

The Examiners: Fix Bankruptcy Code's 'Errors and Glitches'

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COMMENTARY

By [MARSHALL HUEBNER](#)

If you could make one change to the bankruptcy code, what would it be?

As many commentators have noted, bankruptcy has become very litigious. Much of this is likely unavoidable, as aggressive and aggressively represented parties jockey for leverage and recoveries. That said, some litigation arises from what are almost universally agreed to be typos or drafting glitches. So, in the spirit of public service, I am resisting the impulse to pick one of the several major policy issues that I believe should be differently addressed in the code. Rather, my “one change” is to fix some troublesome errors and glitches in the code, which would save parties needless expense.

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