



## **Practical Bankruptcy Law Program Overview**

The world of bankruptcy law offers a variety of opportunities to paralegals trained in this field. The Bankruptcy Law course is designed to prepare students for entry-level positions with law firms dealing in bankruptcy cases. This course provides the building blocks of bankruptcy law and provides students with a good background in all types of bankruptcy cases. This course explains bankruptcy cases from the perspective of the debtor, the trustee, and the creditor and discusses the special rules and procedures that must be followed in each type of case. This course also explains how cases are commenced, converted, dismissed, and closed.

### **Program Objectives**

After completing this course, students will be able:

- To provide a history and overview of bankruptcy
- To discuss the Bankruptcy Code and the Bankruptcy Rules
- To explain the role of the paralegal in a bankruptcy practice
- To establish the building blocks of bankruptcy law
- To identify different sources of law, explain how to perform legal research, and give the basics of legal writing
- To discuss bankruptcy litigation and appeals, from establishing jurisdiction and venue to appealing a case
- To discuss how to prepare for and begin a bankruptcy case
- To explain how a Chapter 7 bankruptcy case works from the debtor's perspective
- To describe a Chapter 7 bankruptcy case from a trustee's perspective

- To distinguish between Chapter 12 and Chapter 13 bankruptcy cases and explain how these cases work for family farmers and individual reorganizations
- To discuss Chapter 11 bankruptcy cases and explain how complex reorganizations work
- To describe a bankruptcy case from the perspective of secured creditors, unsecured creditors, and lessors
- To explain how taxes are determined, prioritized, and paid in bankruptcy cases
- To discuss the systems used to file bankruptcy cases and obtain bankruptcy court documents electronically, and describe the future role of paralegals

## **Program Outline**

### **Lesson 1: History and Introduction**

- A Short History of Bankruptcy
- Introduction to the Bankruptcy Code
- Filing a Petition
- Chapter 1—General Provisions
- Needs Based Bankruptcy or “Means Testing”
- Useful Definitions—Section 101

### **Lesson 2: Debtor Relief**

- Overview of Chapter 7
- Conversion and Dismissal
- Exemptions
- Trustees, Examiners, and Creditors’ Committees
- Preparing a Proceeding for a Trustee

### **Lesson 3: Bankruptcy Litigation**

- The Automatic Stay—11 U.S.C. §362
- Objections to Discharge and the Dischargeability of Individual Debts
- Property of the Estate and Turnover Complaints
- Avoiding Powers—Introduction
- Avoidable Preferences—11 U.S.C. §547
- Fraudulent and Postpetition Transfers

### **Lesson 4: Liquidation and Claims**

- Use, Sale, or Lease of Property
- Executory Contracts and Leases
- Miscellaneous Provisions Regarding Property of the Estate
- Claims
- Administration

### **Lesson 5: Reorganization Proceedings**

- Chapter 13: Reorganization Proceedings
- Chapter 11: Introduction and Administration
- Chapter 11: Elements of a Plan
- Chapter 11: Plan Confirmation
- Chapter 12: Reorganization Proceedings

### **Lesson 6: Review**

- Introduction to Courts and Jurisdiction
- Statements and Schedules Tutorial
- Means Testing Tutorial
- Researching Bankruptcy Issues