

**Trusts and Wills**

1. Under what conditions do courts impose a constructive trust?
2. Identify and describe the following types of wills.
  - a. Holographic
  - b. Nuncupative
  - c. Soldiers' and sailors' will
3. In 1970, Boyd created a trust that would become effective on his death. In the trust instrument, Boyd specified that all of the income from his stocks and bonds be used for the benefit of St. John's Hospital and indicated that his brother Chad should administer the trust.
  - a. What kind of trust is this?
  - b. What is Boyd with relationship to the trust?
  - c. What is the corpus of the trust?
  - d. What is Chad with relationship to the trust?
4. In 1975, Jack executed a valid will in which he left his entire estate to the Heart Fund. In 1980, Jack was declared incompetent and committed to an institution. At his death in 1985, his son, Brian, who was his sole survivor, contested the will claiming that Jack was obviously incompetent. Will Brian prevail with this argument? Explain.
5. Clarence is the trustee of a trust. With \$75,000 of his own money, Clarence purchases a parcel of real estate. Two months later, he sells the parcel to the trust for \$150,000 and pockets the profit. Discuss the situation in terms of the duties and powers of the trustee.
6. Darrell executed a will fifteen years ago. Now he has changed his mind about how he wants his estate distributed and who he wants to appoint as executor. Discuss how Darrell may revoke his will.