

1) Powers of Attorney - Uniform Financial Power of Attorney Act

- a) General authority of agent
- b) Hot Powers
- c) Action for Accounting/Construe Document
- d) Fiduciary Toolbox

2) Health Care Decision Making

- a) Medical Proxy
- b) Living Will
- c) Mpoa
- d) Anatomical gifts

3) Special needs planning

- a) Single Transaction Conservatorship/First party Trust
- b) Third party testamentary trust

4) Wills

- a) Requirements for witnessing and execution
- b) Writings intended as wills (15-11-503)
- c) self-proving will
- d) choice of law as to execution
- e) revocation of wills
- f) revocation by change of circumstances

- g) revival of revoked will
- h) personal property memorandum
- i) Duty to Lodge

5) Construction of Wills

- a) Antilapse
- b) Ademption by satisfaction
- c) Failure of testamentary provision
- d) Requirement of survival

6) Effect of other events on estate

- a) Effect of divorce, annulment and decree of separation
- b) Effect of homicide (slayer statute)

7) probate formal v informal

- a) informal testate v intestate
 - i) appointment of personal representative
 - ii) mandatory filings
 - iii) sale or distribution of real property
 - iv) informal closing
- b) formal
 - i) petition
 - ii) notice

- iii) hearing
- iv) post hearing obligations
- v) formal closing
 - (1) inventory
 - (2) accounting

8) Other issues in probate administration

- a) supervised administration
- b) priority for appointment of personal representative
- c) responsibilities of personal representative
- d) authority of personal representative
- e) actions against a personal representative (fiduciary toolbox)
- f) creditors claims
 - i) notice
 - ii) acceptance/disallowance of claim
 - iii) petition by creditor after disallowance
- g) insolvent estate
- h) unknown heirs (escheat)
- i) affidavit for transfer of personal property
- j) non-probate assets
- k) family settlement

9) spousal claims

- a) family allowance
- b) exempt property allowance
- c) election against the will
- d) common law marriage

10) Minors

- a) Power of Attorney for minor
- b) UTMA
- c) Guardianship for minor
 - i) GAL not mandatory
 - ii) Counsel may be appointed
 - iii) Notice requirements
 - (1) Notice by Publication and Proof of Publication
 - (2) Affidavit of due diligence
- d) Hearing
 - i) Mandatory Findings
 - ii) Authority of Guardian
 - iii) Duties of Guardian (reports not mandatory)

11) Guardian for Adult (Emergency)

- a) Petition
- b) Appointment of Counsel

- c) Findings for emergency appointment
- d) Duration
- e) Notices required when emergency guardian is appointed

12) Guardian for Adult

- a) Petition
- b) Court Visitor
- c) Petitioner's role
- d) Priority for appointment as guardian
- e) Role of the GAL
- f) Hearing
 - i) Finding of incapacity
 - ii) providing appropriate limitations to authority of guardian
- g) Responsibility of guardian
- h) Authority of guardian
- i) Post hearing matters

13) Conservatorship

- a) Alternatives to Appointment of Conservator
 - i) Single transaction
 - ii) Limited conservatorship
 - iii) Creation of Trust
 - iv) Review/Construction of a power of attorney

- b) Role of petitioner
- c) Protections against fiduciary malfeasance
 - i) restrictions on accounts
 - ii) orders restricting sale or encumbrance of real property
 - iii) bond
- d) Responsibility of conservator
- e) Authority of conservator

14) Jurisdiction For Adults

- a) Guardianship – where the individual resides or is located
- b) Conservatorship – where the individual resides, is located or where property is located
- c) transfer of jurisdiction
 - i) within Colorado
 - ii) from Colorado to another state
 - iii) To Colorado from another state
- d) full faith and credit

15) Fiduciary Fees

16) Trusts

- a) Duty to Register
- b) Powers and duties of trustee
- c) Termination and modification of trusts

- d) Revocation of trusts
- e) Title to trust property
- f) Trusts for pets
- g) Spendthrift trusts
- h) Resulting trusts
- i) Jurisdiction

17) Public Administrators