



PARALEGAL

CODE: LEX 123

TITLE: Bankruptcy Law

DIVISION: Liberal Arts

COURSE DESCRIPTION: This course outlines basic debtor/creditor bankruptcy law and provides guidelines, practices, and procedures that a paralegal in this field may use. It covers sources of law, consensual debt creation, creditor interest in real estate, general provisions of the Bankruptcy Code and case administration (Chapter 7, Chapter 11, and Chapter 13).

CREDITS: 3

REQUIRED MATERIALS (CHECK BOOKSTORE FOR LATEST EDITION):

Click on the bookstore for the campus which you are attending each class.

[Pemberton Campus Bookstore](#)

[Mt Laurel Campus Bookstore](#)

INTENDED COURSE LEARNING OUTCOMES/COURSE GOALS/CORE COMPETENCIES/:

1. Analyze the current bankruptcy law.
2. Know its effect upon debtors, creditors and other parties-in-interest.
3. Prepare Chapter 7 Petitions.
4. Prepare Chapter 13 Petitions and Chapter 13 Plans.
5. Prepare a Proof of Claim.
6. Relate to the liquidation and reorganization procedures.
7. Understand the framework of the Bankruptcy process and how it functions.
8. Know how to handle various ethical dilemmas that a paralegal may face in bankruptcy practice.
9. Have a fair working knowledge of the Bankruptcy Code, the Bankruptcy Rules, the local Bankruptcy Rules and Official Bankruptcy Forms.

GENERAL EDUCATION GOALS INTRODUCED/REINFORCED IN THIS COURSE:

1. b. Students will conduct investigative research which demonstrates originality, depth of thought, and mastery of an approved style of source documentation.
d. Students will communicate meaningfully in writing with a chosen audience while implementing critical thought.
f. Students will logically and persuasively state and support orally their points of views or findings.
6. a.
 - i. Students will demonstrate competency in office productivity tools appropriate to their continuing education.
 - ii. Students will use critical thinking skills for computer-based access, analysis, and presentation of information.b.
 - i. Students will use appropriate library/learning resource tools to access information in reference publications, periodicals and bibliographies.
 - ii. Students will demonstrate the skills required to find, evaluate, and apply information to solve a problem.
8. a. Students will analyze and evaluate the strengths and weaknesses of different perspectives on an ethical issue or a situation.
b. Students will take a position on an ethical issue or a situation and defend it with logical arguments.

TOPICAL OUTLINE FOR THE COURSE:

1. SESSION TOPICS - Course expectations; Get to know you and your instructor; History of Bankruptcy (Ch. 1); Researching Bankruptcy (Ch. 30); Bankruptcy Alternatives (Ch. 3); Introduction to Bankruptcy (Ch. 2)
2. SESSION TOPICS - Voluntary Bankruptcy (Ch. 4A); Involuntary Bankruptcy (Ch. 4B); Notice and a Hearing (Ch. 5A); Other General Provisions (Ch. 5E); Definitions (Ch. 6)
3. SESSION TOPICS - Chapter 7 Overview (Ch. 7); Discharge and Reaffirmation (Ch. 7); Conversion (Ch. 8); Exemptions (Ch. 9)
4. SESSION TOPICS - Quiz on information learned to date; Trustee, Creditor Committees (Ch. 10); Preparing a Proceeding for a Trustee (Ch. 11)
5. SESSION TOPICS - Introduction to Bankruptcy Litigation (Ch. 12A); Objections to Discharge/Dischargeability (Ch. 13); Property of Estate (Ch. 14); Introduction to Avoiding Powers & Turnover (Ch. 15)
6. SESSION TOPICS - Automatic Stay (Ch. 12); Distribution and Review of Chapter 7 Assignment (due 3/24/05)
7. SESSION TOPICS - Review all Chapters covered to date in preparation for Mid-Term Examination
8. SESSION TOPICS - Mid-Term Examination
9. SESSION TOPICS - Collection and Review of Chapter 7 Assignments; Preferences (Ch. 16); Fraudulent Transfers, Post Petition Transfers (Ch. 17); Miscellaneous Provisions (Ch. 20A-C)

10. SESSION TOPICS - Use, Sale of Property (Ch. 18); Obtaining Credit (Ch. 20D); Executory Contracts (Ch. 19)
11. SESSION TOPICS - Claims (Ch. 21); Administration (Ch. 22); Chapter 13 (Ch. 23); Distribution and Review of Chapter 13 Assignment (due 4/28/05)
12. SESSION TOPICS - Chapter 11 - Administration (Ch. 24); Chapter 11 - Plan (Ch. 25); Chapter 11 - Confirmation (Ch. 26)
13. SESSION TOPICS - Chapter 12 (Ch. 27); Jurisdiction (Ch. 28); Statements & Schedules (Ch. 29); Introduction/Review (Introduction)
14. SESSION TOPICS - Collection and Review of Chapter 13 Assignments; Review all course material covered from inception of the course in preparation for Final Examination
15. SESSION TOPICS - Final Examination

Course Activities:

- ▶ Course activities vary from course to course and instructor to instructor. Below is a listing of some of the activities students can anticipate in this course:

- ▶ Writing assignments: students will analyze current issues in the field using current articles from the popular press as well as library research including electronic resources databases.

- ▶ Speaking assignments: students will present research individually or in groups using current technology to support the presentation (e.g., PowerPoint presentation); students will participate in discussions and debates related to the topics in the lessons. Discussions may also focus on cross-cultural and legal-ethical dilemmas as they relate to the course content.

- ▶ Simulation activities: Trends and issues will be analyzed for their ethical as well as social or legal significance. Students might role-play common situations for classmates to analyze. Current news articles may be used to generate discussion.

- ▶ Case Studies: Complex situations and scenarios will be analyzed in cooperative group settings or as homework assignments.

- ▶ Lectures: This format will include question and answer sessions to provide interactivity between students and instructor.

- ▶ Speakers: Representatives from various related fields may be invited to speak.

- ▶ Videos: Related topics will provide impetus for discussion.

Student Evaluation:

The student will be evaluated on the degree to which student learning outcomes are achieved. A variety of methods may be used such as tests, quizzes, class participation, projects, homework assignments, presentations, etc.

See individual instructor's course handouts for grading system and criteria (point value for each assessment component in course, e.g. tests, papers, presentations, attendance etc.), number of papers and examinations required in the course, and testing policy including make ups and/or retests.

GRADING STANDARD:

- A Mastery of essential elements and related concepts, plus demonstrated excellence or originality.
- B+ Mastery of essential elements and related concepts, showing higher level understanding.
- B Mastery of essential elements and related concepts.
- C+ Above average knowledge of essential elements and related concepts.
- C Acceptable knowledge of essential elements and related concepts.
- D Minimal knowledge of related concepts.
- F Unsatisfactory progress. This grade may also be assigned in cases of academic misconduct, such as cheating or plagiarism, and/or excessive absences.

For other grades, see the current BCC catalog.

COLLEGE POLICIES:

The current college catalog and student handbook are important documents for understanding your rights and responsibilities as a student in the BCC classroom. Please read your catalog and handbook as they supplement this syllabus, particularly for information regarding:

- ▶ Academic Integrity Code
- ▶ Student Conduct Code
- ▶ Student Grade Appeal Process

NOTIFICATION FOR STUDENTS WITH DISABILITIES:

Burlington County College offers reasonable accommodations and/or services to persons with disabilities. The Special Populations Department offers comprehensive services to all students with any form of disability (with appropriate documentation) which hinders their academic success. Contact Barbara Ericson on Extension 1208 at (609) 894-9311 or (856) 222-9311 or visit the website at:

<http://www.bcc.edu/pages/182.asp>.

ADDITIONAL SUPPORT/LABS:

BCC provides confidential advising and counseling services free to all students through the Department of Academic Advisement and Transfer. For more information about advising and counseling services, visit at the Parker Center or the Mt. Laurel Center at Laurel Hall, or call extension 7337 at (609) 894-9311 or (856) 222-9311 or visit the website at:

Advising Website <http://staff.bcc.edu/advising/>

Counseling Website <http://staff.bcc.edu/counseling/>

BCC offers a free tutoring for all currently enrolled students. For more information regarding The Tutoring Center call Extension 1495 at (609) 894-9311 or (856) 222-9311 or visit the Tutoring Center Website at <http://staff.bcc.edu/tutoring/>

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