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INTRODUCTION

The theme for this issue is no theme at all. Continuing a trend begun in the Winter 1994 issue of the *American Bankruptcy Institute Law Review*, we are pleased to present the third "open" issue of the *Law Review*. We present a roundtable discussion, an empirical study, four articles and a reply to a student note published in the Spring 1999 issue.

We begin with a roundtable discussion regarding the recent Supreme Court decision in *Bank of America National Trust and Savings Association v. 203 North LaSalle*. The participants engaged in lively discourse as to the drawbacks and benefits of the Court's decision, as well as its future impact.

In a cutting-edge study, Professor Scott Norberg performed an empirical study on discharge and debt collection in chapter 13. Professor Norberg's study will doubtlessly affect the current debate regarding the consumer debtor's choice of chapter 7 rather than chapter 13 when filing bankruptcy.

Professor Scott Pryor's article on the [Revised Uniform Commercial Code Article 9](#) examines the revisions and their potential impact in bankruptcy. He focuses on the reduction in the trustee's avoiding powers and the expansion of the secured creditor's interest in proceeds under the Code.

Next, Carolyn Hochstadter Dicker and John Campo write on the issue of whether a lease for furniture, fixtures and other equipment constitutes a true lease or disguised financing for a chapter 11 debtor. This determination is made through the use of Article 2A of the Uniform Commercial Code, and depending on the determination, may be beneficial or detrimental to the debtor.

On the international front, Professor Rafael Efrat describes the fresh-start policy in Israel. Professor Efrat compares and contrasts Israeli bankruptcy law with the United States and other Western nations.

The final article, by Alec Ostrow, attempts to define "insider" as provided in the Code. He engages in various forms of statutory construction to determine the scope of the term, and finds that he would like to be, "included out."

Finally, for the first time in *American Bankruptcy Institute Law Review* history, we include a reply to a student note. Wendell Sherk contributes a reply article to

Thomas Walsh's note, which was published in the Spring 1999 issue. We hope this is not the last reply to a student note.

We hope you all enjoy this issue. We will return to our regular theme format next issue.

American Bankruptcy Institute Law Review Editorial Board