

International Law

The Hard Cases Activity for Chapter Zero
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The use of hypotheticals in legal education is a time-honored technique. Hypotheticals allow a professor to create a case with a limited number of facts, thus forcing the student to focus on the relative value of the presented facts. As the students' familiarity with court cases (and legal reasoning) increases, real-life situations can be introduced. Until that point, it is quite helpful to focus on a smaller number of facts.

On this paper are several core cases, each with extensions based on changing or adding relevant (and non-relevant) facts. Only use the facts as presented to that point. In each case, you will make a determination of the important (relevant) facts and how they will influence your decision.

Case One: Where There's a Will, There's a Way

1. Old Man Bochum finally succumbed to his battle with stomach cancer. It was a long and *very* painful five-year fight. He died without children; however, he had three nephews, one niece, a brother, and one grandson. He also died without a will. Who inherits his millions?
2. Bochum made it clear throughout his life that he wanted his grandson to inherit his full estate. However, he never wrote it down.
3. He did write it down, but he never had it in the form of a will. In fact, there were no witnesses to his signature.
4. There were two witnesses to his signature, but it was not in the form of a will. It only said, "I want Bobby to inherit my entire estate."
5. The actual form was still not technically a will, but the signed (and witnessed by two people) document said, "I hereby leave my entire estate to my grandson, Robert Knight Bochum." The grandson's name is Robert King Bochum.

6. The grandson's name is Robert Knight Bochum.
7. There is actually a proper will, dated 25 years ago, leaving the entire estate to the niece, in addition to the written statement leaving the will to his grandson, which is undated.
8. The statement is dated six years ago.
9. The statement is dated the day of his death.
10. The statement leaving everything to his grandson is a genuine will, with two witness signatures, dated the day of his death.
11. The statement leaving everything to his grandson is a genuine will, with three witness signatures, dated the day of his death.
12. The grandson pulled the plug on Old Man Bochum's ventilator, which killed the old man.
13. The cause of death was a heart attack, not asphyxiation.
14. The will naming his grandson sole heir also says, "I am instructing my grandson to unplug the ventilator so that I may pass into the next life at last." The witnesses back up the story that the grandfather insisted on the grandson pulling the plug.