

Pellissippi State Community College
Master Syllabus

BANKRUPTCY & CREDITOR RIGHTS
LEGL 2350

Class Hours: 3.0

Credit Hours: 3.0

Laboratory Hours: 0.0

Date Revised: Spring 2017

Catalog Course Description

An introduction to bankruptcy procedures with emphasis on paralegal tasks.

Prerequisites: LEGL 1300

Textbooks and Other Course Materials:

1. Stephan A. Parsons, *The ABCs of Debt: A Case Study Approach to Debtor/Creditor Relations and Bankruptcy Law, 4th Edition*, Wolters Kluwer, 2016. ISBN: 978-1-4548-7350-1

Week/Assignment

<u>Week</u>	<u>Chapter(s)</u>	<u>Topic</u>
1	1-2	Sources of bankruptcy law (.5 hr.); role of paralegal aiding in bankruptcy practice (.5 hr.); how debt is created (.5 hr.); traditional loans (.5 hr.); predatory lending (.5 hr.); credit reports (.5 hr.)
2	2-3	Distinguishing secured and unsecured debt (.5 hr.); consensual security interests in personal property (1.0 hr.); consensual security interests in real property debt (.5 hr.); possessory liens on personal property (.5 hr.); nonpossessory liens on real and personal property (.5 hr.)
3	4-5	Fair Debt Collection Practices Act (1.0 hr.); state regulation of debt collection practices (.5 hr.); property exempt from execution (.5 hr.); methods of executing on a final judgment (.5 hr.); fraudulent transfers (.5 hr.)
4	6	History of bankruptcy and debtor relief (1.5 hrs.); introduction to Bankruptcy Code and Forms (.5 hr.); bankruptcy jurisdiction and appeals (.5 hr.); overview of Chapters 7, 11, and 13 (.5 hr.)
5	7	Chapter 7: basic qualifications (1.0 hr.); means test (2.0 hrs.)
6	8	Chapter 7: petition, supporting schedules, and statement of financial affairs (3.0 hrs.)
7	9, 10	Chapter 7: trustee duties and compensation (.5 hr.); the automatic stay (.5 hr.); creditor claims (.5 hr.); property of the estate (.5 hr.); trustee's powers (1.0 hr.)
8	11, 12	Chapter 7: liquidating property of the estate (.5 hr.); distribution to creditors and priority (.5 hr.); non-dischargeable debts (1.0 hr.); reaffirmation and redemption (.5 hr.); objections to discharge (.5 hr.)
9	13	Chapter 13: filing the case (1.5 hrs.); property of the estate (.5 hr.); first meeting of creditor and filing proof of claim (1.0 hr.)

10	14, 15	Chapter 13: determining the plan length (.5 hr.); determining disposable income (.5 hr.); treatment of secured, priority, and non-priority claims (2.0 hrs.)
11	16	Chapter 13: confirmation, modification, and discharge of plan (2.5 hr.); conversion or dismissal (.5 hr.)
12	17	Chapter 11: overview and filing the case (1.0 hr.); debtor in possession concept (.5 hr.); creditor's committee (.5 hr.); first day motions (1.0 hr.)
13	18, 19	Chapter 11: first meeting of creditors (.5 hr.); creditor claims (.5 hr.); operational motions (.5 hr.); content of plan (.5 hr.); disclosure statement (.5 hr.); confirmation of the plan (.5 hr.)
14	20	Chapter 12: history, purpose, and similarities to other bankruptcy chapters (2.0 hrs.); Chapter 9: purpose and scope (1.0 hr.)
15		Final Examination

Course Goals

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

The course will

- A. Expand student understanding of legal ethics. I, III, IV
- B. Develop awareness of basic legal principles when assisting an attorney with debt collection, debtor/creditor matters, and bankruptcy cases. I, II, III, V
- C. Foster the ability of students to conduct effective factual and legal research when assisting with bankruptcy cases. III, V
- D. Build skills to prepare basic forms and documents used in collection and bankruptcy cases. II, III, IV, V
- E. Enhance student understanding of bankruptcy terminology. I, II, III, IV

Expected Student Learning Outcomes

NOTE: Capital letters after Expected Student Learning Outcomes reference the course goals listed above.

The student will

1. Demonstrate understanding of a Chapter 7 bankruptcy. (A,B,C,D,E)
2. Demonstrate understanding of a Chapter 11 bankruptcy. (A,B,C,D,E)
3. Demonstrate understanding of a Chapter 13 bankruptcy. (A,B,C,D,E)
4. Demonstrate understanding of an involuntary bankruptcy. (A,B,C,D,E)
5. Demonstrate understanding of the rights of creditors in a bankruptcy proceeding. (A,B,C,D,E)
6. Demonstrate a complete and thorough understanding of legal ethics. (A)

Evaluation

Testing Procedures: 40%

Students are evaluated primarily on the basis of tests. The instructor will provide full details the first week of class via a syllabus supplement.

Laboratory Expectations: N/A

Field Work: 20%

Students will complete several out-of-class skills projects. These may include:

- Checklists and other forms

- Bankruptcy petition
- Bankruptcy schedules
- Collection documents

Other Evaluation Methods: 40%

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.

Grading Scale

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

Policies

Attendance Policy

Pellissippi State expects students to attend all scheduled instructional activities. As a minimum, students in all courses (excluding distance learning courses) must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. Individual departments/programs/disciplines, with the approval of the vice president of Academic Affairs, may have requirements that are more stringent. In very specific circumstances, an appeal of the policy may be addressed to the head of the department in which the course was taken. If further action is warranted, the appeal may be addressed to the vice president of Academic Affairs.

Academic Dishonesty

Academic misconduct committed either directly or indirectly by an individual or group is subject to disciplinary action. Prohibited activities include but are not limited to the following practices:

- Cheating, including but not limited to unauthorized assistance from material, people, or devices when taking a test, quiz, or examination; writing papers or reports; solving problems; or completing academic assignments.
- Plagiarism, including but not limited to paraphrasing, summarizing, or directly quoting published or unpublished work of another person, including online or computerized services, without proper documentation of the original source.
- Purchasing or otherwise obtaining prewritten essays, research papers, or materials prepared by another person or agency that sells term papers or other academic materials to be presented as one's own work.
- Taking an exam for another student.
- Providing others with information and/or answers regarding exams, quizzes, homework or other classroom assignments unless explicitly authorized by the instructor.

- Any of the above occurring within the Web or distance learning environment.

Please see the Pellissippi State Policies and Procedures Manual, Policy 04:02:00 Academic/Classroom Conduct and Disciplinary Sanctions for the complete policy.

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Accommodations for Disabilities

Students that need accommodations because of a disability, have emergency medical information to share, or need special arrangements in case the building must be evacuated should inform the instructor immediately, privately after class or in her or his office. Students must present a current accommodation plan from a staff member in Disability Services (DS) in order to receive accommodations in this course. [Disability Services](#) (<http://www.pstcc.edu/sswd/>) may be contacted via [Disability Services email](#) or by visiting Alexander 130.