

DET Grant Practice Test (Sample)

Study Guide



Everything you need from our exam experts!

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 - 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. What is the effect of admitting a will to probate on capacity challenges?**
 - A. The will is prima facie valid; challengers must prove lack of capacity.**
 - B. The will is conclusively valid.**
 - C. The court cannot hear any challenge.**
 - D. The capacity must be determined solely by the will.**

- 2. Devises within a class abate pro rata.**
 - A. per capita**
 - B. by lot**
 - C. in equal dollar amounts**
 - D. pro rata**

- 3. In a declaration where a person signs as trustee and the assets are to be held for a beneficiary, what is the result?**
 - A. A trust has been created.**
 - B. No trust because intention is unclear.**
 - C. It is a simple gift to the beneficiary.**
 - D. It creates a joint tenancy.**

- 4. Which argument supports admitting extrinsic evidence to resolve ambiguity in a will when the dispositive language is unclear?**
 - A. Extrinsic evidence should be admissible to resolve any ambiguity, be it patent or latent.**
 - B. Extrinsic evidence is never admissible to interpret a will.**
 - C. Extrinsic evidence is admissible only if the ambiguity is latent, not patent.**
 - D. Extrinsic evidence is admissible only after a judge determines the will is invalid.**

- 5. In a scenario where a testator dies after a divorce, leaving the entire probate estate to a girlfriend and omitting his minor children, what share do the minor children typically receive under most jurisdictions?**
- A. None: G will take the entire probate estate**
 - B. A fixed portion**
 - C. The children must share equally**
 - D. The estate passes to the state**
- 6. What standard does the civil trial apply to determine felonious and intentional killing for slayer rule purposes?**
- A. Beyond a reasonable doubt**
 - B. Clear and convincing evidence**
 - C. Preponderance of the evidence**
 - D. Probable cause**
- 7. Even with sole and absolute discretion to distribute income and principal, a trustee's discretion is bounded by what principle?**
- A. Court must approve all distributions.**
 - B. The income must be distributed equally.**
 - C. The sole discretion means no further limits.**
 - D. The duty of good faith with a view to the trust purpose and beneficiaries' interests.**
- 8. If a testator physically crosses out a bequest in a later will with intent to revoke that bequest, what is the effect in jurisdictions that recognize partial revocation by physical act?**
- A. The entire will is revoked.**
 - B. The crossed-out bequest is revoked while the rest of the will remains valid.**
 - C. The cross-out has no effect on the bequest.**
 - D. The entire will is automatically revived to a prior form.**

- 9. Is beneficiary agreement a basis for modifying any provision in an irrevocable trust?**
- A. ONLY WHEN THE BENEFICIARIES CONSENT**
 - B. NO**
 - C. YES**
 - D. ONLY IF THE TRUSTEE AGREES**
- 10. The trust language states that X's income is to be distributed for X's health and support in reasonable comfort for X's lifetime, with remainder to Y. If T refuses to invest in equities because of 'reasonable comfort' for X, what is the potential issue?**
- A. The investment may violate the prudent investor rule and fail to balance risk and return.**
 - B. There is no issue; conservative investments always suffice.**
 - C. The trust instrument requires only principal preservation.**
 - D. The trustee's discretion is unlimited.**

Answers

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1. A
2. D
3. A
4. A
5. A
6. C
7. D
8. C
9. B
10. A

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Explanations

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1. What is the effect of admitting a will to probate on capacity challenges?

- A. The will is prima facie valid; challengers must prove lack of capacity.**
- B. The will is conclusively valid.**
- C. The court cannot hear any challenge.**
- D. The capacity must be determined solely by the will.**

When a will is admitted to probate, it receives a prima facie presumption of validity. This means the document is presumed valid and enforceable, and the burden shifts to challengers to prove lack of testamentary capacity at the time the will was made. Testamentary capacity typically requires the testator to understand the nature of the act, know the nature and extent of their property, and recognize the natural objects of their bounty, among other factors. The admission to probate does not make the will conclusively valid; rather, it allows the court to evaluate evidence showing whether capacity defects existed. So the best choice reflects that the will is prima facie valid and challengers must prove lack of capacity.

2. Devises within a class abate pro rata.

- A. per capita**
- B. by lot**
- C. in equal dollar amounts**
- D. pro rata**

Abatement pro rata is about reducing gifts proportionally when there aren't enough assets to satisfy all devises. When a class gift cannot be fully funded, each member's share is cut by the same percentage so the total needed is provided in proportion to the originally intended amounts. For example, if three children were to receive equal shares totaling 120,000, but only 60,000 remains, each share is halved and each child gets 20,000. This method preserves the relative sizes of the gifts within the class. Other methods—like paying fixed dollar amounts, selecting recipients by lot, or distributing per capita in a way that doesn't maintain the proportional reduction—do not reflect the pro rata approach.

3. In a declaration where a person signs as trustee and the assets are to be held for a beneficiary, what is the result?

- A. A trust has been created.**
- B. No trust because intention is unclear.**
- C. It is a simple gift to the beneficiary.**
- D. It creates a joint tenancy.**

When a person signs as trustee and states that the assets are to be held for a beneficiary, a trust is created. The trustee holds the legal title to the assets and administers them for the beneficiary's benefit, who acquires the equitable interest. This shows clear intention to benefit another person, which is the essential setup for a trust. It isn't a simple gift, because the trustee remains as the holder of the legal title and must manage the assets for the beneficiary, not transfer full ownership outright. It also isn't a joint tenancy, which involves co-ownership with survivorship rights, a structure that a trust does not use.

4. Which argument supports admitting extrinsic evidence to resolve ambiguity in a will when the dispositive language is unclear?

- A. Extrinsic evidence should be admissible to resolve any ambiguity, be it patent or latent.**
- B. Extrinsic evidence is never admissible to interpret a will.**
- C. Extrinsic evidence is admissible only if the ambiguity is latent, not patent.**
- D. Extrinsic evidence is admissible only after a judge determines the will is invalid.**

When a will's dispositive language is unclear, the court can admit extrinsic evidence to interpret what the testator intended. The goal in will construction is to honor the testator's actual intent, not enforce a rigid, overly literal reading that creates an unfair or unintended result. Extrinsic evidence helps by bringing in statements the testator made, the surrounding circumstances at the time the will was made, earlier drafts, or the relationships among beneficiaries. This is useful for both types of ambiguity: ones that appear on the face of the will and ones that arise from external facts. By allowing this evidence, the court can resolve ambiguity in a way that reflects the testator's true plan for distributing assets. The other options are too absolute or restrictive—extrinsic evidence isn't categorically barred, it isn't limited to latent ambiguities, and interpretation isn't contingent on first finding the will invalid.

5. In a scenario where a testator dies after a divorce, leaving the entire probate estate to a girlfriend and omitting his minor children, what share do the minor children typically receive under most jurisdictions?

- A. None: G will take the entire probate estate**
- B. A fixed portion**
- C. The children must share equally**
- D. The estate passes to the state**

When a valid will exists, it controls how the probate estate is distributed. Divorce changes who would be entitled to a spouse's share, but it does not create a right for the children to inherit unless the will provides for them or there is some statutory protection. If the testator leaves the entire estate to a girlfriend in a valid will and there is no omitted-child or similar protection statute at play, the heirs named in the will (the girlfriend) receive the estate, and the minor children receive nothing. They would only receive a share if there were no valid will (intestacy) or if a statute requires some portion be set aside for them.

6. What standard does the civil trial apply to determine felonious and intentional killing for slayer rule purposes?
- A. Beyond a reasonable doubt
 - B. Clear and convincing evidence
 - C. Preponderance of the evidence**
 - D. Probable cause

In civil matters, the standard of proof is a preponderance of the evidence. This means the court asks whether the evidence shows it is more likely than not that the killing was felonious and intentional, which would trigger the Slayer Rule in inheritance proceedings. Because this is a civil proceeding—often part of probate or family inheritance—the burden is lower than in criminal cases, which require beyond a reasonable doubt. The other standards don't fit this context: beyond a reasonable doubt is a criminal standard; clear and convincing is a stricter civil standard used in certain situations but not the default for Slayer Rule issues; and probable cause is about initiating a case, not proving a fact in civil adjudication.

7. Even with sole and absolute discretion to distribute income and principal, a trustee's discretion is bounded by what principle?
- A. Court must approve all distributions.
 - B. The income must be distributed equally.
 - C. The sole discretion means no further limits.
 - D. The duty of good faith with a view to the trust purpose and beneficiaries' interests.**

Discretionary power in a trust isn't unlimited. Even when a trustee has sole and absolute discretion to distribute income and principal, that discretion is bounded by a fiduciary duty to act in good faith and to advance the trust's purpose while considering the beneficiaries' interests. In practice, this means the trustee must exercise distributions for the benefit of the beneficiaries and in line with what the trust was created to achieve, avoiding self-dealing, caprice, or any action that conflicts with the trust's goals. Courts generally defer to the trustee's business judgment, but they can intervene if a distribution is made in bad faith or contrary to the trust's terms and purpose. This duty to act with good faith and with a view to the trust and its beneficiaries is what keeps discretionary power from becoming arbitrary.

8. If a testator physically crosses out a bequest in a later will with intent to revoke that bequest, what is the effect in jurisdictions that recognize partial revocation by physical act?

A. The entire will is revoked.

B. The crossed-out bequest is revoked while the rest of the will remains valid.

C. The cross-out has no effect on the bequest.

D. The entire will is automatically revived to a prior form.

The concept being tested is how revocation by physical acts is treated when there are multiple wills. In jurisdictions that recognize partial revocation by physical act, a person can revoke a specific provision by a clear, intentional physical act on the instrument. However, that revocation typically applies within the instrument itself or through a properly executed amendment (codicil) that meets all formal requirements. When the crossing-out occurs in a later will, and there isn't a properly executed codicil or distinct revocation instrument, the cross-out is not automatically recognized as valid revocation of that bequest. In that scenario, the cross-out has no effect on the bequest, so the intended revocation does not stand and the bequest remains as written. Choosing an outcome that revokes the entire will would require a different kind of act (destruction or revocation of the whole instrument with the appropriate intent). Reviving a prior form would require a separate legal step showing revival of an earlier will, not merely striking through a clause in a later one.

9. Is beneficiary agreement a basis for modifying any provision in an irrevocable trust?

A. ONLY WHEN THE BENEFICIARIES CONSENT

B. NO

C. YES

D. ONLY IF THE TRUSTEE AGREES

In an irrevocable trust, you can't modify provisions simply because the beneficiaries all agree. A modification generally requires a formal process—either the consent of all beneficiaries with a modification that does not impair the trust's material purpose, or a court order under applicable trust statutes. The trustee cannot unilaterally make changes based on beneficiary agreement alone. So, beneficiary agreement by itself is not a basis for modifying the trust.

10. The trust language states that X's income is to be distributed for X's health and support in reasonable comfort for X's lifetime, with remainder to Y. If T refuses to invest in equities because of 'reasonable comfort' for X, what is the potential issue?

- A. The investment may violate the prudent investor rule and fail to balance risk and return.**
- B. There is no issue; conservative investments always suffice.**
- C. The trust instrument requires only principal preservation.**
- D. The trustee's discretion is unlimited.**

The key idea being tested is the prudent investor rule and the duty to balance risk with the need for adequate return to meet the trust's ongoing obligations. Trustees must invest as a prudent person would, taking into account diversification, risk, return, liquidity, and the trust's purposes. In a trust that directs funds for X's health and support during X's lifetime with the remainder going to Y, the investments should be chosen to generate enough income or total return to fund X's needs now while also preserving enough value for Y in the future. Simply avoiding equities to keep distributions "safe" can undermine this balance. If the trustee refuses to invest in equities solely to protect X's present comfort, the risk is that the portfolio's total return won't be sufficient to cover the required distributions over X's lifetime, especially when inflation erodes purchasing power. Equities, when part of a diversified strategy, provide growth potential that helps meet ongoing needs and also protect principal for the remainder. The prudent investor rule requires considering total return and diversification, not just avoiding risk. The other choices miss this careful balance. Conservatism alone isn't automatically sufficient to meet the trust's long-term needs. The instrument does not require only preserving principal; distributions for health and support can rely on a mix of income and principal growth. And the trustee's discretion isn't unlimited; it must still comply with fiduciary duties under the prudent investor standard.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://detgrant.examzify.com>

We wish you the very best on your exam journey. You've got this!

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