

# **ELIZABETH WARREN**

*Leo Gottlieb Professor of Law*

## **Academic Appointments**

Harvard Law School. 1995-present: Leo Gottlieb Professor of Law; 2001-02, Radcliffe Fellow; 1992-93: Robert Braucher Visiting Professor of Commercial Law

The University of Pennsylvania Law School. 1990-1995: William A Schnader Professor of Commercial Law; 1987-1990: Professor of Law

The University of Texas School of Law. 1986-87: Jay H. Brown Centennial Fellow in Law; 1983-1987: Professor of Law. 1985-86: Conoco Faculty Fellow in Law; 1981-82: Visiting Associate Professor of Law

The University of Texas at Austin. 1983-87: Research Associate, Population Research Center

The University of Houston Law Center. 1981-83: Associate Professor of Law; 1978-80: Assistant Professor of Law; 1980-81: Associate Dean for Academic Affairs

The University of Michigan. 1985: Visiting Professor of Law

Rutgers School of Law (Newark). 1977-78: Lecturer in Law

## **Teaching Fields**

Bankruptcy, Contracts, Secured Lending, Empirical Methods, Payment Systems, Commercial Paper, Regulated Industries, Corporations, Partnerships, Banking Regulation

## **Education**

J.D. Rutgers School of Law, Newark, 1976

B.S. University of Houston, 1970

## Publications

### Books

ALL YOUR WORTH: THE ULTIMATE LIFETIME MONEY PLAN (Simon & Schuster 2005) (with Tyagi) (Bestseller Lists: New York Times, Wall Street Journal, USA Today)

THE TWO-INCOME TRAP: WHY MIDDLE-CLASS MOTHERS AND FATHERS ARE GOING BROKE (Basic 2003) (paperback edition 2004) (with Tyagi)

COMMERCIAL LAW STATUTES (Aspen Law & Business 2003)(2d ed. 2004) (with Mann and Westbrook)

BANKRUPTCY AND ARTICLE 9 (Aspen Law & Business 2001)(2d ed. 2002)(3d ed. 2003) (4<sup>th</sup> ed. 2004) (Statutory Supplement 2007)

THE FRAGILE MIDDLE CLASS: AMERICANS IN DEBT (Yale University Press 2000) (awarded *Scholarship Award*, American College of Consumer Financial Services Lawyers) (with Sullivan and Westbrook)

THE LAW OF DEBTORS AND CREDITORS (Little, Brown & Co. 2d ed. 1991, 2<sup>nd</sup> ed. 1991, Aspen 3<sup>rd</sup> ed. 1996, 4<sup>th</sup> ed. 2001, 5<sup>th</sup> ed. 2006) (with Westbrook)

SUPPLEMENT TO THE LAW OF DEBTORS AND CREDITORS (1990)

TEACHERS MANUAL, THE LAW OF DEBTORS AND CREDITORS (Little, Brown & Co. 1986, 2<sup>nd</sup> ed. 1991, Aspen 3<sup>rd</sup> ed. 1996, 4<sup>th</sup> ed. 2001, 5<sup>th</sup> ed. 2005) (with Westbrook)

SECURED TRANSACTIONS: A SYSTEMS APPROACH (Little, Brown & Co. 1995, Aspen 2d. ed. 1998, 3d ed. 2000, 4<sup>th</sup> ed. 2003) (with LoPucki)

TEACHERS MANUAL, SECURED TRANSACTIONS: A SYSTEMS APPROACH (Little, Brown & Co. 1995, Aspen 2d. ed. 1998, 3d. ed. 1998, 3d. ed. 2000, 4<sup>th</sup> ed. 2003) (with LoPucki)

COMMERCIAL TRANSACTIONS: A SYSTEMS APPROACH (Little, Brown & Co. 1998, Aspen 2d. ed. 2003, 3d. ed. 2006) (with LoPucki, Keating, Mann)

TEACHERS MANUAL, COMMERCIAL LAW: A SYSTEMS APPROACH (Little Brown & Co. 1998, Aspen 2d ed. 2003) (with LoPucki, Keating, Mann)

REPORT OF THE NATIONAL BANKRUPTCY REVIEW COMMISSION (Reporter) (October 20, 1997)

BUSINESS BANKRUPTCY (Federal Judicial Center 1993)

AS WE FORGIVE OUR DEBTORS: CONSUMER CREDIT AND BANKRUPTCY IN AMERICA (Oxford University Press 1989) (with Sullivan and Westbrook)

## Book Chapters

*Fragile Families: The Vanishing Middle Class*, THE ROAD TO THE AMERICAN DREAM: LIFTING WORKING FAMILIES OUT OF POVERTY, (John Edwards, Marion Crain, and Arne Kalleberg, eds. 2007)

*A Lifetime Money Plan*, WOMEN'S RETIREMENT INITIATIVES (Heinz Family Foundation 2007) (<http://www.heinzfamily.org/programs/ebook.html>)

*Congress and the Credit Industry: More Bad News for Families*, LAW AND CLASS IN AMERICA: TRENDS SINCE THE COLD WAR (New York University Press 2006)

*Mortgage Debt, Bankruptcy and the Sustainability of Homeownership*, CREDIT MARKETS FOR THE POOR 73-113 (Russell Sage Foundation, Howard Rosenthal, ed. 2005) (with Bahchieva and Wachter)

*Who Uses Chapter 13?* CONSUMER BANKRUPTCY IN GLOBAL PERSPECTIVE 269 (Oxford: Hart Publishing Co. Iain Ramsay, Ed. 2003) (with Sullivan and Westbrook)

*Une Prospérité Précaire* *Sure les Situations Financières Critiques dans la Classe Moyenne*, RETHINKING THE U.S. (Edited Volume Papyrus 2003) (with Sullivan and Westbrook)

*Bankruptcy Policy*. BANKRUPTCY ANTHOLOGY (EDITED VOLUME CHARLES TABB, ED. 2002)

*Evaluate the Present and Shape the Future*, in THE DEVELOPMENT OF BANKRUPTCY & REORGANIZATION LAW IN THE COURTS OF THE SECOND CIRCUIT OF THE UNITED STATES (Matthew Bender 1995)

*Bankruptcy and the Family*, in FAMILIES AND LAW (L. MacIntyre, M. Sussman eds. Haworth Press 1995) (with Sullivan and Westbrook)

*Bankruptcy Policy*, CORPORATE BANKRUPTCY: ECONOMIC AND LEGAL PERSPECTIVES (Edited Volume, Bhandari & Weiss, eds). Cambridge University Press (1994)

*Bankruptcy Policy*, COMPANY LAW (Edited Volume, S. Wheeler, ed. Dartmouth Publishing United Kingdom 1993)

## Reports

Generations of Struggle: A Research Report to the AARP Public Policy Institute (June 2008) (with Thorne and Sullivan)

Homeownership and Financial Distress: A Final Report to the Ford Foundation (April 22, 2004) (with Schill and Wachter)

## Reports, continued

Homeownership and Financial Distress: The Interplay of Tax, Real Estate and Bankruptcy Laws A Report to the Ford Foundation (August 13, 2002) (with Bahchieva , Schill, and Wachter)

FINANCIAL DIFFICULTIES OF SMALL BUSINESSES AND REASONS FOR THEIR FAILURES (Small Business Administration) (September 1998) (with Sullivan and Westbrook)

## Academic Journals

*Unsafe at Any Rate*, Democracy: A Journal of Ideas 8 (Summer 2007)

*Shrinking the Safety Net: The 2005 Changes to the Bankruptcy Laws*, The Illinois Law & Economics Working Paper Series LE 06 031 (2007) (with Lawless).

*Service Pays: Creating Opportunities by Linking College with Public Service*, 1 Harvard Law & Policy Review 127 (2007) (with Baum and Sitaraman).

*A Ticket to the Middle Class: Working Off College Debt*, Boston Federal Reserve Communities and Banking 6 (Winter 2007) (with Baum and Sitaraman)

*Los cambios del derecho concursal estadounidense en 2005: reduciendo parte de la red de seguridad*, at «Revista de Derecho Concursal y Paraconcursal» (La Ley), no 6 (2006) (with Lawless)(2007).

*Less Stigma or More Financial Distress: An Empirical Analysis of the Extraordinary Increase in Bankruptcy Filings*, 59 Stanford L. Rev. 213 (with Sullivan and Westbrook) (2006).

*Beyond Hospital Misbehavior: An Alternative Account of Medical-Related Financial Distress*, 100 Northwestern Law Review 535 (2006) (with Jacoby)

*Families Alone: The Changing Economics of Rearing Children*, 58 University of Oklahoma Law Review 551(2006) (Henry Lecture)

*Discounting the Debtors Will Not Make Medical Bankruptcy Disappear*, Health Affairs No. 2, 25 (2006) (with Himmelstein, Thorne and Woolhandler)

*What is Hurting the Middle Class?* Boston Review (September 2005) (with twelve responses from academics and community leaders from different fields) (with Tyagi)

*Contracting Out of Bankruptcy: An Empirical Intervention*, 118 HARVARD LAW REVIEW 1197 (2005) (with Westbrook)

*Vanishing Trials: The New Age of American Law*, 79 AMERICAN BANKRUPTCY LAW JOURNAL 915 (2006)

## Academic Journals, continued

*The Myth of the Disappearing Business Bankruptcy*, 93 CALIFORNIA LAW REVIEW 745 (2005) (with Lawless) (reprinted in 47 CORPORATE PRACTICE COMMENTATOR 593 (2005))

*Illness and Injury as Contributors to Bankruptcy*, HEALTH AFFAIRS (February 2, 2005) (with Himmelstein, Thorne and Woolhandler) (most-read article for 2005, and top-ten most read for 2006 and 2007).

*The Over-Consumption Myth and Other Tales of Law, Economics, and Morality*, 82 WASHINGTON UNIVERSITY LAW QUARTERLY 1485 (symposium issue 2005)

*The Economics of Race: When Making it to the Middle Isn't Enough*, 61 WASHINGTON & LEE LAW REVIEW 1771 (symposium issue 2005)

*Vanishing Trials: The Bankruptcy Experience*, 1 JOURNAL OF EMPIRICAL STUDIES 913 (Symposium Issue 2004)

*The Phantom \$400*, 13 JOURNAL OF BANKRUPTCY LAW AND PRACTICE 77 (2004)

*The New Economics of the American Family*, 12 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 1 (25<sup>th</sup> Anniversary Symposium Issue 2004)

*The Growing Threat to the Middle Class*, 69 BROOKLYN LAW REVIEW 401 (Winter 2004) (Sparer Lecture)(2003)

*Financial Collapse and Class Status: Who Goes Bankrupt?* (Lewtas Lecture), 41 OSGOODE HALL LAW REVIEW 115 (2003)

*What is a Women's Issue? Bankruptcy, Commercial Law and Other Gender-Neutral Topics*, 25 HARVARD WOMEN'S LAW JOURNAL 19 (2002) (Twenty-fifth Anniversary Issue)

*Bankrupt Children* (Lockhart Lecture), 86 MINNESOTA LAW REVIEW 1003 (2002)

*The Market for Data: The Changing Role of the Social Sciences in Changing the Law* (Fairchild Lecture), 2002 WISCONSIN LAW REVIEW 1 (2002)

*Young, Old and In Between: Who Files for Bankruptcy?*, NORTON BANKRUPTCY LAW ADVISOR 1 (September 2001) (with Thorne and Sullivan)

*Une Prospérité Précaire Sur les Situations Financières Critiques dans la Classe Moyenne*, @ 138 Actes de la Recherche en Sciences Sociales 19-33 (Juin 2001) (abstracts in French, English, German, and Spanish) (with Sullivan and Westbrook)

*Rethinking the Debates over Health Care Financing: Evidence from the Bankruptcy Courts*, 76 NEW YORK UNIVERSITY LAW REVIEW 375 (2001) (with Jacoby and Sullivan)

## Academic Journals, continued

*Medical Problems and Bankruptcy Filings*, NORTON BANKRUPTCY LAW ADVISOR 1 (May 2000) (with Jacoby and Sullivan)

*Financial Characteristics of Businesses in Bankruptcy*, 73 AMERICAN BANKRUPTCY LAW JOURNAL 499 (1999) (with Westbrook)

*The Changing Politics of American Bankruptcy Reform*, 37 OSGOODE HALL LAW JOURNAL 189 (Symposium Spring/Summer 1999)

*The Changing Demographics of Bankruptcy*, NORTON BANKRUPTCY LAW ADVISOR 1 (October 1999) (with Sullivan)

*More Women in Bankruptcy*, American Bankruptcy Institute Journal (July 30, 1999) (with Sullivan)

*Women in Bankruptcy*, American Bankruptcy Institute Journal (July 13, 1999) (with Sullivan)

*The Business Bankruptcy Project: The Work in Progress*, 72 NATIONAL CONFERENCE OF BANKRUPTCY JUDGES 2.3 (1998) (with Westbrook)

*The Bankruptcy Crisis*, 73 INDIANA LAW JOURNAL 1079 (Harris Lecture) (1998)

*From Golden Years to Bankrupt Years*, NORTON BANKRUPTCY LAW ADVISOR 1 (July 1998) (with Sullivan and Westbrook)

*Making Policy with Imperfect Information: The Article 9 Full Priority Debates*, 82 CORNELL LAW REVIEW 101 (1998)

*A Principled Approach to Consumer Bankruptcy*, 71 AMERICAN BANKRUPTCY LAW JOURNAL 483 (1997), reprinted in Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002)

*America's Consumer Bankruptcy Dichotomy: A Study of Alleged Abuse and Local Legal Culture*, 20 JOURNAL OF CONSUMER POLICY 223 (Ian Ramsey, ed., Great Britain) (with Sullivan and Westbrook)

*A Basic Bankruptcy Concept for Consumer Bankruptcy*, 51 CONSUMER FINANCE LAW QUARTERLY REPORT 3 (Winter 1997)

*An Article 9 Set Aside for Unsecured Creditors*, 51 CONSUMER FINANCE LAW QUARTERLY REPORT 323 (Fall 1997)

*Article 9 Set Aside for Unsecured Creditors*, UCC BULLETIN (1 October 1996)

*Bankruptcy and the Family*, 21 MARRIAGE & FAMILY REVIEW 193 (1995) (with Sullivan and Westbrook)

## Academic Journals, continued

*Searching for Reorganization Realities*, 72 WASHINGTON UNIVERSITY LAW QUARTERLY 3001 (1994) (symposium issue) (with Westbrook)

*The Persistence of Local Legal Culture: Twenty Years of Evidence from the Bankruptcy Courts*, 17 HARVARD JOURNAL OF LAW & PUBLIC POLICY 801 (1994), *reprinted in* Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002) (with Sullivan and Westbrook)

*The Persistence of Local Legal Culture: Twenty Years of Evidence from the Bankruptcy Courts*, 17 HARVARD JOURNAL OF LAW & PUBLIC POLICY 801 (1994), *reprinted in* Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002) (with Sullivan and Westbrook)

*Consumer Debtors Ten Years Later: A Financial Comparison of Consumer Bankrupts 1981-91*, 68 AMERICAN BANKRUPTCY LAW JOURNAL 121 (1994) (with Sullivan and Westbrook)

*Further Reconsideration: A Comment on Baird's Article 9 Reconsidered*, 80 VIRGINIA LAW REVIEW 2301 (1994) (symposium issue)

*Bankruptcy Policymaking in an Imperfect World*, 92 MICHIGAN LAW REVIEW 336 (1992), *reprinted in* Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002)

*Baby Boomers and the Bankruptcy Boom*, NORTON BANKRUPTCY LAW ADVISOR 1 (April 1993) (with Sullivan and Westbrook)

*The Untenable Case For Repeal of Chapter 11*, 102 YALE LAW JOURNAL 437 (1992), *reprinted in* Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002)

*Why Have a Federal Bankruptcy System?*, 77 CORNELL LAW REVIEW 2401 (1992)

*A Theory of Absolute Priority*, 1991 NEW YORK UNIVERSITY ANNUAL SURVEY OF AMERICAN LAW 9

*Absolute Priority, New Value, and Theories of Bankruptcy*, 1990 N.C.B.J. 1125 (1990)

*Laws, Models, and Real People*, 13 LAW AND SOCIAL INQUIRY 661 (1988) (with Sullivan and Westbrook)

*Legal Realism: Commentary*, 1988 NEW YORK UNIVERSITY ANNUAL SURVEY OF AMERICAN LAW 49 (1988)

*Bankruptcy Policy*, 54 UNIVERSITY OF CHICAGO LAW REVIEW 775 (1987); *reprinted in* CORPORATE BANKRUPTCY: ECONOMIC AND LEGAL PERSPECTIVES (Bhandari & Weiss, eds.) Cambridge University Press (1994), *reprinted in Company Law* (S. Wheeler, ed). Dartmouth Publishing United Kingdom 1993) and *reprinted in* Charles J. Tabb, BANKRUPTCY ANTHOLOGY (2002)

## Academic Journals, continued

*The Role of Empirical Data in Formulating a National Bankruptcy Policy*, 50 LAW AND CONTEMPORARY PROBLEMS 195 (1987) (with Sullivan and Westbrook)

*Folklore and Facts: A Preliminary Report from The Consumer Bankruptcy Project*, 60 AMERICAN BANKRUPTCY LAW JOURNAL 293 (1986) (with Sullivan and Westbrook)

*Rejoinder: Limiting Access to Bankruptcy Discharge*, 1984 WISCONSIN LAW REVIEW 1087 (with Sullivan and Westbrook)

*Reducing Bankruptcy Protection for Consumers: A Response*, 72 GEORGETOWN LAW JOURNAL 1333 (1984)

*Limiting Access to Bankruptcy Discharge: An Analysis of the Creditors' Data*, 1983 WISCONSIN LAW REVIEW 1091

*Formal and Operative Rules Under Common Law and Code*, 32 UCLA LAW REVIEW 898 (1983)

*Trade Usage and Parties in the Trade: An Economic Rationale for an Inflexible Rule*, 42 PITTSBURGH LAW REVIEW 515 (1982)

*Regulated Industries' Automatic Cost of Service Adjustment Clauses: Do They Increase or Decrease Cost to the Consumer?*, 55 NOTRE DAME LAWYER 333 (1980)

*Tax Accounting in Regulated Industries: Limitations on Rate Base Exclusions*, 31 RUTGERS LAW REVIEW 187 (1978)

*Busing: Supreme Court Restricts Equity Powers of District Courts to Order Interschool Busing*, 28 RUTGERS LAW REVIEW 1225 (1975)(STUDENT WORK)

## Columns -- Warren & Westbrook, Professors at Law

*But It's My Corporation*, 2005 American Bankruptcy Institute Journal (February 2005)

*Selling The Trustee's Powers*, 2004 American Bankruptcy Institute Journal 32 (September 2004)

*Remembering Chapter 7*, 2004 American Bankruptcy Institute Journal 22 (May 2004)

*Pinning the Tail on the Lenders*, 2004 American Bankruptcy Institute Journal 38 (April 2004)

*A Little Peripheral Vision*, 2004 American Bankruptcy Institute Journal 41 (February 2004)

## Columns -- Warren & Westbrook, Professors at Law, continued

*Go Directly to Jail; Do Not Collect \$200*, 2003 American Bankruptcy Institute Journal 234 (December 2003)

*Court-to-Court Negotiation*, 2003 American Bankruptcy Institute Journal 204 (November 2003)

*Secured Party in Possession*, 2003 American Bankruptcy Institute Journal 150 (September 2003)

*Regulators in the Bankruptcy Arena: Who Has the Power?*, 2003 American Bankruptcy Institute Journal 131 (July 2003)

*Settling into Bankruptcy*, 2003 American Bankruptcy Institute Journal 85 (May 2003)

*Class Actions for Post-petition Wrongs: National Relief Against National Creditors*, 2003 American Bankruptcy Institute Journal 34 (March 2003)

## Other Publications

*Out of the Hole of College Debt*, Boston Globe Op-Ed (June 5, 2008) (with Sitaraman)  
[http://www.boston.com/news/education/higher/articles/2008/06/05/out\\_of\\_the\\_hole\\_of\\_college\\_debt/](http://www.boston.com/news/education/higher/articles/2008/06/05/out_of_the_hole_of_college_debt/)

*Mortgage Broker's Sleight of Hand*, Boston Globe Op-Ed (October 2, 2007)  
[http://www.boston.com/business/personalfinance/articles/2007/10/02/mortgage\\_brokers\\_sleight\\_of\\_hand/](http://www.boston.com/business/personalfinance/articles/2007/10/02/mortgage_brokers_sleight_of_hand/)

*Forum: Making Credit Safer: The Case for Regulation*, Harvard Magazine (May-June 2008) <http://harvardmagazine.com/2008/05/making-credit-safer.html>

*You're Getting Burned*, Dallas Morning News C-1 (July 16, 2007).  
[http://www.dallasnews.com/sharedcontent/dws/dn/opinion/points/stories/DN-warren\\_15edi.ART.State.Edition1.441efe4.html](http://www.dallasnews.com/sharedcontent/dws/dn/opinion/points/stories/DN-warren_15edi.ART.State.Edition1.441efe4.html)

*The New Economics of the Middle Class: Why Making Ends Meet Has Gotten Harder*, Senate Finance Committee, May 10, 2007.

*Examining the Billing, Marketing, and Disclosure Practices of the Credit Card Industry, and Their Impact on Consumers*, Committee on Banking, Housing, and Urban Affairs of the United States Senate, January 25, 2007.

*The Middle Class on the Precipice: Rising Financial Risks for American Families*, Harvard Magazine 28 (January-February 2006).

*Natural Disasters and Bankruptcy*, Federal Reserve Bank: Communities & Banking 3 (Fall 2005).

## Other Publications, continued

*Rewriting the Rules*, Symposium on Privatization of Risk, Social Science Other Research Council, <http://privatizationofrisk.ssrc.org/Warren/>

*Show Me the Money*, New York Times, Sec. A, p. 21 (October 24, 2005)

*Bankruptcies to Surge*, Clarion Ledger (October 17, 2005)

*A Double Whammy for America's Health*, Baltimore Sun (May 12, 2005)

*Fall of a Middle Class Family*, Boston Globe Sunday Opinions 1 (April 24, 2004) (with Tyagi)

*Sick and Broke*, Washington Post A-23 (February 9, 2005)

*Bankruptcy: The New Women's Issue*, Demos, Vol. 1, Issue 4 (March 2005).

*Who Speaks for a Struggling Middle Class*, Capitol Times (Madison, Wisconsin) (October 27, 2004) (with Tyagi)

*Economic Security*, West Virginia Gazette (October 18, 2004) (with Tyagi)

*Hung Out to Dry*, Baltimore Sun (August 1, 2004) (with Tyagi)

*The Vital Middle: Redeeming and Defending Middle Class Values*, The American Prospect (August 2004) (with Tyagi)

*Middle Class and Broke*, The American Prospect (Part of a Special Report on The War on the Middle Class) (May 2004) (with Tyagi)

*Digging Out of Debt*, Orlando Sentinel (February 15, 2004) (with Tyagi)

*When You Feel Like You're Headed to the Poorhouse*, Chicago Tribune (October 17, 2003) (with Tyagi)

*A Quiet Attack on Women*, New York Times A19 (May 20, 2002); reprinted in ABI Journal 6 (June 2002)

*Anti-Women Bankruptcy Bill May Be Veto-Proof*, Womens Enews (December 14, 2000)

*Commentary: Don't Link Bankruptcy, Domestic Violence Bills*, Womens Enews (October 4, 2000)

*Homeowners in Bankruptcy: The Hidden Costs of Predatory Lending, Testimony before the Predatory Lending Joint Task Force of the Department of Housing and Urban Development*, May 25, 2000

*Bankruptcy Reform Targets the Little Guy*, Star Ledger, Perspectives (February 2, 2000)

## Other Publications, continued

*The New Women's Issue: Bankruptcy Law*, Christian Science Monitor (September 10, 1999)

*Bankrupt? Pay Your Child Support First*, New York Times A19 (April 27, 1998)

*In Serious Jeopardy: Lies v. Unadulterated Statistics Muddle Bankruptcy Reform*, Chicago Tribune 21 (March 19, 1998)

*How I Write*, 4 SCRIBES JOURNAL OF LEGAL WRITING 71 (Symposium Issue) (1994)

*Chapter 11 Report*, NATIONAL BANKRUPTCY CONFERENCE CODE REVIEW PROJECT, REFORMING THE BANKRUPTCY CODE 265 (Reporter 1994)

*Small Business and Big Trouble*, 2 TURNAROUNDS AND WORKOUTS 3 (Survey of Consumer Bankruptcies Issue) (July 15, 1992)

*Bankruptcy is a Better Alternative*, (opinion piece) NATIONAL LAW JOURNAL (April 20, 1992)

*What We Really Said About Chapter 13*, 5 NATIONAL ASSOCIATION OF CHAPTER 13 TRUSTEES QUARTERLY 18 (April, 1992) (with Sullivan and Westbrook)

Book Review, *The Law of Letters of Credit: Commercial and Standby Credits* 48 Texas Bar Journal 216 (1985)

LENDING OFFICERS MANUAL (Revision) (for Texas Bankers Association 1984)

*Bankruptcy Judges and Bankruptcy Lawyers*, 79<sup>TH</sup> ANNUAL REPORT OF THE AMERICAN SOCIOLOGICAL ASSOCIATION (1984) (with Sullivan and Westbrook)

*A Consumer Choices in Bankruptcy: Statutory Intentions and Statutory Consequences*, listed as *Funded Proposal #8310193*, National Science Foundation Archives (1983) (published grant application) (With Sullivan and Westbrook)

*American Consumer Bankruptcy Law: Who is Served?* 78<sup>th</sup> Annual Meeting of the American Sociological Association (1983) (with Sullivan and Westbrook)

*Regulatory Lag Fallacy*, 106 PUBLIC UTILITIES FORTNIGHTLY 15 (August 14, 1980)

## Congressional Testimony

Credit Card Practices that Undermine Consumer Safety, Testimony before the Subcommittee on Financial Institutions and Consumer Credit of the Committee on Financial Services of the United States House of Representatives (March 13, 2008).

## Congressional Testimony, continued

Medical Bankruptcy: Middle Class Families at Risk, Testimony before the Judiciary Committee of the United States House of Representatives (July 17, 2007)  
<http://judiciary.house.gov/media/pdfs/Warren070717.pdf>

The New Economics of the Middle Class: Why Making Ends Meet Has Gotten Harder, Testimony before the Finance Committee of the United States Senate (May 10, 2007)  
<http://finance.senate.gov/hearings/testimony/2007test/051007testew.pdf>

Examining the Billing, Marketing and Disclosure Practices of the Credit Card Industry, and Their Impact on Consumers, Testimony before the Committee on Banking, Housing, and Urban Affairs of the United States Senate (January 25, 2007)  
<http://banking.senate.gov/index.cfm?Fuseaction=Hearings.Detail&HearingID=246>

*Supplemental Testimony on Medical Bankruptcies*, Letter to Senator Grassley, Congressional Record S6010 (May 26, 2005)

Bankruptcy Legislation, Testimony before the Judiciary Committee of the United States Senate (February 10, 2005)

Bankruptcy Reform, Testimony before the Joint Hearing of the Subcommittee on Administrative Oversight and the courts and the Subcommittee of the Commercial and Administrative Law of the United States House of Representatives, (March 11, 1999)

The Consumer Credit Industry, Testimony before the Banking and Coinage Subcommittee on Consumer Affairs of the United States House of Representatives (September 10, 1992)

The Bankruptcy Code and Individual Debtors, Testimony before the Subcommittee on Courts and Administrative Practices of the Judiciary Committee of the United States Senate (July, 1991)

## Commentary

*SICKO!*, Documentary on Health Care Costs (2007)

*Maxed Out*, Documentary on Credit Cards (2006)

*The Secret History of the Credit Card*, Frontline and New York Times (winner of Alfred I. DuPont-Columbia Broadcast News Award), 2005

*Credit Card Crack the Whip*, All Things Considered (National Public Radio) (July 14, 2004)

*Dying without Health Insurance*, All Things Considered (National Public Radio) (August 5, 2004)

## Honors and Awards

### Professional and Scholarly Honors

*Law Dragon 500*, one of eight academics on the Law Dragon list of 500 top lawyers in America

*Fifty Most Influential Women Attorneys*, National Law Journal (March 30, 2007)

*Smart Money 30*, Smart Money Magazine list of 30 people who influence money trends in the U.S.

*Woman of the Month*, Women in the Economy, January 2006

First Circuit Award for Outstanding Public Service, January 2005

*Award of Distinction*, for television program *Books of Our Time* discussion of *The Two-Income Trap*, January 2005

*Lawrence P. King Award*, Commercial Law League of America, October 4, 2002

*Excellence in Education*, National Conference of Bankruptcy Judges, October 18, 2001

*Champion of Consumer Rights Award*, National Association of Consumer Bankruptcy Attorneys, April 27, 2000

*Scholarship Award*, American College of Consumer Financial Services Lawyers (for THE FRAGILE MIDDLE CLASS), March 24, 2000

*Outstanding Bankruptcy Academics*, Turnarounds & Workouts (July 1999, July 2000)

*Brown Award for Judicial Scholarship and Education*, Federal Judicial Center (1998)

*Commendation for Service*, American Bankruptcy Board of Certification (1998)

*Fifty Most Influential Women Attorneys*, National Law Journal (March 30, 1998)

*Commendation for Outstanding Public Service*, American College of Bankruptcy (March 14, 1998)

*Top Bankruptcy Lawyers, Inaugural List*, Turnarounds & Workouts, 1997

Fellow, American College of Bankruptcy, elected 1993

Finalist, *Distinguished Scholarly Publication Award* of the American Sociological Association, 1989-1992, for *As We Forgive Our Debtors*

*Silver Gavel Award* (for THE FRAGILE MIDDLE CLASS), American Bar Association, 1990

## Professional and Scholarly Honors, continued

*Frankel Publication Award for Outstanding Writing*, 1982

## Teaching Awards

*The Albert A. Sacks-Paul A. Freund Award for Teaching Excellence*, Harvard Law School, June 1997

*The Lindback Award for Distinguished Teaching* (University Award), University of Pennsylvania, May, 1994

*Harvey Levin Award for Excellence in Teaching*, University of Pennsylvania School of Law, 1989, 1992

*L. Hart Wright Teaching Excellence Award*, University of Michigan School of Law, 1986

*Outstanding Teacher Award*, University of Houston Law Center, 1981

## Endowed Lectures

Jefferson Lecture, *The Coming Collapse of the Middle Class? Higher Risks, Lower Rewards, and a Shrinking Social Safety Net*, University of California at Berkeley, March 2007

Henry Lecture, *Families Alone: The Changing Economics of Rearing Children*, University of Oklahoma School of Law, November 2004

O'Neil Lecture, *The Over-Consumption Myth and Other Tales of Economics, Law and Morality*, Washington University in St. Louis, April 2004

Sparer Lecture, *Living with Risk in the New Economy*, Brooklyn Law School, April, 2003

Lewtas Lecture, *Financial Collapse and Class Status: Who Goes Bankruptcy?*, Osgoode Hall Law School, January, 2002

Lockhart Lecture, *Bankrupt Children: The New Economics of the Family*, University of Minnesota, January, 2001

Fairchild Lecture, *The Market for Data: How Social Science Research Influences Public Policy Decisions*, University of Wisconsin, November 2, 2001

Akard Lecture, *Bankruptcy and the Changing Economics of Divorce*, University of Texas, November 14, 2001

## Competitive Grants

- 2007 Federal Deposit Insurance Corporation, Research Grant for Empirical Study, “Homeownership in a Time of Financial Peril”
- 2006 American Association of Retired Persons, Research Grant for Empirical Study, “The Changing Demographics of Debt”
- 2004 Kauffman Foundation, Research Grant for Empirical Study, “Entrepreneurial Financing and the Bankruptcy System”
- 2004 Wilmer Cutler Pickering Hale & Dorr, “Chapter 11 Outcomes – A Critical Update”
- 2004 American College of Bankruptcy, Research Grant for Empirical Study, “Expanding the View of Business Bankruptcy”
- 2004 Annie E. Casey Foundation Research Grant for Empirical Study, “Growing Financial Risks Facing Families With Children”
- 2001 Robert Wood Johnson Foundation, Research Grant for Empirical Study, “Medical Bankruptcy: A Study of Financially Catastrophic Illness”
- 2001 Ford Foundation, Research Grant for Empirical Study, “Home Ownership and Financial Distress: The Interplay of Tax, Real Estate and Bankruptcy Law”
- 1994-1998 National Bankruptcy Conference, Research Grant for Empirical Study of Business Bankruptcy
- 1993-1998 National Conference of Bankruptcy Judges, Empirical Study of Business Bankruptcy
- 1995 Scholar in Residence, Rockefeller Foundation, Bellagio Italy
- 1995-1998 Small Business Administration, Research Grant for Empirical Study on Small Business Failures
- 1993 Moller Research Chair in Bankruptcy Law and Policy
- 1992 Research Foundation, University of Pennsylvania
- 1991 National Conference of Bankruptcy Judges, Empirical Study of Consumer Debtors
- 1988 Public Policy Research Initiative, University of Pennsylvania
- 1997 John M. Olin Foundation, Institute for Law and Economics, University of Pennsylvania
- 1986 American Bar Foundation, Meyer Research Grant
- 1986 National Institute of Child Health and Human Development, HD #06160-15

## **Competitive Grants, continued**

- 1984-1986 National Science Foundation, Grant # SES 8310173 – Consumer Choices in Bankruptcy: Statutory Intentions and Statutory Consequences
- 1985-1986 Texas Bar Foundation, Grant for Research on Bankruptcy Demographics
- 1985 Policy Research Institute, Grant # 30-3239-4850
- 1979 Research Initiation Grant, University of Houston

## **Selected Professional Activities**

Member, Commission on Economic Inclusion, FDIC, 2007-present.

Member, Research Advisory Board, Community Affairs, Federal Reserve Bank of Boston, 2008-present

Vice-President, Council of the American Law Institute, 2000-2004; Executive Committee of Council, 1994-1995, 1998-2005, Nominating Committee, 1995-2005.

United States Adviser, Transnational Insolvency Project, American Law Institute, 1995-2004.

Chief Adviser to the National Bankruptcy Review Commission, 1995-1997.

Federal Judicial Center Committee on Judicial Education, three terms by the appointment of Chief Justice Rehnquist, 1990-1999.

National Bankruptcy Conference, Executive Committee, 1993-1995, 2002-05.

Editorial Advisory Board, Little, Brown and Company, Law School Division, now Aspen Press, 1990-present.

Board of Trustees, American Bankruptcy Board of Certification, 1992-1996.

Board of Editors, American Bankruptcy Law Journal, 1989-92.

Chair, Legislation Committee, Debtor-Creditor Section, Association of American Law Schools, 1990-1993, Chair, Debtor-Creditor Section, 1989-90.

Adviser, German Government Task Force on Bankruptcy Reform, 1993.

Eastern District of Pennsylvania Bankruptcy Conference, Secretary and Steering Committee, 1990-1992.

## **Selected Professional Activities, continued**

Texas State Bar Advisory Commission on Legal Specialization, Charter Member, Board of Directors, 1986-87.

Proposal Reviewer, National Science Foundation, 1985-present.

Professional Development Committee, American Association of Law Schools, 1988-91.

Planning Committee, Association of American Law Schools Conference on Teaching Contract Law, 1989.

Chair, Association of American Law School Commercial Law Workshop, May-June 1984.

Chair, Commercial and Related Consumer Law Section, Association of American Law Schools, 1983-84.

## **Briefs, United States Supreme Court**

Central Virginia Community College v. Katz (2005) (brief on behalf of law professors)

Rousey v. Jackoway (2004) (brief on behalf of the American Association of Retired Persons)

Till v. SCS Credit Corporation (2003) (brief on behalf of the American Association of Retired Persons)

Tennessee Student Assistance Corporation v. Hood (2003) (brief on behalf of law professors)

Federal Communications Commission v. Nextwave Personal Communications, Inc. (2002) (brief in support of Official Creditors Committee)

Bank of America National Trust Association v. 203 North LaSalle Street Partnership (1998) (brief on behalf of the National Association of Credit Managers)

## **Bar Memberships**

New Jersey, Texas

Revised 6/25/08