OBJECTIVES

This course aims to provide you with: (1) an understanding, in general terms, of the regulation of credit and debt; and (2) the rights and protections available to debtors and to unsecured creditors (including creditors with unpaid judgments (“judgment creditors”). It will enable you to identify legal issues in debtor and creditor problems and to work with both substantive law and policy considerations in resolving them. The course will also provide you with an opportunity to examine and discuss law reform and policy debates in the area.

COURSE DESCRIPTION

This course examines the remedies available to the unsecured creditor for the collection of debts, and the protections afforded to debtors. It looks at the regulation of credit products (including high-cost credit products such as payday loans), credit reporting, debt collection agencies and practices, prejudgment remedies, the garnishment of wages and other debts, the enforcement of money judgments against real and personal property, and fraudulent conveyances and fraudulent preferences. It also canvasses consumer bankruptcy and insolvency. The course includes materials covered in the Civil Law portion (“Collections”) of the Law Society of British Columbia’s bar admissions course.

METHODOLOGY

This course will be taught through a combination of lectures, small group work, and discussion sessions. Students may be asked to prepare discussion questions for distribution in advance of class. It is my expectation that students will (i) have read and thought about the assigned materials before coming to class; and (ii) be able to identify and discuss relevant legal and policy issues raised by the readings.

EXPECTED EVALUATION METHODOLOGY

2 Collective Note-taking Submissions: 5%

One or two written assignments (3-5 pages each): 15% - 45% of Final Grade (Format and Percentage of Grade TBD)

Final Examination: 50% - 70% of Final Grade (Percentage of Grade TBD)

May 2018

1 The information in this document is provided for course registration purposes only and is subject to change. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Associate Dean (lawassoc@uvic.ca).