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Wills, Trusts, And Estates (Casebook)



Synopsis

Regarded as one of the best casebooks available for any course, this comprehensive text combines interesting cases, well-tailored notes, and a clear organization into an excellent teaching tool. The new Seventh Edition retains the late Jesse Dukeminier's unique blend of wit, erudition, insight, and playfulness and covers all the key topics in a logical, clear organization. Included are interesting cases that are not only fun to read, but fun for professors to teach as well. Cases are enhanced and connected to broader legal principles by well-written notes, questions, and problems and cartoons, illustrations, and photographs provide humorous interruptions and visual commentary at appropriate places within the text. New authors James Lindgren and Robert Sitkoff updated the book to reflect legal change while remaining careful to retain the same interesting mix of cases, engaging notes and flexible organization that makes this a highly successful casebook. Additions and improvements to the previous edition include due attention to new developments in law reform by the ALI and NCCUSL such as: Restatement Third, Trusts (2003, Uniform Trust Code (2000) including proposed 2004 amendments, Restatement (Third) of Property: Wills and Other Donative Transfers (2001, 2003) and Uniform Disclaimer of Property Interests Act (2002). Attention is given to ongoing developments in the law such as inheritance rights of posthumously conceived children, standing of donors in suits against the trustees of charitable trusts, the rise of domestic offshore self-settled spendthrift trusts, the erosion of the rule against perpetuities and the rise of the perpetual, generation-skipping trust. There is enhanced coverage of increasingly important topics such as fiduciary administration and trust investment law (including modern portfolio theory, diversification, the principal and income problem, and measuring damages; and inheritance rights of same-sex partners, inheritance rights of children, with comparison to the other common law countries (which are far more generous to children). Also included is a more logical presentation of nonprobate transfers and their role in estate planning, fully updated tax chapter with attention to new developments such as the Economic Growth and Tax Relief Reconciliation Act of 2001. Notes, questions, and problems have been revised throughout where appropriate in light of the foregoing and other developments.

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Customer Reviews

Jesse Dukeminier of Los Angeles died April 20, 2003. He was professor emeritus at UCLA School of Law, where he taught property law for 40 years, and wrote "Property" and "Wills, Trusts, and Estates." He was the first UCLA Law faculty member to receive a University Distinguished Teaching Award, was twice elected professor of the year and recently received a Lifetime Achievement Award in Teaching. He also practiced law with a Wall Street firm, taught at the University of Chicago and was a visiting professor at HLS from 1989 to 1990. During WWII, he served in the U.S. Army.

Stanley M. Johanson, who joined the Texas faculty in 1963, was in the inaugural group of professors who were elected, in 1995, to the University of Texas Academy of Distinguished Teachers, whose purpose is to give public recognition to outstanding classroom teachers at the University of Texas at Austin. Professor Johanson teaches courses on Wills & Estates and Estate Planning. He is the co-author of *Wills, Trusts and Estates* (Aspen, 6th ed., 2000), which is used in over 120 American law schools, and is the author of *Johanson's Texas Probate Code Annotated* (West, 2003) and "Wills," in the *Gilbert Law Series* (Bar/Bri Group, 2003). In 1997, Professor Johanson received the Treat Award for Excellence, the highest honor bestowed by the National College of Probate Judges. Professor Johanson is a member of the American Law Institute, an Academic Fellow of the American College of Trusts & Estates Council, and an Academic Fellow of the American College of Tax Council. The former editor-in-chief of the *Washington Law Review* and a Teaching Fellow at the Harvard Law School in 1961-63, Professor Johanson is Of Counsel to Vinson & Elkins, a Houston law firm. New co-author James Lindgren has been a Professor of Law at Northwestern University since 1996, where he teaches Estates and Trusts, Criminal Law, Professional Responsibility, and Social Science Research. Lindgren has also taught at the Universities of Chicago, Virginia, Texas, and Connecticut and Chicago-Kent College of Law. He has published in many leading law journals, including the *Harvard*, *Stanford*, *Chicago*, *Columbia*,

Pennsylvania, Georgetown, UCLA, and California Law Reviews. In recent years Lindgren has published historical pieces on probate in the Yale Law Journal and William and Mary Law Review. Lindgren, who began his legal career practicing Estate Planning, has also published on formalities and the taxation of private foundations. He is a former chair of the AALS Sections on Scholarship and on Social Science and the Law. New co-author Robert H. Sitkoff is an Associate Professor of Law at Northwestern University, where he teaches Estates and Trusts, Business Associations, Contracts, and Law and Economics. Sitkoff has received a Dean's Teaching Award at Northwestern and was elected Outstanding Teacher of a First-Year Course by the student body. He has also taught Trusts and Estates at the University of Michigan, and in the next few years he will be a visiting professor teaching Trusts and Estates at Yale, Harvard, and NYU. Sitkoff's scholarship, which has been published in leading law journals such as the Yale Law Journal and the University of Chicago and Cornell Law Reviews, focuses primarily on the law of trusts and estates and on business organizations. In addition to his teaching and writing, Sitkoff is the Reporter for the Uniform Statutory Trust Act. Before joining the Northwestern faculty in 2000, Sitkoff was a law clerk to Chief Judge Richard A. Posner of the U.S. Court of Appeals for the Seventh Circuit.

This book is of course informative. It is comprehensive. But what sets it apart is the fact that it is very educative and well written. The authors ask you to think deeply about the philosophy behind the "right" to pass down property to one's heirs, and then proceed to complicate conventional wisdom by pointing out that this is by no means a "right" in many places on planet earth. They also complicate the picture further by furnishing examples from French and Spanish common law as well as outstanding examples from Indian and slave law. How should the federal government properly discharge its trust obligations to Indian tribes? How can property own property? Very vexing questions indeed. Do yourself a favor and pick this one up. I'm not a lawyer, just a DIY autodidact, and I appreciate this book's intellectual substance immensely, not just its command of the facts. This seventh edition is current and anticipates the 2010 and 2011 anticipated "changes" to the tax code, along with some excellent insight. Don't just get it because this casebook provides good "training" on the subject of Wills, Trusts, and Estates. Get it because the enthusiasm the authors bring to the subject shines through on almost every page and because this is a very important subject that every citizen in a "democracy" like ours needs to know.

Prof said the law in this area changed tremendously. I'm trying to follow along in this book, but it's hard (she recommended the latest). They changed around all the information, added pictures, and

made some terms red. I've read through the current edition and I find it really easy to follow. But I love this area of law.

Truly excellent textbook. Takes a complicated and tedious area of law and makes the reading engaging, entertaining, and relevant. This is the perfect introduction to the law of Wills, Trusts, and Estates in the United States. Thorough coverage of relevant law, interesting (often current) cases, thought provoking commentary, and entertaining footnotes.

The rating has nothing to do with the seller, just thought the book would be more informative

everything i expected

I was really thrilled to find this book, get it brand new without any marks, and buy it for a super competitive price - the lowest on at the time. Additionally, the seller verified that I wanted to buy this edition before shipping & promptly shipped it out, ensuring that I received my book in 2 business days. Overall, I'm pleased with the service I received & recommend the seller.

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Very good experience. Book in brand new condition, came very quick. Would definitely buy from this seller again.

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