FLCC Course Syllabus

General Information

Date
12/01/2016

Department
Business

Course Prefix:
PLG

Course Number:
255

Course Title:
Bankruptcy Law

Course Information

Credit Hours
3

Lecture Contact Hours
3

Catalog Description
This course is designed to give the student an understanding of bankruptcy law and its practical applications from both the debtor and creditor perspectives. Topics to be covered include: review of the Federal Bankruptcy Code and New York State Bankruptcy Laws, individual liquidation and reorganization, business liquidation and reorganization, the bankrupt estate, property exemptions, automatic stay and discharge. The student will have the opportunity to analyze a hypothetical financial situation and prepare a bankruptcy petition.

Prerequisites
PLG 100 and PLG 125

Grading Scheme
Letter Grade

FLCC Values

College Learning Outcomes Addressed by the Course

Inquiry
Interconnectedness
Vitality
Perseverance

Course Learning Outcomes
Course Learning Outcomes

1. Identify the steps involved in different types of bankruptcy proceedings.
2. Explain the protections given to debtors and creditors in a bankruptcy proceeding.
3. Prepare a bankruptcy petition based upon a hypothetical situation.
4. Draft documents commonly used in bankruptcy proceedings.

Outline of Topics Covered

I. Where to Find Bankruptcy Law
   A. The Bankruptcy Code (Title 11 of the United States Code)
   B. The Federal Rules of Bankruptcy Procedure and Official Forms

II. Individuals Involved in the Bankruptcy Process
   A. Debtor
   B. Debtor's Attorney
   C. Paralegal
   D. Creditors
   E. Bankruptcy Judge
   F. Bankruptcy Court Clerk
   G. United States Trustee

III. Interviewing The Client & Evaluating The Case
   A. The Initial Interview
   B. Evaluation of Client's Situation
      1. Alternatives To Bankruptcy
      2. Bankruptcy Choices
   C. Ethical Considerations

IV. The Creditors As A Client
   A. The Initial Interview
   B. Analysis of Creditors' Situation If Debtor Has File For Bankruptcy
   C. Analysis of Creditors' Situation If Debtor Has Not Filed For Bankruptcy
   D. Ethical Considerations

V. Voluntary Chapter 7 Bankruptcy
   A. General Information
   B. The Means Test
   B. Debtor's Petition
   C. The Schedules
   D. Statement Of Financial Affairs & Statement of Intention
   E. Petition Supplements & Amendments
   F. Ethical Considerations

VI. Significance Of Filling A Bankruptcy Petition
   A. The Bankruptcy Estate
   B. Exemptions of Property Both Real And Personal
   C. Automatic Stay
   D. Discharge

VII. The Appointment Of A Preliminary Trustee
   A. Abandoning Property Of The Estate
   B. Assuming Or Rejecting Executory Contracts
   C. Avoiding Transfers

VIII. Proofs Of Claim & Proofs Of Interests
   A. Creditors' Interests
B. Equity Security Holders' Interest

IX. Meeting Of The Creditors
   A. Examination Of Debtor
   B. Appointment Of A Trustee

X. Discharge & Reaffirmation Hearing

XI. Distribution Of The Property Of The Estate
   A. Priority Claims
   B. Nonpriority Claims

XII. Closing The Bankruptcy Case

XIII. Chapter 13 Bankruptcy Case – Reorganization
   A. Chapter 13 Plan
   B. Modification Of The Plan