Night chapter 1 study guide

Night, the period of darkness caused by the disappearance of the sun under the horizon. The limits of the night are not firmly defined. The night can be considered as the period from dusk to dawn, or as the period from the end of the afternoon twilight to the beginning of the morning twilight. The duration of the night in most parts of the world changes with the seasons. For humans, night is a natural rest period, but many other animals are more active at night than by day. Many insects, fish, reptiles, birds and mammals have eyes that adapt to weak night light. Chapter 12 is a special type of bankruptcy specifically intended for someone who meets the definition of a family farmer or family fisherman. The person must also have what is called regular annual income. Deeper definitionThe right to bankruptcy 12 does not automatically end all of its debts. Instead, you must submit a payment plan, similar to Chapter 13 bankruptcy. Both an individual and an individual and their spouse can apply for bankruptcy protection under Chapter 12, but most of their debts must be related to their agricultural or fisheries business. This includes debts that have a fixed amount but exclude the cabinet house. For a family farmer, at least 50 percent of the debts must be business-related, and for a fisherman, at least 80 percent must be. In addition, at least 50 percent of your income must have come from business by the previous fiscal year. For family farmers, this includes the previous three fiscal years. They must have regular annual income so that they have the financial resources to make a long-term plan to pay their creditors for 3 to 5 years. As with other types of bankruptcy, anyone filing Chapter 12 must first file a petition with the court serving their area, along with the required documentation and documentation. This includes the disclosure of your assets and liabilities, your income and expenses, and a statement of your financial affairs. They must provide detailed lists of all income, as well as all business and living expenses, and a detailed list of all properties, as well as a list of each creditor and amounts owed. More information: What is bankruptcy? Chapter 12 exampleThes run a family farming company and you have had to replace several pieces of expensive equipment in the last two years. There has also been a drought that gives more damage to your crops so that you produced less product to sell. Not only do you make less money, but you also spend more because of business-related expenses. If at least 50 per your debt is related to managing your business, you can file for Chapter 12 bankruptcy and create a 3- to 5-year plan to help you pay your creditors while also allowing your financial situation to recover. Debt management calculators. Chapter 7 refers to a chapter of the bankruptcy code providing for settlement. In Chapter 7, your debt debt but its non-excluded property is sold, with income distributed to its creditors. Deeper definitionBankruptcy exists to give people a new financial start. While Chapter 7 allows you to become debt-free, you are not exempt from a price. In exchange for a clean slate, you are expected to deliver personal possessions for sale. Depending on the state where you live, your home, pension, car, personal belongings, coin collections, jewelry and other personal property could be liquidated to pay creditors. Each state has a set of its own exemptions, although 17 states allow you to choose between its state exemptions and federal bankruptcy waivers established by Congress.California offers two sets of state exemptions for debtors to choose from. If you live in one of the 17 states that allow you to choose between state and federal exemptions, you must choose one. You cannot choose between provisions in both codes. Exemptions work like this: Let's say you own a car worth $5,000, and the vehicle exemption in your state is $6,000. You would be able to keep your current vehicle. However, if your car is worth $15,000, the bankruptcy trustee will likely sell your car, repay the loan, and pay you $6,000 for the waiver. Any other money from the sale of the car would go towards paying other un guaranteed creditors. Debt management calculators. Chapter 7 example You do not want to file for bankruptcy, as it remains in a debtor's credit report for 10 years. However, if you can't pay your bills or put food on the table, bankruptcy may be the right choice. According to FindLaw, Chapter 7 can help in five ways: You can get a fresh start. You can keep future income. There is no limit to the amount of debt you can claim. There is no payment plan to follow. Debt payment occurs quickly. Learn about life after bankruptcy. Chapter 9 is a chapter of the bankruptcy code that specifically addresses the debts of a municipality, such as a city or town. The chapter allows the municipality to make a plan to pay or adjust its debts while offering creditor protection. Deeper DefinitionSource 9 of the bankruptcy code covers the needs of towns, cities, counties, school districts, municipal utilities, villages, and tax districts. Individuals and corporations are not eligible to file for Chapter 9 bankruptcy. Chapter 9 is also not available for states. To qualify for Chapter 9 bankruptcy, a municipality must meet four requirements: It must be insolvent. You must make a plan to reorganize or adjust your debts. You must get the of most of its creditors, not having negotiated with most of their creditors or not being able to negotiate with their creditors. You must be authorized to be a debtor by a government official or organization, or by state law. The objective of Chapter 9 is to protect the municipalities of while working to put together a plan to reorganize their debts. A municipality can reorganize its debts by refinancing, reducing interest owed or the principal amount, or extending the debt repayment period. Unlike other chapters of the bankruptcy code, there is no liquidation of assets under Chapter 9. Example of Chapter 9 According to Chapter 9 was added to the bankruptcy code in 1937, about 10 Chapter 9 petitions have been filed per year. It's much less common than other bankruptcies. Some Chapter 9 bankruptcies have been notable. In 1994, Orange County, California, sought to restructure the $1.7 billion debt, the largest declaration of municipal bankruptcy at the time. In November 2011, Jefferson County, Alabama, sought help restructuring the $4 billion debt, which was due to an investment in a local sewer system that went wrong. In July 2013, Detroit became the largest city in the United States to file for bankruptcy in Chapter 9 with an estimated debt of $18 to $20 billion and 100,000 creditors. The approved payment plan for the city cut about $7 billion off its debt burden. Debt management calculators. In both Chapter 7 and Chapter 11, shareholders of companies declaring bankruptcy will likely see little, if any, the return on their investments. However, there are some significant differences between these two requests. Companies in a Chapter 7 bankruptcy have passed the reorganization stage and must sell any non-existing assets to pay creditors. Creditors with secured debt claims are prioritized over those with whom they have guarantees in a Chapter 7 bankruptcy. Chapter 11 bankruptcy allows the company the opportunity to reorganize its debt and try to resurface as a healthy organization. Chapter 7 bankruptcy is sometimes called settlement bankruptcy. Companies experiencing this form of bankruptcy have passed the reorganization stage and must sell any non-existent assets to pay creditors. In Chapter 7, creditors collect their debts according to the way they lent the money to the company, also known as the absolute priority. A trustee is appointed, who ensures that the assets that are insured are sold and that the income is paid to the specific creditors. For example, secured debt would be loans issued by banks or institutions based on the value of a specific asset. Assets and residual cash remaining after all secured creditors are paid are pooled to be paid to any outstanding creditor with un guaranteed loans, such as holders bonds and preferred shareholders. To qualify for Chapter 7 relief, a debtor can be a corporation, an individual, or a small business. However, one is prohibited from filing for bankruptcy if within the previous 180 days another bankruptcy petition was dismissed because the debtor did not appear in court. A debtor also waives the right to file for bankruptcy if the debtor to dismiss an earlier case after creditors asked the bankruptcy court to give them the right to seize the properties in which they have the levies. Chapter 7 Known as Settlement Bankruptcy Assets are sold by a trustee to pay off debts When all assets are sold, The remaining debt is generally forgiven More often presented by Individuals Chapter 11 Known as Bankruptcy Reorganization Debts are restructured by a trustee and the business continues All debt must be paid through future profits Most of the time submitted by Chapter 11 bankruptcy companies is also known as reorganization or bankruptcy rehabilitation. Almost everyone can file for Chapter 11 bankruptcy, including individuals, companies, associations, joint ventures, and limited liability companies (CLLs). There is no specified debt level limit or required income. However, Chapter 11 is the most complex form of bankruptcy and, in general, the most expensive. Therefore, it is most often used by companies and not by individuals. It is much more involved than Chapter 7 because it allows the firm the opportunity to reorganize its debt and try to resurface as a healthy organization. What this means is that the company will contact its creditors in an attempt to change the terms of the loans, such as the interest rate and dollar value of the payments. A Chapter 11 case begins with the filing of a petition with the bankruptcy court where the debtor lives. The petition may be voluntary, which is filed by the debtor, or an involuntary one, which is filed by creditors who meet certain requirements. The Small Business Reorganization Act of 2019, which entered into force on February 19, 2020, added a new sub-chapter V to Chapter 11 designed to facilitate bankruptcy for small businesses, which are defined as entities with less than $2.7 million in debts that also meet other criteria according to the U.S. Department of Justice. The law imposes shorter deadlines to complete the bankruptcy process, allows for greater flexibility in negotiating restructuring plans with creditors, and provides for a private trustee who will work with the debtor of small businesses and their creditors to facilitate the development of a consensual reorganization plan. The Coronavirus Aid, Relief and Economic Security Act (CARES), signed by President Trump on March 27, 2020, made a series of changes to bankruptcy laws designed to make the process more available to economically disadvantaged companies and individuals under the COVID-19 pandemic. These include raising Chapter 11 subchaple V debt to $7,500,000 and exclude federal emergency relief payments due to COVID-19 from current monthly income in Chapter 7. The changes apply to bankruptcies filed after the CARES Act was enacted and released a year later. After. instead of selling all assets to pay creditors, the trustee oversees the debtor's assets and allows the business to continue. It is important to note that debt is not acquitted in Chapter 11. Restructuring only changes the terms of debt, and the company must continue to lend it through future earnings. If a company succeeds in Chapter 11, it is generally expected to continue to operate efficiently with its newly structured debt. If it is unsuccessful, then it will be presented for Chapter 7 and settled.