgia, United States. Professor Sneddon has fifteen years of teaching experience, and she has taught at three different U.S. law schools in the areas of succession, legal writing, real estate transactions, and family law. Before entering academia, Professor Sneddon practiced in the area of trusts & estates in New York City. Karen has published eighteen law review articles (copies available at http://ssrn.com/author=1237699), thirteen essays, and one textbook published by Wolters Kluwer. Her scholarship has been cited in the comments of the Uniform Probate Code, the Annotations of the Louisiana Civil Code, judicial opinions, treatises, casebooks, law review articles, trade magazines, and blogs. She has been a long-time columnist for the *Georgia Bar Journal*, co-authoring the regular column “Writing Matters.”