

INSTITUTE



PROOFS OF CLAIM AND BAR DATES

- 11 USC § 501 – ABILITY TO FILE PROOF OF CLAIM TO ESTABLISH RIGHT TO DISTRIBUTIONS FROM THE ESTATE
- 11 USC § 502 – GROUNDS FOR OBJECTION TO ALLOWANCE OF PROOF OF CLAIM.
- 11 USC § 503 – ADMINISTRATIVE EXPENSE STATUS.
- 11 USC § 506 – SECURED CLAIMS / VALUE OF PROPERTY.
- 11 USC § 507 – PRIORITY CLAIMS.
- BANKR. R. 3003 – BAR DATE SET BY COURT IN CH. 11.

PROOFS OF CLAIM AND BAR DATES

- FILING PROOF OF CLAIM. SUBMITS CREDITOR TO JURISDICTION OF THE BANKRUPTCY COURT TO DETERMINE CREDITOR'S RIGHT TO DISTRIBUTION FROM ESTATE
- STERN V. MARSHALL. ANNA NICOLE SMITH FILED FOR BANKRUPTCY. PROOF OF CLAIM FILED BY PIERCE MARSHALL. MS. SMITH ASSERTED CLAIM AGAINST MR. MARSHALL FOR TORTIOUS INTERFERENCE WITH TRUST ASSETS. **ISSUE**– ABILITY OF THE BANKRUPTCY COURT TO ADJUDICATE CLAIM FOR TORTIOUS INTERFERENCE WITH TRUST ASSETS.

PROPERTY OF THE ESTATE

- 11 USC § 541. BANKRUPTCY ESTATE COMPRISED OF ALL OF A DEBTOR'S LEGAL OR EQUITABLE INTERESTS IN PROPERTY AS OF THE COMMENCEMENT OF THE BANKRUPTCY.
- FUNDS HELD IN TRUST. 11 USC § 541(d) – DEBTOR CANNOT CONVERT BARE LEGAL TITLE INTO EQUITABLE TITLE
- WHEN A DEBTOR HOLDS BARE LEGAL TITLE TO PROPERTY, THE SOLE PERMISSIBLE ADMINISTRATIVE ACT OF THE DEBTOR IS TO CONVEY THE PROPERTY TO THE EQUITABLE OWNER.
- TYPES OF TRUST. EXPRESS. IMPLIED. IMPLIED = CONSTRUCTIVE AND RESULTING.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: We're Not Out of the Woods Yet: When is a Contract a Contract in the Bankruptcy Court?

Also available as part of the eCourse

[2018 Ernest E. Smith Oil, Gas, and Mineral Law eConference](#)

First appeared as part of the conference materials for the

44th Annual Ernest E. Smith Oil, Gas and Mineral Law Institute session

"We're Not Out of the Woods Yet: When is a Contract a Contract in the Bankruptcy Court?"