

Cerro Coso College

# Course Outline of Record Report

05/07/2020

## PARAC220 : Bankruptcy Law

### General Information

Author (s):	<ul style="list-style-type: none"> <li>Dawn Ward</li> <li>Karnes, Valerie</li> <li>Meehan, Barbara</li> </ul>
Course Code (CB01) (CB01) :	PARAC220
Course Title (CB02) (CB02) :	Bankruptcy Law
Department:	Business Information Technolog
Proposal Start:	Fall 2020
TOP Code (CB03) :	(1402.00) Paralegal
SAM Code (CB09) (CB09) :	Clearly Occupational
Distance Education Approved:	Yes
Course Control Number (CB00) (CB00) :	CCC000554021
Curriculum Committee Approval Date:	02/28/2020
Board of Trustees Approval Date:	04/09/2020
External Review Approval Date:	04/09/2020
Course Description:	This course examines the field of bankruptcy law and prepares the student to assist in the bankruptcy process as a paralegal or bankruptcy petition preparer. Topics include the origins of bankruptcy, the Bankruptcy Code and requirements for filing, bankruptcy court procedures, and how to research bankruptcy laws.
Submission Type:	Improvement to Program of Study Change to Content  Removal of prerequisite and change to advisory to help with elective options for students each semester and progress through program with revisions. Other areas updated to reflect the eLumen formatting. This course was last assessed in Fall 2019. No changes to the SLOs based upon that assessment. Course evaluated to see if prerequisite needed and determine can be advisory.

### Faculty Minimum Qualifications

Master Discipline Preferred:	<ul style="list-style-type: none"> <li>Law</li> </ul>
Alternate Master Discipline Preferred:	No value
Bachelors or Associates Discipline Preferred:	<ul style="list-style-type: none"> <li>Legal Assisting (Paralegal)</li> </ul>
Additional Bachelors or Associates Discipline:	No value

### Course Formerly Known As

**Course Formerly Known As**

No Value

**Course Development Options**

**Basic Skills Status (CB08) (CB08)**

Course is not a basic skills course.

Allow Students to Gain Credit by Exam/Challenge

**Rationale For Credit By Exam/Challenge**

No value

**Course Special Class Status (CB13) (CB13)**

Course is not a special class.

**Allowed Number of Retakes**

0

**Retake Policy Description**

Type:|Non-Repeatable Credit

**Grade Options**

- Pass/No Pass
- Letter Grade methods

**Course Prior to College Level (CB21)**

Not applicable.

Allow Students To Audit Course

**Associated Programs**

Course is part of a program (CB24)

**Associated Program**

**Award Type**

CC Paralegal Studies

A.S. Degree Major

CC Paralegal Studies --

Certificate of Achievement

Paralegal Studies Certificate of Achievement

Paralegal Studies Certificate of Achievement

Paralegal Studies Associate in Science Degree

Paralegal Studies Associate in Science Degree

**Transferability & Gen. Ed. Options**

**Transferability**

Transferable to CSU only

**Transferability Status**

Approved

## Units and Hours

### Summary

<b>Minimum Credit Units (CB07) (CB07)</b>	3	<b>Total Course In-Class (Contact) Hours</b>	54	<b>Total Student Learning Hours</b>	162
<b>Maximum Credit Units (CB06) (CB06)</b>	3	<b>Total Course Out-of-Class Hours</b>	108	<b>Faculty Load</b>	-

### Credit / Non-Credit Options

<b>Course Credit Status (CB04) (CB04)</b> Credit - Degree Applicable	<b>Course Non Credit Category (CB22) (CB22)</b> Credit Course.	<b>Non-Credit Characteristics</b> No value
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<b>Course Classification Code (CB11) (CB11)</b> Credit Course. <input type="checkbox"/> Variable Credit Course	<b>Funding Agency Category (CB23) (CB23)</b> Not Applicable.	<input type="checkbox"/> Cooperative Work Experience Education Status (CB10) (CB10)
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### Weekly Student Hours

	In Class	Out of Class
Lecture Hours	3	6
Lab Hours	-	-
Activity Hours	-	-

### Course Student Hours

<b>Course Duration (Weeks)</b>	18
<b>Hours per unit divisor</b>	54
<b>Course In-Class (Contact) Hours</b>	
Lecture	54
Lab	-
Activity	-
<b>Total</b>	54
<b>Course Out-Of-Class Hours</b>	
Lecture	108
Lab	-
Activity	-
<b>Total</b>	108

### Time Commitment Notes for Students

No value

### Faculty Load

**Extra Duty:** - **Faculty Load:** -

<b>Units and Hours - Weekly Specialty Hours</b>			
<b>Activity Name</b>	<b>Type</b>	<b>In Class</b>	<b>Out of Class</b>
No value	No value	No value	No value

<b>Requisites</b>
<p><b>Advisory</b></p> <p>PARAC112 - Legal Research &amp; Writing I</p> <p>Students must apply correct methods of legal research, including examination of primary and secondary sources and correct citation to the analysis of tort law. Students are required to complete research projects to locate specific tort law and research skills are needed to use databases and locate proper laws. Additional skills acquired within PARA C112 would be helpful for the students.</p>

<b>Entrance Skills</b>	
<b>Skill</b>	<b>Content Review</b>
No value	No value

<b>Limitations on Enrollment</b>	
<b>Limitation</b>	<b>Provide Rationale</b>
No value	No value

<b>Specifications</b>	
<b>Methods of Instruction</b>	<b>Methods of Instruction Rationale</b>
Written work	Students will complete weekly assignments from the textbook and those created by the instructor based upon the materials covered in the readings such as end of chapter questions or document preparation. Assignments will be similar for online and on-ground.
Discussion	The primary subject matter for discussion prompts for the online or on-ground classes will be the same. Subjects for the discussion will include relevant topics to the reading material, client interactions, and update in the law or current events.

Lecture	<p>Online: Students will participate in weekly discussions. Students will post one individual initial posting per week and reply to a minimum of two classmates. The instructor will also participate in the board and student replies. For example, the instructor may rotate through one-half of the class each week to reply to all students equally throughout the course.</p> <p>On-ground: Students will participate in class discussions with the instructor or/and fellow students.</p> <p>Lecture topics will include relevant topics to the reading material, client interactions, practical examples, and update in the law or current events.</p> <p>Online: Lecture will be given via audio PowerPoint or instructor written lecture notes in line with the PowerPoint.</p> <p>On-ground: Face to face lecture using similar material for online.</p>
Instruction through examination or quizzing	Student will complete quizzes and examinations within the courses (online and on ground).
<b>Assignments</b>	
<p>A. Reading - will include course text, Bankruptcy websites such as <a href="http://www.uscourts.gov/FederalCourts/Bankruptcy.aspx">http://www.uscourts.gov/FederalCourts/Bankruptcy.aspx</a>.</p> <p>B. Discussion online in conjunction with legal readings of substantive and case law. Students are presented legal questions for research, comment, opinion, and discussion with other students or instructor.</p> <p>C. Examination (multiple choice, true and false, and short answer), Essay based on bankruptcy case law research and case scenario evaluation. Short Answer Questions based on law application (procedural and substantive).</p> <p>D. Other assignments include homework and projects based upon weekly readings.</p>	
<b>Methods of Evaluation</b>	<b>Methods of Evaluation Rationale</b>
Tests	<p>Examination will be by web site automatic graded true and false or multiple-choice questions. Additional questions posted for student to write short answers to case law.</p> <p>Example examination question:</p> <p>This is a practical examination. For this examination you will need to follow the instruction of your attorney and refer to the documents that have been included in the file for you to perform your task. Use the legal memorandum template that has been included with the Turner's file to complete that portion of the exam. Review the final examination assignment and Turner client folder to complete the exam.</p> <p>This examination must be completed in word, rtf, or pdf format. You will be allowed to submit a maximum of two files. You will only be allowed to make only one submission, so make sure you submit both files at the same time. Once you turn it in that is it no changes. <b>It must be turned in on or before 11:59p.m. Wednesday.</b></p> <p>Problem:</p> <p>Your attorney Jack Sparrow has asked that you review the documents that he has prepared so far and complete the mean test for clients, William and Elizabeth Turner. Attorney Sparrow informs you that he has completed the schedule I and schedule J. He needs you to complete the mean test form(s) for the file and write a short (1 page or less) memorandum about whether or not a presumption arises so that the Turner's can file a chapter 7. He also wants you to research and determine whether a reaffirmation agreement would be necessary for the vehicles because of the amount delinquent. He would like one short paragraph on each issue.</p> <p>Attorney Sparrow has provided you with the Turner's client file (see attached in week 15) with all the information you need to complete your tasks. However, you do need to locate and complete the means test form(s) for the U.S. Bankruptcy Court for the</p>

Southern District of California. Follow the directions on form 22-A1 and 22-A2, if necessary, to determine whether a presumption of abuse arises in their case.

You must complete and submit the applicable means test form(s) and the legal memorandum on or before **11:59p.m. Wednesday**. This examination be completed in word, rtf, or pdf format. You will be allowed to submit a maximum of two files. You will only be allowed to make one submission, so once you turn it in that is it no changes.

#### Homework

The students will complete weekly assignments from the textbook and those created by the instructor based upon the materials covered in the readings. Assignments will be similar for online and on-ground.

For example:

For completion of this assignment refer to the information provided on pages 474-476 of the class text. We will be preparing the Bottomline's case for filing in the California South District Bankruptcy Court, San Diego, Ca. See the instructions within the practice exercises for the assignment details.

Chapter 3: Practice exercises:

Exercise 3.2 - Client letter regarding pre-petition credit counseling

Exercise 3.3 - Client letter regarding Section 527 Debt Relief Agency Notice requirements

Exercise 3.4 - Voluntary petition

All assignments are due by 11:59p.m. Sunday. The letters for exercise 3.2 and 3.3 must be submitted as one file. The voluntary petition for Exercise 3.4 must be submitted as its own file.

#### Participation

The primary subject matter for discussion prompts for the online or on-ground classes will be the same.

Online: Students will participate in weekly discussions. Students will post one individual initial posting per week and reply to a minimum of two classmates. The instructor will also participate in the board and student replies. For example, the instructor may rotate through one-half of the class each week to reply to all students equally throughout the course.

On-ground: Students will participate in class discussions with the instructor or/and fellow students. .

#### Distance Education Description: how outcomes are evaluated

Assignments for the online course are in line and similar to the assignments that are offered on ground. The SLO's are assessed through rubric and objective assignments such as discussion boards, exams, and homework.

#### Equipment

No Value

#### Textbooks

Author	Title	Publisher	Date	ISBN
Buchbinder, D.	Basic Bankruptcy Law for Paralegals, 10th ed.	Aspen Publishing: Wolters Kluwer	2017	ISBN: 978-1-4548-7341-9

#### Other Instructional Materials

No Value

**Materials Fee**

No

**Learning Outcomes and Objectives****Course Objectives**

Examine and prepare a hypothetical case or cases within the course.

Understand the duties of a Bankruptcy Petition Preparer (BPP) and how they differ from a paralegal and California's Legal Document Assistant (LDA).

Locate and apply Federal Rules of Bankruptcy Procedure for debtor and creditor, trustees, and examiners of a bankruptcy case.

Explain the Bankruptcy Reform Act of 2005 and the subsequent amendments.

Distinguishing between the different Chapters for filing a bankruptcy including determining which Chapter may best suit the client's needs, their different outcomes, and effect on client's credit.

Outline of the primary steps for bankruptcy would include discussion of client intake and investigation of assets and debts, completion of pre and post filing credit counseling, Petition and required attachments, automatic stay, notice requirements, creditor's meeting, motions, Trustee's duties or payments, and discharge.

**CSLOs**

**Differentiate between the sections of the Bankruptcy Code that apply universally to all filings and those specific to the Chapter being filed.**

Expected SLO Performance: 75.0

**Outline the primary steps in a bankruptcy proceeding from client intake to petition through discharge.**

Expected SLO Performance: 75.0

**Distinguish between the different Chapters for filing a bankruptcy including when they should be used and their effect upon the client.**

Expected SLO Performance: 75.0

**Apply the means test formula to a client's case for determination of whether to file a Chapter 7 or Chapter 13 bankruptcy.**

Expected SLO Performance: 75.0

**Identify and explain the alternatives to bankruptcy.**

Expected SLO Performance: 75.0

**Outline**

**Outline**

## A. Introduction and Basic Concepts

1. Bankruptcy Origins
2. Bankruptcy Reform
3. Understanding the Client's Needs
4. Performing Research

## B. Beginning the Case

1. Client Intake
2. Collection of Assets and Debts
3. Pre- and Post-filing Credit Counseling
4. Means Test and Qualification for Chapter 7
5. Selecting the Proper Chapter for Filing
6. Statements and Schedules
7. Property of the Estate

## C. Bankruptcy Chapters

1. Chapter 7
2. Chapter 11
3. Chapter 12
4. Chapter 13
5. Overview of Additional Chapters for Filing for Specific Entities

## D. Bankruptcy Court

1. Judge
2. Trustee
3. Examiners
4. Jurisdiction

## E. Bankruptcy Proceedings

1. Petition
2. Automatic Stay
3. Creditor's Meeting
4. Dischargeability and Objections
5. Turnovers and Avoiding Powers
6. Liquidation and Claims
7. Payments (under reorganization)
8. Discharge

## F. Reorganization Proceedings

1. Administration
2. The Plan
3. Plan Confirmation
4. Payments
5. Discharge/Completion

## G. Involuntary Petition

1. Debtor's Obligations and Duties
2. Creditor's Obligations and Duties
3. Liquidation and Claims
4. Discharge

**Delivery Methods**



**Delivery Method: Please list all that apply -Face to face -Online (purely online no face-to-face contact) -Online with some required face-to-face meetings ("Hybrid") -Online course with on ground testing -iTV – Interactive video = Face to face course with significant required activities in a distance modality -Other**

- Face to face
- Online (purely online no face-to-face contact)
- Online with some required face-to-face meetings ("Hybrid")
- iTV – Interactive video = Face to face course with significant required activities in a distance modality

**Rigor Statement: Assignments and evaluations should be of the same rigor as those used in the on-ground course. If they are not the same as those noted in the COR on the Methods of Evaluation and out-of-class assignments pages, indicate what the differences are and why they are being used. For instance, if labs, field trips, or site visits are required in the face to face section of this course, how will these requirements be met with the same rigor in the Distance Education section? Describe the ways in which instructor-student contact and student-student contact will be facilitated in the distance ed environments.**

All paper assignments are identical to those in an onsite class except that they are submitted by "submission box" within the Learning Management System (LMS). Weekly class discussions are conducted by means of online weekly discussion forums within the LMS. Quizzes and exams will also be uploaded to the LMS and the student will take the quiz/exam through the LMS platform, however, content will be identical to any on-site courses. The instructor is responsible for providing feedback to the discussion within the discussions each week and also through grading feedback. Some instructors use rubrics, which are also stated in the syllabus, to grade course work and discussion forums but rubrics are not required and the need will vary by assignment. Objective answers would not require a rubric. Outcomes are assessed. See Methods of Evaluation.

Faculty maintains regular and effective contact with students online through participation in discussion board forums, course announcements, annotated feedback comments on graded assignments, office hours, and responding to student inquiries via email, "ask the instructor" forum, phone or Zoom video conferencing.

Students have regular contact with each other through the required weekly discussion boards. The students are required to post an initial response each week and reply to a minimum of two of their classmates. Students can also communicate with each other through email or Canvas Inbox.

**Good practice requires both asynchronous and synchronous contact for effective contact. List the methods expected of all instructors teaching the course. -Learning Management System -Discussion Forums -Message -Other Contact - Chat/Instant Messaging -E-mail -Face-to-face meeting(s) -Newsgroup/Discussion Board -Proctored Exam -Telephone -iTV - Interactive Video -Other**

- Discussion Forums
- Message
- Chat/Instant Messaging
- E-mail
- Face-to-face meeting(s)
- Newsgroup/Discussion Board
- Telephone
- iTV - Interactive Video

**Software and Equipment: What additional software or hardware, if any, is required for this course purely because of its delivery mode? How is technical support to be provided?**

Any software such as Word or Adobe can be downloaded for free.

**Accessibility:** Section 508 of the Rehabilitation Act requires access to the Federal government's electronic and information technology. The law covers all types of electronic and information technology in the Federal sector and is not limited to assistive technologies used by people with disabilities. It applies to all Federal agencies when they develop, procure, maintain, or use such technology. Federal agencies must ensure that this technology is accessible to employees and the public to the extent it does not pose an "undue burden". I am using -iTV—Interactive Video only -Learning management system -Publisher course with learning management system interface.

- Learning management system

**Class Size:** Good practice is that section size should be no greater in distance ed modes than in regular face-to-face versions of the course. Will the recommended section size be lower than in on-ground sections? If so, explain why.

Same online as on ground.