

CREDITORS' RIGHTS AND REMEDIES
FALL 2018
WEDNESDAYS FROM 4 TO 6 pm

SYLLABUS

Professor M. H. Cersonsky
1770 St. James Place, Suite 150
Office Phone 713-600-8500
mhcersonsky@law-crg.com

CLASS MATERIALS

The materials for this course are statutes and cases I have arranged. I found that course books in this area do not prepare a student for real world legal problems. In addition, I will give class assignments, requiring students to prepare documents that are used daily in commercial and/or consumer litigation matters. This will include the documents which form the basis of the transaction between a creditor/lender and a debtor/borrower. This will include enforcing or defending contract rights.

CLASS PARTICIPATION AND ATTENDANCE

I follow the rules set out in the Law Center Student Handbook, which requires a minimum 80% attendance. Those who attend less than 80% may be dropped from the class automatically. Coming in late or leaving early will be considered as not participating. Class Participation is 10% of one's grade as will be explained in more detail below.

Do not come to class sick. Coming sick could make others sick. Be courteous and do not come to class sick. If you are ill, you may ask a fellow student for his/her notes. And you may contact me to find out what was covered in the class. But please do this as soon as possible, do not wait 4 or 5 weeks to ask me what happened in a class.

As for participation in the classroom, everyone should participate. I assign to students the specific cases they are to read and brief. Yes, you will be called upon for the cases or statutes assigned to you. Reading beyond the minimum will demonstrate to me that you are participating in the class. Class participation is 10% of your final grade. Moreover, reading more than the minimum will help you to understand and apply the concepts and requirements we are studying. I encourage questions, if you do not understand something, ask.

EXAMS AND GRADING

The final semester grade has three parts. First, class participation is 10% of the grade. Second, performance of class assignments will be 5% of the grade. By class assignments I mean preparation of documents assigned to you to prepare and then present to the class. These assignments are to help you understand how to apply the concepts in a real-world setting. In other words, you will be doing things that lawyers do. Third, there will be a final examination which will be composed of short answer questions and some fact scenarios you will analyze and advise how to resolve under the applicable law. The final exam will be an in-class exam. The final examination will be 85% of the grade.

READING ASSIGNMENTS FOR THE COURSE

For the first week, everyone must read the first 10 statutes and cases in the materials. The statutes and cases are generally given their own number.

Assignments for the second week and thereafter will be done in the first class.

CLASS ASSIGNMENTS SEPARATE FROM THE READING ASSIGNMENTS

As noted above, for certain classes documents will be prepared by students to be presented and discussed in class. For example, documents relating to the foreclosure process of both real property and personal property will be prepared. This will include documents relating to the initial transaction whereby the debtor-creditor relationship was created.

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html