1.5.3 Treatises and Texts

Collier on Bankruptcy. Of the many treatises and texts on bankruptcy law which have been available, one has become by far the most frequently used and is a bible to many judges and practitioners. Any office doing a substantial amount of bankruptcy work should have access to Collier on Bankruptcy, which is co-edited by one of the principal congressional staff persons who worked on drafting the legislation.

Numerous other treatises, texts, and handbooks are also available. Some of the most popular and useful ones include, in alphabetical order by author:

Richard I. Aaron, Bankruptcy Law Fundamentals. This text, another one-volume general treatment of bankruptcy, contains an often interesting, but sometimes uneven discussion of some of the issues arising in consumer and business bankruptcies. It is supplemented by an annual maintenance service.

Bloomberg Law, Bankruptcy Treatise. This new treatise, edited by a Texas Bankruptcy Judge, aims to cover bankruptcy law comprehensively. It is written by many different authors and available only online.

Michael B. Kaplan, Stacey L. Meisel, and Michael D. Sousa, Consumer Bankruptcy Manual (2d ed. 2018-19). A one-volume practice manual for attorneys handling chapter 7 and chapter 13 cases, it competently but somewhat less comprehensively covers many of the same topics as this treatise. As this volume provides guidance for those who represent creditors, it would be an excellent addition to any library wishing to expand its materials on consumer bankruptcy.

Collier Bankruptcy Manual (4th ed. 2011). A shorter version of the treatise, this four-volume set is less comprehensive than the treatise and it is not in the library of many judges who have the full Collier treatise instead. An accompanying two-volume Collier Consumer Bankruptcy Forms Manual may also be purchased, which contains the forms in the standard Collier treatise.

W. Homer Drake, Jr. and Karen Visser, Bankruptcy Practice for the General Practitioner (3d ed. 2018). This text offers little discussion of consumer bankruptcy issues and would not add a great deal to what is contained in this treatise.

Joan M. Feeney, Michael G. Williamson, and Michael Stepan, Bankruptcy Law Manual (5th ed. 2018-2). This text is still another two-volume work, not focused particularly on consumer bankruptcy, attempting to emphasize practical aspects of bankruptcy.

Herzog’s Bankruptcy Forms and Practice. A two-volume form book covering all aspects of bankruptcy practice, this work is the latest edition of a longstanding bankruptcy reference.

Morgan D. King, Discharging Taxes in Bankruptcy. A one-volume text on the intersection of tax law and bankruptcy, this book contains useful information about Internal Revenue Service procedures and forms, as well as sample forms and pleadings.


Keith M. Lundin and William H. Brown, Chapter 13 Bankruptcy. The fourth edition of this treatise, available exclusively online by subscription is by two respected bankruptcy judges and contains much practical information, presented in a coherent, accessible form. Subscription includes access to the Updater case database function, which discusses recent cases relevant to the treatise. It is primarily a practical guide, so that the case citations are not extensive, and some general bankruptcy topics are discussed only to a limited degree.

Patrick A. Murphy, David Neier, and Eric Sagerman, Creditors’ Rights in Bankruptcy (2d ed.). A good one-volume text that, while oriented to creditors, contains useful information.

Norton Bankruptcy Law and Practice (3d ed.). This service consists of a thirteen-volume treatise, soft-cover versions of the Code and rules, and two monograph binders. It contains sections written by a large number of respected bankruptcy practitioners and other authorities who provide a discussion of many areas of the law. It also seems to be gaining some degree of acceptance as a recognized authority.
Alan N. Resnick, Henry J. Sommer, & Contributing Authors, *Collier Bankruptcy Practice Guide*. This six-volume work is intended to be the practice manual counterpart to the *Collier* treatise.\(^{132}\) It is primarily oriented toward business bankruptcies although it contains some material on consumer cases.

Henry J. Sommer, *Collier Consumer Bankruptcy Practice Guide*.\(^{152}\) This one-volume practice guide is devoted to the nuts and bolts of representing consumers and creditors in consumer bankruptcy cases. It contains some material that is similar to that in this treatise, as well as other material, including material pertaining to representing creditors, that is not found in this treatise. It may also be purchased on a CD-ROM that contains other Matthew Bender publications including *Collier Family Law and the Bankruptcy Code*, *Collier Consumer Bankruptcy Forms*, the *Collier Bankruptcy Manual*, and the *Collier Exemption Guide*.

Henry J. Sommer, Margaret Dee McGarity, *Collier Family Law and the Bankruptcy Code*. This one-volume text is the only comprehensive treatment of the growing areas of intersection between bankruptcy and family law, going far beyond the limited discussion possible in this treatise. It is essential for practitioners doing significant amounts of work in family law areas in which bankruptcy may arise, as well as for bankruptcy practitioners who must confront family law issues in their practices.\(^{154}\)

Rosemary E. Williams, *Bankruptcy Practice Handbook 2d*. Another three-volume how-to-do-it guide for relatively inexperienced attorneys, this text contains a number of useful tips, but virtually no discussion of substantive bankruptcy law.\(^{155}\)

Harvey J. Williamson, *Attorney's Handbook on Consumer Bankruptcy and Chapter 13* (43rd ed.). An inexpensive paperbound volume, this handbook is oriented to private attorneys representing consumers. Although it contains some useful information and forms, on the whole it is considerably less comprehensive than this treatise.\(^{156}\)

Another useful resource, particularly for debtors seeking to handle their own cases, is *How to File for Chapter 7 Bankruptcy*.\(^{157}\) It is published by Nolo, which is a nonprofit organization dedicated to assisting non-lawyers with self-help legal remedies. While there are numerous self-help guides to bankruptcy presently flooding the market, *How to File for Chapter 7 Bankruptcy* is probably the best, most detailed and easiest to understand. Note that it is important, if the book is recommended to a client, to point out the need for the most recent edition, incorporating recent amendments, updated forms, and commentary. Many bookstores stock older versions of self-help manuals and forms which do not include current versions of necessary documents. Clients should also be advised of the many pitfalls of proceeding *pro se*, which should be recommended only in the simplest cases and only when there is no possibility of legal representation.

Potential *pro se* debtors, as well as other debtors and non-attorneys interested in learning more about bankruptcy, may also be referred to the United States Courts’ website, which has an explanation of bankruptcy for consumers.\(^{158}\)

## Footnotes

137 [133] Authors’ disclaimer: This sentence is taken verbatim from the first edition of this treatise, written several years before this treatise’s author became a contributing author, and then Editor-in-Chief, of *Collier*.

138 [134] This treatise is published by Lexis/Matthew Bender. It is available on-line on Lexis. Lexis/Matthew Bender bankruptcy publications’ prices vary depending upon the publications purchased.

139 [135] Richard B. Levin, who served on the staff of the House subcommittee which put a large portion of the new law into its final form, is co-Editor-in-Chief of the 16th edition.

140 [136] Publisher is Thomson Reuters (2018).

141 [137] This treatise is available online only at [http://go.bna.com](http://go.bna.com) [1].

142 [138] Publisher is West Group (2013).
143 (139) Collier Bankruptcy Manual’s publisher is Lexis/Matthew Bender (4th ed. 2011).

144 (140) Publisher is Thomson Reuters (3d ed. 2018).

145 (141) Publisher is Thomson Reuters (5th ed. 2018-2).

146 (142) Publisher is Thomson Reuters (2018).


148 (144) Publisher is American Law Institute–American Bar Association (7th ed. 2010).

149 (145) Publisher is Bankruptcy Press, Inc., P.O. Box 292469, Kettering, OH 45429-0469. Subscription available at www.ch13online.com [3].

150 (146) Publisher is West Group (2d ed. 2013).

151 (147) Publisher is Thomson Reuters (3d ed. 2014). A monthly newsletter, the Norton Bankruptcy Law Advisor, is also available.

152 (148) Publisher is Lexis/Matthew Bender (2018).

153 (149) Publisher is Lexis/Matthew Bender (2016).

154 (150) Publisher is Lexis/Matthew Bender (2018).

155 (151) Publisher is Thomson Reuters (2018).

156 (152) Publisher is Argyle Publishing, P.O. Box 925, Glenwood Springs, Colorado 81602 (43rd ed. 2018).

157 (153) Publisher is Nolo, 950 Parker St., Berkeley, California 94710 (20th ed. 2017). It is available at a discount in many bookstores.

158 (154) The information is located at www.uscourts.gov [4].

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1.5.3 Treatises and Texts

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