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Lynn M. LoPucki

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Current Positions

Levin, Mabie & Levin Professor of Law, University of Florida Levin College of Law (since 2022)

Professor Emeritus, UCLA School of Law (since 2022)

Prior Teaching Positions

Security Pacific Bank Distinguished Professor of Law, UCLA School of Law, 1999-2022

Harvard Law School, Visiting Professor of Law, 1997-98; Bruce W. Nichols Visiting Professor of Law, fall 2006, fall 2008, fall 2009, fall 2010

Cornell Law School, A. Robert Noll Professor of Law, 1996-99

Washington University School of Law, William R. Orthwein Professor of Law, 1993-96

University of Wisconsin Law School, Professor of Law, 1988-93; Associate Professor of Law, 1984-88

University of Missouri Law School (Kansas City), Associate Professor of Law, 1980-84

Books

BUSINESS ASSOCIATIONS: A SYSTEMS APPROACH (Aspen Publishing 2nd edition 2024) (with Andrew Verstein), with teacher's manual. Prior edition in 2021.

BUSINESS ASSOCIATIONS: 2025 STATUTORY SUPPLEMENT (KDP) Prior editions, 2021, 2022 with Douglas Irion, 2023, 2024.

SECURED TRANSACTIONS: A SYSTEMS APPROACH (Aspen Publishing 10th edition 2024) (with Elizabeth Warren, Robert M. Lawless, and Pamela Foohey), with teacher's manual. First seven editions published as SECURED CREDIT: A SYSTEMS APPROACH (with Elizabeth Warren) in 1995, 1998, 2000, 2003, 2006, 2009, 2012. Eighth and ninth editions published 2016 and 2020 (with Elizabeth Warren and Robert M. Lawless)

COMMERCIAL TRANSACTIONS: A SYSTEMS APPROACH (Aspen Publishing 8th edition 2024) (with Elizabeth Warren, Daniel Keating, Ronald J. Mann, Robert M. Lawless, and Pamela Foohey), with teacher's manual. Prior editions in 1998, 2003, 2006, 2009, 2012, 2016, 2020

STRATEGIES FOR CREDITORS IN BANKRUPTCY PROCEEDINGS (Wolters Kluwer 7th edition 2021) (with Christopher R. Mirick and Christopher G. Bradley), with annual supplements. Prior editions in 1985, 1991, 1997 (sole author); 2003, 2007, and 2015 (with Christopher R. Mirick)

2022 BANKRUPTCY AND ARTICLE 9 STATUTORY SUPPLEMENT, VISILAW MARKED VERSION (Wolters Kluwer) (with Elizabeth Warren). Prior editions in 2012-13, 2013-14, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021

THE READABLE DELAWARE GENERAL CORPORATION LAW (KDP 2025). Annual editions since 2014-15, 2022 with Douglas Irion

PROFESSIONAL FEES IN CORPORATE BANKRUPTCIES: DATA, ANALYSIS, AND EVALUATION (Oxford University Press 2011) (with Joseph W. Doherty)

COURTING FAILURE: HOW COMPETITION FOR BIG CASES IS CORRUPTING THE BANKRUPTCY COURTS (University of Michigan Press 2005, paperback 2006)

PLAYER'S MANUAL FOR THE DEBTOR CREDITOR GAME (West Publishing Company 1984), with teacher's manual and computer program

Journal Articles, Essays, and Book Chapters

A Method for Engagement of Opposing Views: The Belk Bankruptcy Debate, forthcoming EMORY BANKRUPTCY DEVELOPMENTS JOURNAL (2027) (with Robert K. Rasmussen and Roye Zur)

Against Limited Liability, forthcoming BOSTON UNIVERSITY LAW REVIEW (2026)

False Venue Claims Under Penalty of Perjury, 80 BUSINESS LAWYER 689 (2025)

The Florida-UCC Filing Systems Disaster, 76 FLORIDA LAW REVIEW 723 (2024)

The Lawlessness of Belk, 97 AMERICAN BANKRUPTCY LAW JOURNAL 912 (2023)

The End of Shareholder Wealth Maximization, 56 UC DAVIS LAW REVIEW 2017 (2023)

Corporate Greenhouse Gas Disclosures, 56 UC DAVIS LAW REVIEW 405 (2022)

Chapter 11's Descent into Lawlessness, 96 AMERICAN BANKRUPTCY LAW JOURNAL 247 (2022). Awarded the ABLJ Editors' Prize for Outstanding Lead Article for 2022.

Repurposing the Corporation Through Stakeholder Markets, 55 UC DAVIS LAW REVIEW 1445 (2022); reprinted in CORPORATE PRACTICE COMMENTATOR (Robert B. Thompson, ed. 2023) at 645

The PowerPoint Channel, 17 UNIVERSITY OF MASSACHUSETTS LAW REVIEW 41 (2021)

The Systems Approach to Teaching Business Associations, 2020 MICHIGAN STATE LAW REVIEW 703 (2020) (with Andrew Verstein)

A Rule-Based Method for Comparing Corporate Laws, 94 NOTRE DAME LAW REVIEW 263 (2018)

Corporate Charter Competition, 102 MINNESOTA LAW REVIEW 2102 (2018)

Algorithmic Entities, 95 WASHINGTON UNIVERSITY LAW REVIEW 887 (2018)

Delaware's Fall: The Arbitration Bylaws Scenario, in CAN DELAWARE BE DETHRONED? (Stephen Bainbridge et al. eds., Cambridge University Press 2018)

Disciplinary Legal Empiricism, 76 MARYLAND LAW REVIEW 449 (2017)

Dawn of the Discipline-Based Law Faculty, 65 JOURNAL OF LEGAL EDUCATION 506 (2016)

Bankruptcy Survival, 62 UCLA LAW REVIEW 970 (2015) (with Joseph W. Doherty)

Disciplining Legal Scholarship, 90 TULANE LAW REVIEW 1 (2015)

Measuring Bankruptcy Success, 87 TEMPLE LAW REVIEW 989 (2015) (symposium issue)

House Swaps: A Strategic Bankruptcy Solution to the Foreclosure Crisis, 112 MICHIGAN LAW REVIEW 689 (2014)

Optimizing English and American Security Interests, 88 NOTRE DAME LAW REVIEW 1785 (2013) (with Arvin I. Abraham and Bernd P. Delahaye)

Courting Failure: Das Versagen der Kontrollinstanz in der Konzerninsolvenz, 10 ZINSO 413 (2013) (translation into German by Klaus Siemon of my 2006 *Buffalo Law Review* article *Courting Failure*, with my 2013 update)

The Future of Court System Transparency, *in* CONFIDENTIALITY, TRANSPARENCY AND THE U.S. CIVIL JUSTICE SYSTEM (Joseph W. Doherty, Robert T. Reville, and Laura Zakaras eds., Oxford University Press 2012)

Routine Illegality Redux, 85 AMERICAN BANKRUPTCY LAW JOURNAL 35 (2011) (with Joseph W. Doherty)

Consumer Credit (book review), 58 AMERICAN JOURNAL OF COMPARATIVE LAW 489 (2010)

Routine Illegality in Big-Case Bankruptcy Court Fee Practices, 83 AMERICAN BANKRUPTCY LAW JOURNAL 423 (2009) (with Joseph W. Doherty)

Court System Transparency, 94 IOWA LAW REVIEW 481 (2009)

Professional Overcharging in Large Bankruptcy Reorganization Cases, 5 JOURNAL OF EMPIRICAL LEGAL STUDIES 983 (2008) (with Joseph W. Doherty)

Rise of the Financial Advisors: An Empirical Study of the Division of Professional Fees in Large Bankruptcies, 82 AMERICAN BANKRUPTCY LAW JOURNAL 141 (2008) (with Joseph W. Doherty)

Bankruptcy Vérité, 106 MICHIGAN LAW REVIEW 721 (2008) (with Joseph W. Doherty)

Bankruptcy Fire Sales, 106 MICHIGAN LAW REVIEW 1 (2007) (with Joseph W. Doherty)

The Spearing Tool Filing System Disaster, 68 OHIO STATE LAW JOURNAL 281 (2007) (symposium issue)

Delaware Bankruptcy: Failure in the Ascendency, 73 UNIVERSITY OF CHICAGO LAW REVIEW 1387 (2006) (with Joseph W. Doherty)

Courting Failure, 54 BUFFALO LAW REVIEW 325 (2006) (symposium on my book COURTING FAILURE)

Where Do You Get Off? A Reply to Courting Failure's *Critics,* 54 BUFFALO LAW REVIEW 511 (2006) (symposium on COURTING FAILURE)

Universalism Unravels, 79 AMERICAN BANKRUPTCY LAW JOURNAL 143 (2005)

Global and Out of Control?, 79 AMERICAN BANKRUPTCY LAW JOURNAL 79 (2005)

The Myth of the Residual Owner: An Empirical Study, 82 WASHINGTON UNIVERSITY LAW QUARTERLY 1341 (2004) (symposium issue)

A Team Production Theory of Bankruptcy Reorganization, 57 VANDERBILT LAW REVIEW 741

(2004)

The Determinants of Professional Fees in Large Bankruptcy Reorganization Cases, 1 JOURNAL OF EMPIRICAL LEGAL STUDIES 111 (2004) (with Joseph W. Doherty)

The Nature of the Bankrupt Firm: A Reply to Baird and Rasmussen's The End of Bankruptcy, 55 STANFORD LAW REVIEW 645 (2003)

Did Privacy Cause Identity Theft?, 54 HASTINGS LAW JOURNAL 1277 (2003) (symposium issue)

Why Are Delaware and New York Bankruptcy Reorganizations Failing?, 55 VANDERBILT LAW REVIEW 1933 (2002) (symposium issue) (with Joseph W. Doherty)

The Politics of Research Access to Federal Court Data, 81 TEXAS LAW REVIEW 2161 (2002) (symposium issue)

Toward a Trademark-Based Liability System, 49 UCLA LAW REVIEW 1099 (2002)

Human Identification Theory and the Identity Theft Problem, 80 TEXAS LAW REVIEW 89 (2001)

Can the Market Evaluate Legal Regimes? A Response to Professors Rasmussen, Thomas, and Skeel, 54 VANDERBILT LAW REVIEW 331 (2001)

The Failure of Public Company Bankruptcies in Delaware and New York: Empirical Evidence of a "Race to the Bottom," 54 VANDERBILT LAW REVIEW 231 (2001) (with Sara D. Kalin)

The Case for Cooperative Territoriality in International Bankruptcy, 98 MICHIGAN LAW REVIEW 2216 (2000) (symposium issue)

A Theory of Legal Strategy, 49 DUKE LAW JOURNAL 1405 (2000) (with Walter O. Weyrauch)

The Irrefutable Logic of Judgment Proofing: A Reply to Professor Schwarcz, 52 STANFORD LAW REVIEW 55 (1999)

Bankruptcy Contracting Revised: A Reply to Alan Schwartz's New Model, 109 YALE LAW JOURNAL 365 (1999)

Contract Bankruptcy: A Reply to Alan Schwartz, 109 YALE LAW JOURNAL 317 (1999)

Twerski and Cohen's Second Revolution: A Systems/Strategic Perspective, 94 NORTHWESTERN UNIVERSITY LAW REVIEW 55 (1999)

Shopping for Judges: An Empirical Analysis of Venue Choice in Large Chapter 11 Reorganizations, 84 CORNELL LAW REVIEW 967 (1999) (with Theodore Eisenberg)

Cooperation in International Bankruptcy: A Post-Universalist Approach, 84 CORNELL LAW REVIEW 696 (1999)

Commentary on Financial Privacy, 77 WASHINGTON UNIVERSITY LAW QUARTERLY 513 (1999)

The Essential Structure of Judgment Proofing, 51 STANFORD LAW REVIEW 147 (1998)

Virtual Judgment Proofing: A Rejoinder, 107 YALE LAW JOURNAL 1413 (1998)

Should the Secured Credit Carve-Out Apply Only in Bankruptcy? A Systems/Strategic Analysis, 82 CORNELL LAW REVIEW 1483 (1997)

Common Sense Consumer Bankruptcy, 71 AMERICAN BANKRUPTCY LAW JOURNAL 461 (1997)

The Systems Approach to Law, 82 CORNELL LAW REVIEW 479 (1997)

The Death of Liability, 106 YALE LAW JOURNAL 1 (1996)

Legal Culture, Legal Strategy, and the Law in Lawyers' Heads, 90 NORTHWESTERN UNIVERSITY LAW REVIEW 1498 (1996)

Why the Debtor's State of Incorporation Should Be the Proper Place for Article 9 Filing: A Systems Analysis, 79 MINNESOTA LAW REVIEW 577 (1995)

Comment: Chapter 11: An Agenda for Basic Reform, 69 AMERICAN BANKRUPTCY LAW JOURNAL 573 (1995)

The Unsecured Creditor's Bargain, 80 VIRGINIA LAW REVIEW 1887 (1994)

Reorganization Realities, Methodological Realities, and the Paradigm Dominance Game, 72 WASHINGTON UNIVERSITY LAW QUARTERLY 1307 (1994)

Compensating Unsecured Creditors for Extraordinary Reorganization Risks, 72 WASHINGTON UNIVERSITY LAW QUARTERLY 1133 (1994) (with William C. Whitford)

A Systems Approach to Comparing U.S. and Canadian Reorganization of Financially Distressed Companies, 35 HARVARD INTERNATIONAL LAW JOURNAL 267 (1994) (with George G. Triantis), *reprinted in* CURRENT DEVELOPMENTS IN INTERNATIONAL AND COMPARATIVE CORPORATE INSOLVENCY LAW 109 (Jacob S. Ziegel ed., Clarendon Press 1994)

Patterns in the Bankruptcy Reorganization of Large, Publicly Held Companies, 78 CORNELL LAW REVIEW 597 (1993) (with William C. Whitford)

The Trouble with Chapter 11, 1993 WISCONSIN LAW REVIEW 729 (1993)

Stakeholders in Bankruptcy: Some Comments, 43 UNIVERSITY OF TORONTO LAW JOURNAL 711 (1993)

Corporate Governance in the Bankruptcy Reorganization of Large, Publicly Held Companies, 141 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 669 (1993) (with William C. Whitford)

Strange Visions in a Strange World: A Reply to Professors Bradley and Rosenzweig, 91 MICHIGAN LAW REVIEW 79 (1992)

Computerization of the Article 9 Filing System: Thoughts on Building the Electronic Highway, 55 LAW AND CONTEMPORARY PROBLEMS 5 (1992) (symposium issue)

Preemptive Cram Down, 65 AMERICAN BANKRUPTCY LAW JOURNAL 625 (1991) (with William C. Whitford)

Venue Choice and Forum Shopping in the Bankruptcy Reorganization of Large, Publicly Held Companies, 1991 WISCONSIN LAW REVIEW 11 (1991) (with William C. Whitford)

Bargaining Over Equity's Share in the Bankruptcy Reorganization of Large, Publicly Held Companies, 139 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 125 (1990) (with William C. Whitford)

The Demographics of Bankruptcy Practice, 63 AMERICAN BANKRUPTCY LAW JOURNAL 289 (1989)

Bringing Realism to the Classroom—A Review of Warren and Westbrook's THE LAW OF DEBTORS

AND CREDITORS, 1987 WISCONSIN LAW REVIEW 641 (1987)

The Debtor in Full Control—Systems Failure Under Chapter 11 of the Bankruptcy Code?, 57 AMERICAN BANKRUPTCY LAW JOURNAL 99 (first installment) (1983), 57 AMERICAN BANKRUPTCY LAW JOURNAL 247 (second installment) (1983)

A General Theory of the Dynamics of the State Remedies/ Bankruptcy System, 1982 WISCONSIN LAW REVIEW 311 (1982)

"Encouraging" Repayment Under Chapter 13 of the Bankruptcy Code, 18 HARVARD JOURNAL ON LEGISLATION 347 (1981)

The Uniform Consumer Credit Code: Consumer's Code — Or Lender's Code?, 22 FLORIDA LAW REVIEW 335 (1970)

The Battle of the Forms — Section 2-207 Under the U.C.C., 7 AMERICAN BUSINESS LAW JOURNAL 19 (1969)

Statute of Limitations in Warranty, 21 FLORIDA LAW REVIEW 336 (1969)

Op-eds and Blog Posts

Against Limited Liability, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE, *April 9, 2026*

False Venue Claims Signed Under Penalty of Perjury, HARVARD LAW SCHOOL BANKRUPTCY ROUNDTABLE, April 22, 2025

Corporate Greenhouse Gas Disclosures, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE, Jun. 7, 2022.

Chapter 11's Descent into Lawlessness, HARVARD LAW SCHOOL BANKRUPTCY ROUNDTABLE, Oct. 26, 2021.

Who Rules Big-case Bankruptcy? DAILY JOURNAL, May. 24, 2021

Repurposing the Corporation Through Stakeholder Markets, THE CLS BLUE SKY BLOG, Apr. 13, 2021.

Algorithmic Entities, DAILY JOURNAL, Apr. 30, 2018

A Rule-Based Method for Comparing Corporate Laws, OXFORD BUSINESS LAW BLOG, Mar. 22, 2018

Corporate Charter Competition, THE CLS BLUE SKY BLOG, Mar. 8, 2017

With Ph.D. Hiring Trend, Who'll Help Law Students Find the Courthouse?, NATIONAL LAW JOURNAL, May 9, 2016

Virtual Bankruptcy for Puerto Rico, HUFFINGTON POST, Dec. 7, 2015

Venue Reform Can Save Companies, HARVARD LAW SCHOOL BANKRUPTCY ROUNDTABLE, March 10, 2015.

Bankruptcy Survival, HARVARD LAW SCHOOL BANKRUPTCY ROUNDTABLE, JAN. 27, 2015

The Practical Advantage from Empirical Research, ABI JOURNAL, Feb. 2015 (explaining the Pacer Docket Searcher, the Bankruptcy Survival Calculator, and Design-a-Study)

The Bankruptcy Success Modeling Project: A Participant's Guide, ABI JOURNAL, Aug. 2012 (guide for scholars and bankruptcy professionals to participate in the project)

The Bankruptcy Success Modeling Project, JOURNAL OF CORPORATE RENEWAL, July/Aug. 2011 (description of the project for turnaround manager audience)

Let Bankruptcy Judges Step In, ATLANTA JOURNAL-CONSTITUTION, Mar. 6, 2008 (op-ed in favor of legislation that would have permitted bankruptcy judges to modify home mortgages)

The Delaware Court Wins! NATIONAL LAW JOURNAL, Feb. 11, 2008 (op-ed reporting Delaware's victory in the competition for big bankruptcy cases)

Courting the Big Bankrupts, LEGAL TIMES, July 18, 2005 (op-ed responding to Senator Joseph Biden's attack on my research)

Corruption is the Right Word, BANKRUPTCY COURT DECISIONS, July 19, 2005 (op-ed on my use of the word "corruption" as applied to the United States Bankruptcy Courts)

Bankruptcy Bingo, FORBES, July 4, 2005 (opinion column on the corruption of the bankruptcy courts by competition)

Corporate Perk: Repairing a bankrupt system, HOUSTON CHRONICLE, Feb. 26, 2005 (op-ed on bankruptcy forum shopping)

Court shopping bankrupts U.S. system, SAN FRANCISCO CHRONICLE, Feb. 20, 2005, at C3 (op-ed on the Yukos bankruptcy filing)

End costly game-playing in bankruptcy courts, HOUSTON CHRONICLE, Sept. 17, 2002, at 23A (op-ed on bankruptcy court competition)

Better Way to Stop a Thief, LOS ANGELES TIMES, Aug. 28, 2001, Pt. 2, at 13 (op-ed on identity theft)

Some Settlement, WASHINGTON POST, Jan. 20, 1998, at A15 (op-ed on the tobacco settlement)

No Credit Where Credit Was Due, NEW YORK TIMES, Sept. 20, 1997 (op-ed on consumer credit reporting)

Law Practice

Partner in LoPucki & LoPucki and Schwartz, Schwartz, LoPucki & Dearing, Gainesville, Florida, 1972-80, practicing primarily in the areas of bankruptcy, commercial law, and corporate law, including substantial litigation

Bar Membership

Florida and California, inactive

Prior Affiliations

Consultant to the People's Republic of China regarding the drafting of legislation governing the liquidation of foreign invested companies, 1993-95

Scholar in residence at the law firm of Heller, Ehrman, White & McAuliffe, San Francisco, California, January to April 1992, and January to April 1993

Professional Associations

Peer Reviewer, *American Bankruptcy Law Journal*

Senior Advisor to the National Bankruptcy Review Commission, Data Study Project, 1997-98

Member, American College of Bankruptcy

Member, International Insolvency Institute

Member, National Bankruptcy Review Commission, Small Business & Single Asset Real Estate Working Group, 1996

Member, American Law Institute

Member, Board of Advisers, ALI Transnational Insolvency Project, 1995-99

Member, American Bankruptcy Institute

Member, Editorial Board, *Journal of Restructuring Finance*

Education

Harvard Law School, LL.M. 1970

University of Michigan Law School, J.D. with honors, 1967

University of Michigan, Honors College, A.B. 1965 in economics

Teaching Subjects

Business Associations, Secured Transactions, Corporations as Members of Society, Empirical Analysis of Law, Comparative Corporate Law