

# Bankruptcy



## Consumer Bankruptcy Law and Practice

The definitive consumer bankruptcy treatise by Henry Sommer, the nation's leading consumer bankruptcy author.

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People overwhelmed with debt problems can get a fresh financial start by filing for bankruptcy relief. Bankruptcy can stop foreclosure on a house or mobile home, prevent repossession of a car or other property, stop wage garnishment or debt collection harassment, and prevent termination of utility services. In some bankruptcy cases, a plan can be approved to pay over time some or all of an individual's debts. After years of intense debate, Congress enacted an overhaul of the nation's consumer bankruptcy laws in 2005. The changes have made the process more complicated, but the basic right to file bankruptcy and most of the benefits remain the same for most individuals.

### **Pro Bono Bankruptcy Training Program Material**

Intended to help pro bono programs, legal services programs, local bar associations, and other organizations provide high-quality trainings for volunteer attorneys on representing consumers in bankruptcy cases.

## Policy Analysis

### Policy Briefs, Reports and Press Releases

- Report: Clearing the Path to a New Beginning: A Guide to Discharging Criminal Justice Debt in Bankruptcy and press release, Oct. 2020
- Guide to the HAVEN Act, November 2019
- Final Report of the ABI Commission on Consumer Bankruptcy. (NCLC attorneys' John Rao and Tara Twomey were Commissioners), April 2019

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### Testimony, Comments and Letters

- Group letter urging Congress to adopt amendments to the Bankruptcy Code in response to the COVID-19 pandemic, March 24, 2020
- Testimony of NCLC attorney John Rao at the U.S. House Judiciary Subcommittee hearing on

“Oversight of Bankruptcy Law and Legislative Proposals,” held on June 25, 2019, and focusing on the discharge of student loans in bankruptcy

- Testimony of National Consumer Law Center (NCLC) attorney John Rao on behalf of the NCLC and the National Association of Consumer Bankruptcy Attorneys (NACBA) before the U.S. House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law re: H.R. 3553: Bankruptcy Administration Improvement Act of 2017, September 26, 2018
- NCLC comments in response to the Department of Education’s Request for Information on factors student loan holders should consider in deciding whether to consent to a consumer’s request for discharge of student loans in bankruptcy based on undue hardship, May 18, 2018
- NCLC and NACBA Letter to CFPB: This letter urges the CFPB to reject a trade association’s request that the CFPB abandon or delay the final rule on providing mortgage statements to consumers in bankruptcy, Feb. 15, 2018
- NCLC and NACBA Urge Credit Counseling Waivers for Hurricane Victims, Sept. 27, 2017

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## **Related Publications**

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## **GM and Chrysler Bankruptcies**

- The Status of Product Liability, Warranty and Lemon Law Claims for New GM and Chrysler

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