

BANKRUPTCY
Spring 2012

Professor Kelli A. Alces
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Office Hours: Mondays 1:30-2:30, Wednesdays 2-3

Required Texts:

Elizabeth Warren & Jay Westbrook, *The Law of Debtors and Creditors*, Aspen Publishers, **6th Edition**.

Bankruptcy Code, Collier's Pamphlet, 2012.

Recommended Text:

Jeffrey T. Ferriell & Edward J. Janger, *Understanding Bankruptcy* (LexisNexis, 2nd Edition, 2007)

Course Objectives: The objectives of this course are for students to learn the basic principles of debtor-creditor law, particularly bankruptcy law. There will be no particular focus on Florida law.

Assignments: The reading assignments from *The Law of Debtors and Creditors* casebook are listed on the syllabus and are required. Expect to prepare one reading assignment (about one problem set and related materials) per class period. I will let you know if I want you to read at a different pace. This is a problems-based course. You are responsible for preparing answers to the problems before class. We will spend the bulk of class time discussing the problems.

Class Participation: I encourage active participation in class and expect that each of you will be prepared for each class. I will call on students to discuss the assigned material during each class. If you are unprepared for class, please let me know before class begins. Being unprepared more than twice will result in a reduction in your final grade.

Attendance Policy: Class attendance is mandatory. In accordance with the ABA accreditation standards and FSU College of Law rules, you will not receive credit for this course if you are absent for more than 20% of the class meetings (more than 5 classes).

Office Hours: My office hours are Mondays 1:30-2:30 and Wednesdays 2-3. I will be in the building most days and am happy to answer questions or chat whenever you would like to stop by. You may also email me if you would like to make an appointment to meet at a specific time.

Examination: The examination in this course will be an open-book essay exam. The exam will be given at 9:30am on Thursday, April 26. You may bring *any* written materials into the exam room with you and may use a computer to complete your exam in accordance with FSU rules and procedures. Exam answers may be handwritten if you prefer. The exam will be limited space.

FSU Honor Code: The College of Law's Student Conduct Code [http://www.fsu.edu/current_students/rules/studentconduct.pdf] governs the academic conduct of students at the Florida State University College of Law. Students are bound by the College of Law's Code in all of their academic work. The Code outlines the College of Law's expectations for the integrity of students' academic work, the procedures for resolving alleged violations of those expectation, and the rights and responsibilities of students and faculty members throughout the process.

Students with Disabilities: Students with disabilities needing academic accommodation should (1) register with and provide documentation to the Student Disability Resource Center; and (2) bring a letter to Nancy Benavides, Associate Dean for Student Affairs, indicating the need for accommodation and what type. This should be done during the first week of class.

ASSIGNMENT SCHEDULE

- 1** 1-31, Problem Set 1 [Collection Without Courts]
- 2** 33-54, Problem Set 2 [State Law Debt Collection]
- 3** 71-92, Problem Set 4 [Fraudulent Conveyances and Shielding Debtor Assets]
- 4** 101-131, Problem Set 5 [Introduction to Bankruptcy; Elements Common to Consumer Bankruptcies]
- 5** 131-139, Problem Set 6 [The Automatic Stay]
- 6** 141-167, Problem Set 7 [Liquidation Bankruptcy]
- 7** 167-197, Problem Set 8 [Property Exempt from Estate]
- 8** 198-217, Problem Set 9 [Homesteads, Trusts, and Exemption Planning]
- 9** 217-228, Problem Set 10 [Post-petition Claims]
- 10** 228-229, Problem Set 11 [Priority Among Unsecured Creditors]