

COURSE SYLLABUS

POLITICAL SCIENCE 312: BANKRUPTCY FOR PARALEGALS (3 semester hours)

Mondays, 7:20 – 10:00 PM
BA - 338

Instructor: Professor Shawn Council, Esq.
Office Location: SS – 163
Office Hours: M 6:30 PM – 7:00 PM (*or by appointment*)
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Required Texts

Martin A. Frey and Sidney K. Swinson, *Introduction to Bankruptcy Law*, 6th edition, Cengage
ISBN-10: 1435440803

Course Description

This course introduces the student to bankruptcy law with emphasis on the paralegal's role. Topics include individual and business liquidation and reorganization, debtor's and creditor's rights, litigation proceedings in bankruptcy court, legal concepts and terminology relating to bankruptcy law, ethical considerations for paralegals working in this area, and current computer applications utilized in bankruptcy practice.

Course Objectives

The goal of this course is to enable the student to:

- Understand the role of the paralegal in a bankruptcy practice;
- Identify the functions of the various parties/agencies involved in a bankruptcy case;
- Develop of basic understand of the different bankruptcy chapters and the processes for each;

Attendance Policy

Attendance is required and roll will be taken at every class. If you miss more than 4 classes I reserve the right to drop you from the course. If a student leaves before the end of class, it will be considered 1 absence.

Grading Policy

This class will be taught using the Socratic Method as well as lecture. You may be called on at any time and are expected to be fully prepared to discuss the assigned reading material. This is a cumulative grade over the course of the semester.

You are also responsible for completing the assignments listed in this syllabus. The assignments may be found within the chapters of the textbook and in handouts I will provide to you. If the assignment is a group assignment, you will be responsible for choosing your group members. A group may consist of 2 to 3 people. Your assignments will be reviewed, graded and returned to you. This is a cumulative grade over the course of the semester.

All assignments must have a cover page indicating the following: your name, class, name of the assignment, and date the assignment is due. All assignments must be stapled. A deduction of 10 points will be assessed to all assignments turned in without stapling or without a cover page.

Case briefs, take-home exams, homework assignments, and any other written work are due at the beginning of the class period indicated in this syllabus. All written work will be graded not only on content, but also on writing style, **including punctuation and grammar**. Homework, case briefs, and take-home exams *will NOT* be accepted late or by email.

The examinations will primarily consist of multiple choice, true/false, definition, and short answer questions. If an exam is take-home, any collaboration with other students with regards to the substance of the exam will result in a failing grade.

Your grade will be calculated according to the following formula:

Attendance/Participation	15 points
Assignments	25 points
Test 1	25 points
Test 2 FINAL	<u>35 points</u>
TOTAL	100 points

Grade Distribution is as follows:

A = 90-99
B = 80-89
C = 70-79
D = 65-69
F = 64 and below
<i>(No extra credit work will be allowed)</i>

Classroom Etiquette

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See Student's Guide Handbook, Policies and Procedures, Conduct) You are expected to exhibit respect for the instructor and fellow students at all times. All electronic devices (except laptops) must be turned off during class. Laptop use is limited to reading notes made for class and taking notes during class. In the event you choose to use a laptop, sound features must be disabled. Surfing the internet and playing games on your laptop during class time are strictly prohibited. Failure to adhere to these policies may result in removal from class.

Texas A&M University-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

Disability Statement

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring accommodation, please contact:

Office of Student Disability Resources and Services
Texas A&M University – Commerce
Gee Library
Room 132
Phone: (903)886-5150 or (903)886-5835
Fax: (903)468-8148
StudentDisabilityServices@tamuc.edu

“What is Plagiarism

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. But terms like "copying" and "borrowing" can disguise the seriousness of the offense:

According to the Merriam-Webster Online Dictionary, to "plagiarize" means

1. to steal and pass off (the ideas or words of another) as one's own
2. to use (another's production) without crediting the source
3. to commit literary theft
4. to present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of fraud. It involves both stealing someone else's work and lying about it afterward.

But can words and ideas really be stolen?

According to U.S. law, the answer is yes. The expression of original ideas is considered intellectual property, and is protected by copyright laws, just like original inventions. Almost all forms of expression fall under copyright protection as long as they are recorded in some way (such as a book or a computer file).

All of the following are considered plagiarism:

- turning in someone else's work as your own
- copying words or ideas from someone else without giving credit
- failing to put a quotation in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not (see our section on "fair use" rules)

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.” (www.plagiarism.org)

If you plagiarize, you will receive a ZERO for the assignment in question. I also reserve the right to give you an F in the course. The matter will be referred to the Office of the Dean of the College of Arts and Sciences.

As Instructor, I reserve the right to amend, modify, or alter this syllabus as the situation may require.

Tentative Course Reading Assignments

Week 1

01/26 First Day of Class: Course Overview

Chapter 1: The Evolution of Bankruptcy Law

For Class: Read Chapter 1.

Week 2

02/02 Chapter 2: Bankruptcy Law and Where to Find It

For Class: Read sections 1-4. Be prepared to discuss problems 2.5 through 2.11.

Assignment: Define the key terms from Chapter 2 listed on (pg. 33)

Week 3

02/09 Chapter 3: The Case of Characters and Their Roles in the Bankruptcy Process

For Class: Read Sections 1-7. Be prepared to discuss problems 3.1-3.3;

Assignment: Define key terms from Chapter 3 listed on (pg. 61)

Week 4

02/16 Chapter 4: Information Gathering, Analysis, Counseling, and Drafting

For Class: Read Section 1-2. Be prepared to discuss problems 4.2; 4.6-4.13

Assignment: Define key terms from Chapter 4 listed on (pg. 103)

Week 5

02/23 Chapter 5: The Voluntary Chapter 7 Bankruptcy (Liquidation)

For Class: Read Sections 1-2. Familiarize yourself with each of the

schedules listed in Section 2.

Assignment: Complete Problem 5.15 to be turned in.

Week 6

03/02 Chapter 5: Continued

For Class: Read Sections 3-5. Be prepared to discuss problems 5.21-5.27.

Assignment: Complete Problem 5.29 to be turned in.

Week 7

03/09 **Test 1**

Week 8

03/16 NO CLASS—SPRING BREAK

Week 9

03/23 Chapter 5: Continued

For Class: Read Sections 7-13.

Assignment: Define Key Terms from Chapter 5 listed on (pg. 373)

Week 10

03/30 Chapter 6: The Chapter 13 Bankruptcy (Adjustment of Debts of an Individual with Regular Income)

For Class: Read Sections 1-4.

Week 11

04/06 Chapter 6: Continued

For Class: Read Sections 5-10

Assignment: To be announced prior to class date.

Week 12

04/13 Chapter 6: Continued

For Class: Read Sections 11-15.

Assignment: Define Key Terms to be turned in (pg. 446).

Week 13

04/20 Chapter 8: The Voluntary Chapter 11 Bankruptcy (Reorganization)

For Class: Read Chapter 8.

Assignment: Define Key Terms to be turned in. (pg. 593)

Week 14

04/27 Chapter 9:

For Class: Read Chapter 9

Assignment: Define Key Terms to be turned in.

Week 16

05/4 Review Session: Please be prepared with questions on material you do not understand.