INTRODUCTION

Since Congress overhauled the bankruptcy laws in 1978, Congress has amended the Bankruptcy Code numerous times, with major changes in 1984, 1988, 1994, 2005, and most recently, in August 2019. While sometimes the changes addressed problems that likely could not have been foreseen, in other cases the changes were designed to except particular types of transactions from the Code’s general operation, give special protection to particular groups, such as retirees, or significantly change the rights of debtors and their creditors. Whether one sees these changes as clutter from special interests or greater sophistication in the Code’s approach to difficult economic issues, many people would agree that speedy access to relevant Code and Bankruptcy Rule provisions can only help the people that use the Code to get their jobs done. For that reason, in 1995, when the ABA Business Law Section Committee on Publications decided to continue the “portable” series it had begun with the publication of The Portable UCC, I was asked to edit The Portable Bankruptcy Code and Rules.

I have attempted to make the indices useful to lawyers with diverse practices who use the Code, from the general practitioner who occasionally represents a chapter 13 debtor, to the lawyer whose practice is almost exclusively bankruptcy-related. If you have suggestions as to how the book or its indices could be more useful, please let me know so that I can consider the suggestions for future editions (sally.henry@skadden.com). I have also attempted to make this book truly “portable” and therefore decided to exclude legislative history and the advisory committee notes to the Bankruptcy Rules.

This edition contains the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure incorporated in the Bankruptcy Rules, the Federal Rules of Evidence, and certain provisions of Titles 18 and 28 of the United States Code relating to bankruptcy. In addition, practitioners should be sure to refer to local rules and chambers rules, which are available from the courts or on the website www.uscourts.gov.

I am grateful for the research support of the Texas Tech School of Law. I also am grateful for the outstanding research assistance of my student, Manuel Lopez, who is largely responsible for the case law update in the introduction to this bankruptcy code and rules. This book is dedicated to the memory of his grandfather, Ruben Campuzano, who immigrated to this country from Florence, Italy, and whose hard work, ethical compass, and love of his family inspired his grandson so much.

Sally McDonald Henry