

**Virginia Western Community College**  
**LGL 238**  
**BANKRUPTCY**

**Prerequisites**

Successful completion of all 100 level LGL courses or divisional approval.

**Course Description**

Provides a practical understanding of non-bankruptcy alternatives and the laws of bankruptcy including Chapters 7, 11, 12 and 13 of the Bankruptcy Code. Emphasis will be placed on preparing petitions, schedules, statements and other forms.

**Semester Credits: 3 Lecture Hours: 3 Lab/Clinical/Internship Hours: 0**

**Required Materials**

David L. Buchbinder & Robert J. Cooper, *Basic Bankruptcy Law for Paralegals* (abridged ed., 3<sup>rd</sup> ed., 2014). ISBN: 978-1-454-84201-9

**Other Required Materials:**

All students will be required to install a student version of Best Case Bankruptcy software, produced by CCH Incorporated. The student will borrow a copy of the software for installation on his or her home computer or laptop and will return the software after it is installed. Or the student may download the program from the publisher's website. The software will also be installed on the classroom computers.

The following supplementary materials are available: United States Bankruptcy Code and Rules

**Course Outcomes**

**At the completion of this course, the student should be able to:**

- Complete all standard bankruptcy schedules and forms, including:
  - Properly differentiate between real property and personal property in order to determine whether disclosure is appropriate on Schedule A or Schedule B
  - Identify appropriate basic exemptions for Schedule C
  - Distinguish between secured debts, unsecured priority debts, and unsecured non-priority debts in order to determine whether disclosure is appropriate on Schedule D, Schedule E, or Schedule F
  - Distinguish between executory contracts and leases for purposes of completing Schedule G and the Statement of Intentions

- Properly complete Schedule H, Schedule I, Schedule J, and the Statement of Financial Affairs
- Understand the purpose of the Means Test (Forms 22A, B, and C), and understand the implications of “passing” or “failing” the Means Test
- Prepare a basic chapter 13 bankruptcy plan
- Prepare a homestead deed for use in Virginia
- Understand the bankruptcy stay and common exceptions
- Understand a bankruptcy trustee’s avoiding, recovery and turnover powers
- Understand effect of a bankruptcy discharge and common nondischargeable debts
- Use Best Case bankruptcy form software
- Prepare common documents used by creditors of a bankruptcy debtor, including:
  - Proof of claim
  - Motion for relief from the automatic stay
- Prepare templates for miscellaneous bankruptcy filings and adversary proceedings (e.g., motions, responses, complaints)

This course is designed to prepare a student for a position as a bankruptcy paralegal, assisting attorneys that represent debtors, creditors, or a trustee. Accordingly, the assignments will be similar to those a paralegal would receive in a law office. The class will prepare students to assist attorneys in all aspects of chapter 7 (liquidation), 11 (reorganization), 12 (family farmer), and 13 (wage-earner) bankruptcies. Each student will prepare several basic bankruptcy documents appropriate for filing in a United States Bankruptcy Court.

### Topical Description

	<b>Reading</b>	<b>Class Topic</b>	<b>Assignment</b>
1	1 and 2	Intro, Expectations, History, Petition	1- Install Best Case
2	13(A)	Property of Estate, Schedules A and B	2 - Petition, Schedules A and B
3	9	Homestead Deed, Schedule C	3 - Schedule C
4	6	Review Schedules A, B, and C	4 - Homestead Deed
5	11	Automatic Stay, Schedules D, E, and F	5 - Schedules D, E, and F
6	5	Schedules G, H, I, and J, Means Test	6 - Schedules G, H, I, and J
7	13(B) & (C)	Statement of Intention and SOFA	7 - S of I and SOFA
8		Mid-Term Exam	
9	10 and 15	Trustee, Document Demand, 341 meeting	
10	8	Conversion, Dismissal	8 - Means Test
11	17	Chapters 11 and 13, Liquidation Test	9 - Proof of Claim
12	18	Chapters 11 and 13, Plan	10 - Chapter 13 Plan
13	16 and 19	Chapter 12, Claims on Estate	11 - Motion for Relief
14	12 and 14	Discharge, Avoiding Powers, Alternatives	

15	Preparation for Final Exam, Suggestions
16	Final Exam

- The course schedule may change; refer to Blackboard for any changes.
- Complete each reading assignment prior to the associated class period.
- In the event of a delayed college opening, this class will meet at its regularly scheduled time.
- Homework must be turned in via email no later than 11:59 p.m. on the Sunday prior to class.

### **Notes to Instructors**

None