BANKRUPTCY LAW
Law 577

Spring 2014
Room 206
M & W: 2:30 – 3:45 p.m.

Professor: Dana S. Frazier
Tel: (work) 618-687-5707
Email: danasuefrazier@frontier.com
Office Hours: by appt. or email

Required Texts:

ISBN 978-0-7355-7626-1

Reference Material:


Attendance:

Attendance will be taken in class by circulating an attendance sheet for you to sign. If you collect more than six absences, as indicated by the attendance sheets, you will receive a grade reduction for the class. Do not sign the attendance sheet if you are not prepared, i.e. required reading and completion of any problem sets. I will call on students randomly to discuss the materials/cases contained in the text and to work the problems assigned in the text in class.

Notes:

You are responsible for all assigned reading even though we may not discuss the readings in class. Exam questions may include issues from all the readings even if we have not specifically discussed them in class.

Exams:

Please do not submit email questions concerning exam issues less than 24 hours before the exam.

Grading:

Your final grade will be based on:
40% Final Exam
40% Quizzes (Best 10 will be counted)
10% Writing Assignment
10% 341 Meeting Attendance
In March, students will have to complete a Writing Across the Curriculum assignment. The assignment will consist of writing a client letter relating to a bankruptcy issue. The exercise will give students the opportunity to write a business letter and translate certain bankruptcy concepts for a lay audience.

**Syllabus**
Please check TWEN each week for your reading and problem assignments as the Syllabus is subject to change.

**Emergency Procedures**
Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work because some health and safety circumstances are beyond our control; we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at [www.bert.siu.edu](http://www.bert.siu.edu), Department of Safety’s website [www.dps.siu.edu](http://www.dps.siu.edu) (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. **It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency.** The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

**Illinois Eavesdropping Act**
If students are not going to be attending class, for good cause, then Mr. Tom Furby can be contacted so that particular class session can be taped and watched by that student(s). The student must make all the arrangements to tape the class session.

**Final Exam**
Tuesday, April 29, 2014, 1:15 p.m.

**SYLLABUS**

<table>
<thead>
<tr>
<th>Class 1</th>
<th>Chapter 1. Collection Without Courts</th>
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<tbody>
<tr>
<td>1/13/2014</td>
<td>Casebook: Pages 1 – 28</td>
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<td>Prepare Problems 1.2, 1.4</td>
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<thead>
<tr>
<th>Class 2</th>
<th>Chapter 2. State Law Debt Collection</th>
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<tr>
<td>1/15/2014</td>
<td>A. Collection Remedies</td>
</tr>
<tr>
<td></td>
<td>Casebook: Read pgs. 33-53</td>
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<td>Problems 2.1</td>
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Monday 1/20/2014 – NO CLASS- Holiday
Class 3)  A. Collection Remedies
1/22/2014
Garnishment
Casebook: Read pgs. 54-70
Problems 3.2, 3.3

Class 4)  B. Fraudulent Conveyances and Shielding Debtor Assets
1/27/2014
Casebook: Read pgs. 71-79; skip 79-90
Problems 4.1, 4.2, 4.3
C. State Collective Remedies
Casebook: Read pgs. 92-95

Class 5) Chapter 3. Introduction to Bankruptcy
1/29/2014
Casebook: Read pgs. 101-112

Chapter 4. Elements Common to Consumer Bankruptcies
A. Background
B. Outline
C. Getting Started
D. 1) Property of the Estate
Casebook: Read pgs. 113-130
Problems 5.1, 5.2, 5.3, 5.4

Class 6)  E. Automatic Stay
2/3/2014
Casebook: Read pgs. 131-138
Problems 6.1, 6.2, 6.3

Chapter 5. Liquidation Bankruptcy
A. Introduction
B. Eligibility
Casebook: Read pgs. 141-166
Problems 7.1

Class 7)  C. Property Exempt from Seizure
2/5/2014
Casebook: Read pgs. 167-189

Class 8)  C. Property Exempt from Seizure
2/10/2014
Casebook: Read pgs. 189-196
Problems 8.1, 8.3 (Use Illinois Exemptions)

Class 9)  Guest Speaker
2/13/2014

Class 10)  D. Homesteads, Trusts, and Exemption Planning
2/17/2014
Casebook: Read pgs. 198-216
Problems 9.1, 9.3
<table>
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<tr>
<th>Class 11)</th>
<th>E. Claims and Distributions</th>
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<tbody>
<tr>
<td>2/19/2014</td>
<td>Casebook: Read pgs. 217-227</td>
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<tr>
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<td>Problems 10.1, 10.2, 10.3</td>
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<tr>
<td></td>
<td>Casebook: Read pg. 228</td>
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<td>Problem 11</td>
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<tr>
<th>Class 12)</th>
<th>F. Discharge</th>
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<tr>
<td>2/24/2014</td>
<td>Casebook: Read pgs. 229-251</td>
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<tr>
<th>Class 13)</th>
<th>F. Discharge</th>
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<tr>
<td>2/26/2014</td>
<td>Casebook: Read pgs. 251-257</td>
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<tr>
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<td>Problems 12.1, 12.2, 12.5, 12.6</td>
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<td>G. Reaffirmation</td>
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<td>Casebook: Read pgs 259-271</td>
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<td>Problems 13.1, 13.2, 13.4, 13.7</td>
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<th>Class 14)</th>
<th>Chapter 6. Chapter 13 Bankruptcy</th>
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<tr>
<td>3/3/2014</td>
<td>A. Elements of an Acceptable Plan</td>
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<td>Casebook: Read pgs. 275-301</td>
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<tr>
<th>Class 15)</th>
<th>A. Elements of an Acceptable Plan</th>
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<tr>
<td>3/5/2014</td>
<td>Casebook: Read pgs. 301-306</td>
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<td>Problems 14.1, 14.2, 14.3, 14.4</td>
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<td>Casebook: Read pgs. 307-325</td>
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**SPRING BREAK 3/8/2014- 3/16/2014**