

NAVIGATION

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Bankruptcy & Cash Crisis Management



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Introduction

In the U.S. and many other countries, there are protections provided to companies and individuals that find themselves in cash crisis.

Chapter 11 is a chapter of Title 11 of the United States Bankruptcy Code, which permits reorganization under the bankruptcy laws of the United States. Chapter 11 bankruptcy is available to every business, whether organized as a corporation, partnership or sole proprietorship, and to individuals, although it is most prominently used by corporate entities.

In contrast to chapter 11, Chapter 7 governs the process of a liquidation bankruptcy (although liquidation can go under this chapter), while Chapter 13 provides a reorganization process for the majority of private individuals.

- Video ~ Corporations: Insolvency
- Slideshow Handout ~ Corporations: Insolvency
- Reading ~ Bankruptcy Definition
- Reading ~ Bankruptcy ~ History
- Reading ~ Bankruptcy Law - An Introduction
- Video ~ What Are the Various Types of Bankruptcy?
- Reading ~ Bankruptcy: An Overview
- Reading ~ The Automatic Stay: Stopping Creditors with Bankruptcy
- Reference ~ Federal Rules of Bankruptcy Procedure

Quickly scan the reference materials to acquaint yourself with the rules.

Q & A ~ Introduction to Bankruptcy & Cash Crisis Management

Navigating a High Tech Startup through Cash Crisis

This section corresponds with materials the entrepreneurship course.

- Reading ~ Pages 17-27 Zero-To-IPO
- Reading ~ Pages 251-299 Zero-To-IPO
- Q & A ~ Cash Crisis Management ~ Navigating a High Tech Startup through Cash Crisis

Corporate Insolvency ~ Chapter 11 Reorganization

- Video ~ Introduction to Chapter 11
- Reading ~ Stay & Reorganization ~ Chapter 11
- Reading ~ Chapter 11 Bankruptcy
- Video ~ Chapter 11: Bankruptcy Restructuring
- Reference ~ 11 U.S. Code Chapter 11 - REORGANIZATION

Quickly scan the reference materials to acquaint yourself with the rules.

Q & A ~ Cash Crisis Management ~ Chapter 11 Reorganization

Chapter 7 Bankruptcy & Liquidation

- Video ~ Chapter 7: Bankruptcy Liquidation
- Reading ~ Filing for Chapter 7
- Reading ~ Who Can File for Chapter 7 Bankruptcy?
- Reading ~ Chapter 7: How it Works
- Reading ~ Pros and Cons of Declaring Bankruptcy under Chapter 7
- Reading ~ Bankruptcy Exemptions Under Chapter 7
- Reading ~ Alternatives to Chapter 7 Liquidation
- Reading ~ Chapter 7 Bankruptcy Checklist
- Reference ~ 11 U.S. Code Chapter 7 - LIQUIDATION

Quickly scan the reference materials to acquaint yourself with the rules.

Q & A ~ Cash Crisis Management ~ Chapter 7 Liquidation

Secured Transactions

In the U.S. Article 9 of the UCC governs how security interests may be obtained in personal property to secure a debt. In Article 9 the owner of the collateral is referred to as the "debtor" and the creditor is referred to as the "secured party."

Fundamental concepts under Article 9 include how a security interest is created in property ("attachment"); how security interests are made generally effective against third parties with a claim to the collateral ("perfection"); which among multiple security interests or other claims to the collateral is best ("priority"); and what remedies are available to the secured party if the debtor defaults in payment or performance of the secured obligation.

In general, Article 9 does not govern real property security interests, except for fixtures to real property. Mortgages, deeds of trust, and installment land contracts, which are the principal forms of real property security interests, remain governed by non-uniform state laws.

- Video ~ Secured Transactions
- Slideshow Handout ~ Secured Transactions
- Video ~ UCC Article 9 Secured Transactions
- Video ~ What is a Lien?
- Video ~ What is a Judicial Lien?
- Video ~ What is Lien Perfection?
- Reading ~ How to Attach and Perfect Your Security Interest in Collateral
- Reference ~ U.C.C. - ARTICLE 9 - SECURED TRANSACTIONS

Quickly scan the reference materials to acquaint yourself with the rules.

Q & A ~ Cash Crisis Management ~ Secured Transactions

Materials on Cash Crisis Management Maneuvers is not available

Bankruptcy Relief for Individuals & Sole Proprietors

Chapter 7 of the United States Code (Bankruptcy Code) governs the process of liquidation under the bankruptcy laws of the United States. (In contrast, Chapters 11 and 13 govern the process of reorganization of a debtor in bankruptcy.) Chapter 7 is the most common form of bankruptcy in the United States. A chapter 7 bankruptcy case does not involve the filing of a plan of repayment as in chapter 13. Instead, the chapter 7 trustee gathers and sells the debtor's nonexempt assets and uses the proceeds of such assets to pay holders of claims (creditors) in accordance with the provisions of the Bankruptcy Code. Part of the debtor's property may be subject to liens and mortgages that pledge the property to other creditors. In addition, the Bankruptcy Code will allow the debtor to keep certain "exempt" property; but a trustee will liquidate the debtor's remaining assets. Accordingly, potential debtors should realize that the filing of a petition under chapter 7 may result in the loss of property.

Chapter 13 provides an individual the opportunity to propose a plan of financial reorganization to reorganize their financial affairs while under the protection of the bankruptcy court. The purpose of chapter 13 is to enable an individual with a regular source of income to propose a chapter 13 plan to provides for their various classes of creditors. Under chapter 13, the Bankruptcy Court has the power to approve a chapter 13 plan without the approval of creditors as long as it meets the statutory requirements under chapter 13.

- Reading ~ Bankruptcy: Advantages and Disadvantages
- Video ~ Bankruptcy Pros and Cons
- Reading ~ Is Bankruptcy a Good Idea?
- Reading ~ Chapter 7 vs. Chapter 13 Bankruptcy
- Video ~ Chapter 7 v. Chapter 13 for Individuals
- Reading ~ Facing Foreclosure? How Bankruptcy Can Help
- Reading ~ Debt Discharge in Bankruptcy
- Reading ~ Bankruptcy: Frequently Asked Questions
- Video ~ How Often Can a Person File for Bankruptcy?
- Reading ~ What Happens After Chapter 7 Bankruptcy?
- Reading ~ Eliminating Tax Debts in Bankruptcy
- Video ~ Bankruptcy Judgment Lien
- Video ~ Bankruptcy ~ Can You Keep Your House?
- Reading ~ 2005 Bankruptcy Law Changes FAQ
- Reference ~ 11 U.S. Code Chapter 13 - ADJUSTMENT OF DEBTS OF AN INDIVIDUAL WITH REGULAR INCOME

Quickly scan the reference materials to acquaint yourself with the rules.

Q & A ~ Cash Crisis Management ~ Bankruptcy Relief for Individuals & Sole Proprietors