

# Introduction to wills and estates

2020/2021 CPD year

## Overview

Designed for junior legal staff and more senior practitioners looking to pivot into a new area of practice, this introductory course will develop your succession law knowledge and skills. You will explore the fundamentals of wills and estates beginning with an overview of the principal legislative framework then moving on to receive practical guidance on estate planning, including preparing wills, general and enduring powers of attorney and deceased estate documentation. Then you will expand on your understanding of the estate administration and litigation process, including probate, distribution to beneficiaries, and intestacy.

This self-paced course features a roster of preeminent mentors who will share their practical, useful tips along the way. It's designed to equip you with the basics you need to confidently manage your next wills and estates matter.

This is a self-paced online learning course, with completion due by 31 March 2022.

**6+ CPD Points**



---

5 min

### Welcome remarks

A brief welcome and overview of the content that will be covered in this course.

Presenter: **Sharon Sangha**, Professional Development Solicitor, Queensland Law Society

---

15 min

### Wills and estates: The big picture

This session will provide you with an overview of the principal legislation and common legal terminology and concepts relevant to succession law. In particular, the following questions will be answered:

- What is succession law?
- What is the role of the attorney?
- What is the role of the trustee?
- What is the role of the executor?
- What is the role of the administrator?
- What is the role of the guardian?

Presenter: **Michelle Davis**, Principal Lawyer & Director, Michele Davis Estate Law; Adjunct Lecturer & Practice Area Leader (Wills & Estates and Estate Planning), College of Law

---

80 min

### Estate planning: Drafting a general and an enduring power of attorney

1 CPD



This session will include both theory and practical exercises in relation to common scenarios and discusses:

- The difference between a General and an Enduring Power of Attorney
- The purpose of an Advance Health Directive
- Preparation and execution of documents

Presenters:

**Jeneve Frizzo**, Principal, The Will and All; Accredited Specialist (Succession Law) – Qld and Member, Queensland Law Society Succession Law Committee

**Sally-Ann Hayward**, Associate, The Will and All

---

90 min

### Estate planning: Drafting a will

1.5 CPD



This session will guide you through common issues that need to be addressed when drafting valid wills, including the following concepts:

- Requirements for a will
- Taking instructions
- Testamentary capacity
- Common clauses
- What can and cannot be disposed in a will
- Changing or revoking a will
- Codicils

Presenter: **Michelle Davis**, Principal Lawyer & Director, Michele Davis Estate Law; Adjunct Lecturer & Practice Area Leader (Wills & Estates and Estate Planning), College of Law

---

---

160 min

## Estate administration and estate litigation

2.5 CPD

This session will introduce you to important definitions and focuses on the steps taken to administer an estate. Guidance will be offered on what to look out for in order to avoid being the subject of litigation. The session will cover:



- Probate (solemn form) and letters of administration applications
- Distribution of beneficiaries
- Intestacy
- Maintaining an estate trust account
- Interpretation of a will
- Family provision applications
- Suspicious circumstances surrounding a will

Presenters:

**Christine Smyth**, Principal, Christine Smyth Estate Lawyers; Former President, Queensland Law Society and Accredited Specialist (Succession Law) – Qld

**Angela Cornford-Scott**, Director, Cornford-Scott Lawyers; Accredited Specialist (Succession Law) –Qld and Chair, Queensland Law Society Succession Law Committee

---

30 min

## Practical tips for dealing with the Probate Registry

0.5 CPD

This practical session will provide you with tips from an experienced practitioner on how to interact with the Probate Registry. It will include both theory and practical exercises in relation to common scenarios in applying for probate, plus discussion on:



- Probate applications
- Avoiding requisitions – common mistakes
- Court forms

Presenter: **Prue Poole**, Principal, McInnes Wilson Lawyers and Accredited Specialist (Succession Law) – QLD

---

50 min

## What could possibly go wrong? Practical tips to avoid common mistakes

1 CPD

It is always good to learn from the mistakes of others. This session provides you with practical risk management advice and discusses the following:



- Overview of disciplinary claims
- Risks and common claims
- Hints and practical tips
- Useful links and resources

Presenter: **Stafford Shepherd**, Principal Ethics and Practice Counsel - QLS Ethics and Practice Centre

---