PELLISSIPPI STATE COMMUNITY COLLEGE
MASTER SYLLABUS

SPECIAL TOPICS: BANKRUPTCY
LAW 2600

Class Hours: 3.0  Credit Hours: 3.0
Laboratory Hours: 0.0  Revised: Spring 2010

NOTE: This course is not designed for transfer credit.

Catalog Course Description:

Study and discussion of a selected topic in law. Content will vary. May be repeated with program
advisor's consent.

Entry Level Standards:

College-level competencies in logic, reading, and English are required.

Prerequisite:

LAW 1000

Corequisite:

LAW 1060

Textbook(s) and Other Course Materials:

David L. Buchninder and Robert J. Cooper, Basic Bankruptcy Law for Paralegals, Abridged

I. Week/Unit/Topic Basis:

<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
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<tbody>
<tr>
<td>1</td>
<td>Chapters 1-2: History of bankruptcy and debtor relief (1.5 hours); role of paralegal aiding in bankruptcy practice (.5 hour); introduction to Bankruptcy Code (.5 hour); overview of Chapters 7, 11, 13 (.5 hour)</td>
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<td>2</td>
<td>Chapters 3-4: Filing a bankruptcy petition (1 hour); voluntary v. involuntary debtor (.5 hour); debt counseling; jurisdiction, local rules (.5 hour); automatic stay and relief from automatic stay (.5 hour); motions (.5 hours)</td>
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<td>3</td>
<td>Chapters 5-6: Who may file for bankruptcy protection (1.5 hours); UCC-1 property and deductions (.5 hour); liens (1 hour)</td>
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<td>4</td>
<td>Chapters 7-8: Chapter 7: Employment and compensation of professionals rendering bankruptcy services, fines and penalties (1.5 hours); 341 creditors’ meeting and examination (.5 hour); reaffirmation, conversion and dismissal (1 hour)</td>
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Chapter 9: Federal and state exemptions, “fresh start” (2 hours); objections (1 hour)

Chapters 10-11: Players in Bankruptcy system: U.S. Trustee examiners, creditor committees, tax appraisers, trustees; duties (1 hour); Automatic stay: what is and what is not subject to stay, duration, motion for relief (2 hours)

Chapter 12: Dischargeability of individual debts, adversary proceedings, complaints (1.5 hours); objecting to a discharge (1.5 hours)

Chapters 13-14: Estate property, burden of proof (1.5 hours); trustee’s avoiding powers: preferences (1.5 hours)

Chapters 15-16: Liquidating estate property (1 hour); Claims: filing proofs of claim, secured, unsecured creditors (.5 hour); Statement of Intention, redemption, distribution (.5 hour); bankruptcy administration timeline (1 hour)

Chapter 17: Chapter 13: liquidation and reorganization (1 hour); dismissal or conversion (1 hour); confirmation hearings and conditions; feasibility, cramdown, discharge (1 hour)

Chapters 18-19: Chapter 11: business reorganization (1 hour); documents and deadlines (1.5 hours); Chapter 12: family farmer reorganization (.5 hour)

Chapter 20: Bankruptcy Courts, jurisdiction (1.5 hours); core and noncore proceedings, removal, appeal, jury trial (1.5 hours);

Chapters 21-22: Statements and Schedules: Bottomline hypothetical in Chapter 7 (1.5 hours); Means Testing: Form 22 (1.5 hours)

Chapter 23: Electronic filing: CM/ECF, hardware and software (1 hour); traditional and internet research (1 hour); future role of paralegals (1 hour)

Final Examination

II. Course Objectives*:

A. Understand and apply basic legal principles when assisting an attorney with debt collection, debtor/creditor matters, and bankruptcy cases. I, II, III, V, VI

B. Conduct effective factual and legal research when assisting with bankruptcy cases. III, V, VI

C. Prepare basic forms and documents used in collection and bankruptcy cases. II, III, IV, V

D. Continue developing a legal vocabulary. I, II, III, IV, V

*Roman numerals after course objectives reference goals of the Paralegal Studies program.

III. Instructional Processes*:

Students will:
1. Practice elements of the work ethic such as professionalism, preparedness, punctuality, honesty, cooperation, dependability, contribution, effectiveness, good manners, etc. *Active Learning Strategy, Transitional Strategy*

2. Refine their reading skills and expand their legal vocabularies through completion of weekly guided reading exercises that allows them to communicate more effectively with lawyers and legal professionals. *Communication Outcome, Active Learning Strategy, Transitional Outcome*

3. Strengthen analytical skills by locating court cases and statutes in the Educational Resources Center and on Westlaw to determine the application of the rules of law to specific facts. *Communication Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*

4. Examine ethical issues related to legal representation, unauthorized practice of law, confidentiality, duty of legal professional to provide legal services, etc. *Communication Outcome, Transitional Strategy, Active Learning Strategy*

5. Listen to guest speakers from the legal community to learn the demands for legal assistants who possess basic knowledge of legal topics in the work world. *Transitional Strategy*

6. Develop investigative skills using the Internet, library, and governmental agency resources to find relevant information. *Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*

*Strategies and outcomes listed after instructional processes reference Pellissippi State’s goals for strengthening general education knowledge and skills, connecting coursework to experiences beyond the classroom, and encouraging students to take active and responsible roles in the educational process.*

**IV. Expectations for Student Performance***:

Upon successful completion of this course, the student should be able to:

1. Identify the parties involved in a bankruptcy. (A, B, C, D)
2. Define and properly use basic bankruptcy terminology. (A, B, C, D)
3. Explain the differences between the major chapters under which bankruptcies are filed. (A, B, D)
4. Describe the process followed in filing a bankruptcy. (A, B, C, D)
5. Complete the forms used in a bankruptcy. (A, B, C, D)
6. Prepare the master mailing list for the bankruptcy court. (A, B, C, D)
7. Assist the attorney in interviewing bankruptcy clients. (A, B, C, D)
8. Maintain bankruptcy case data effectively. (A, B, C, D)
9. Communicate effectively and appropriately with bankruptcy clients, creditors and trustees.
10. Gather relevant factual data for bankruptcy cases from clients. (A, B, C, D)
11. Research substantive bankruptcy questions. (A, B, C, D)
12. Distinguish between secured and unsecured debts. (A, B, C, D)
13. Apply UCC Article 9 to determine priority in secured transactions. (A, B, C, D)
14. Explain how to perfect a security interest. (A, B, C, D)
15. Define the terminology used in a debtor/creditor relationship. (A, B, C, D)
16. Identify debtor’s concerns. (A, B, C, D)
17. Identify creditor’s concerns. (A, B, C, D)
18. Identify the procedures and practices of the Bankruptcy Court. (A, B, D)
20. Prepare General Sessions warrants for collections. (A, B, C, D)

*Letters after performance expectations reference the course objectives listed above.

V. Evaluation:

A. Testing Procedures:

Students are evaluated primarily on the basis of tests.

B. Laboratory Expectations:

N/A

C. Field Work:

Students will complete several out-of-class skills projects. These may include:
- Checklists and other forms
- Bankruptcy petition
- Bankruptcy schedules
- Collections documents

D. Other Evaluation Methods:

1. Class participation, group work, and homework will also comprise the final grade for the course. The instructor will provide full details the first week of class via a syllabus supplement.
2. All tests and papers will be graded for spelling and English usage in addition to content and format.

3. Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.

E. Grading Scale:

- A 93-100
- B+ 88-92
- B 83-87
- C+ 78-82
- C 73-77
- D 65-72
- F 64 and below

VI. Policies:

A. Attendance Policy:

Pellissippi State Technical Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. Attendance is absolutely essential to perform well in this course. Absenteeism is recorded, not excused. Twelve (12) hours of absences will result in an automatic F for the course. (Pellissippi State Online Catalog)

B. Academic Dishonesty:

Cheating of any type will not be tolerated and will become an automatic zero on that paper or test. Repetition of cheating will result in an F for the final grade. (Pellissippi State Online Catalog)

C. Accommodation for Disabilities:

If you need accommodations because of a disability, if you have emergency medical information to share, or if you need special arrangements in case the building must be evacuated, please inform the instructor immediately. Please see the instructor privately after class or in his/her office. Students must present a current accommodation plan from a staff member in Services for Students with Disabilities (SSWD) in order to receive accommodations in this course. Services for Students with Disabilities may be contacted by going to Goins 127 or 131 or by phone: 694-6751(Voice/TTY) or 539-7153.

D. Other Policies:

Late papers will not be accepted. No make-up tests will be given unless the instructor has been notified and excused the student's absence.

Computer Usage Guidelines:
College-owned or -operated computing resources are provided for use by students of
Pellissippi State. All students are responsible for the usage of Pellissippi State’s computing resources in an effective, efficient, ethical, and lawful manner. (Pellissippi State Online Catalog)