

## Unit 5 Assignment: Will Terminology and the Effect of Creditor Claims

**Due Date:** 11:59 p.m. EST, Sunday of Unit 5

**Points:** 100

### Overview:

This assignment assesses concepts based on the Unit 5 readings and resources. There are 4 essay questions included. Each answer should use your textbook as a source. You may use outside sources to *enhance* your answer. Review your answers and compare it to the question to ensure you answered what is being asked. If there are multiple parts, be sure to answer each part completely.

### Instructions:

Write a paper including your answers to the following essay questions:

1. The article about Aretha Franklin mentions her significant debt to the IRS. Explain the process of abatement, and using one of her holographic Wills, describe how the abatement process would affect the distribution of legacies and devises according to that Holographic Will. Use both the textbook and article links for your citations. (2-3 paragraphs)
2. Using your textbook, explain the term "per stirpes" and how it differs from "per capita" distribution in intestate succession. After each definition, provide an example. (2-3 paragraphs)
3. Explain the inheritance rights of a surviving spouse (this is NOT a discussion of the intestate statutes we discussed in the forum. Look to the readings--what can a spouse do if the testator tries to disinherit him/her?). (3-4 sentences)
4. Explain the advantages and disadvantages of a Will. (2-3 paragraphs)

**Be sure to read the criteria by which your work will be evaluated before you write and again after you write. See the grading rubric on the following page.**

## Evaluation Rubric for *Unit 5 Essay Questions* Assignment

CRITERIA	Deficient	Needs Improvement	Proficient	Exemplary
	<i>(0-35 points)</i>	<i>(36-47 points)</i>	<i>(48-53 points)</i>	<i>(54-60 points)</i>
<b>Content</b>	Subject matter is minimally addressed. Opinions are offered, but arguments lack scholarly backing.	Subject matter is adequately addressed. Arguments are partially supported by scholarly research.	Subject matter is fairly well addressed. Arguments are supported by scholarly research but could be further elaborated with specific details.	Subject matter is thoroughly addressed. Arguments are well elaborated and fully supported by scholarly research and specific examples.
	<i>(0-11 points)</i>	<i>(12-15 points)</i>	<i>(16-17 points)</i>	<i>(18-20 points)</i>
<b>Clear and Professional Writing and APA Format</b>	Errors impede professional presentation; writing and formatting guidelines are not followed.	Numerous errors exist that interfere with a professional presentation.	Writing and formatting guidelines are being followed but have a few errors that do not impede professional presentation.	Writing and formatting guidelines are being followed and are clear, professional, APA compliant, and error-free.
	<i>(0-5 points)</i>	<i>(6-7 points)</i>	<i>(8 points)</i>	<i>(9-10 points)</i>
<b>Structure and Flow</b>	Flow is poor. Paragraphing is inappropriate. Transitions are minimal or absent. Significant redundancy is evident.	Flow is adequate. Paragraphs may be too long or too short. Transitions are minimal, and redundancy is evident.	Flow is good. Paragraphing is mostly appropriate. Transitions are present, and redundancies are minimal.	Flow is excellent. Paragraphing is clear, and transitions are smooth and consistent. Inappropriate redundancies are absent.
<b>Scholarly Sources</b>	Required scholarly sources are not used in the assignment.	Required scholarly sources are not included, and may not be well represented within the assignment.	Required scholarly sources are included, but content discussion is not well represented within the assignment.	Required scholarly sources are included. Scholarly source content is well represented within the assignment.