

WILLS & TRUSTS

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Sample Objective Questions

1. Father made an inter vivos gift to Daughter of \$25,000. Father died intestate survived only by Daughter and Son with a distributable estate of \$75,000. If Son receives \$50,000 from Father's estate, which **one** of the following would be the **most likely** explanation?

- A. Father's gift to Daughter was a satisfaction.
- B. Father's gift to Daughter was an advancement.
- C. Daughter executed a valid disclaimer of her entire intestate share.
- D. Father's gift to Son was augmented following the doctrine of dependent relative revocation.

2. Which of the following is/are correct statements regarding will formalities or the surrounding events? Give **all** correct choices.

- A. Nuncupative wills need to be signed by at least two credible witnesses.
- B. A will written in pencil is unwise but would nevertheless satisfy the writing requirement.
- C. Most states require three witnesses for a valid will.
- D. The testator and witnesses should execute a self-proving affidavit after the will is executed, instead of prior to its execution.

3. Testator's valid will contains a provision which reads, "I leave my 1970 AMC Gremlin automobile to George Smith." When testator dies, the executor discovers that Testator owned a 1974 Gremlin and a 1970 Pacer. Under which **one** of the following topics would the executor be **most likely** to find cases relevant to this problem?

[choices are found on the next page]

- A. Facts of independent significance.
- B. Incorporation by reference.
- C. Patent ambiguity.
- D. Latent ambiguity.