

# Law360 Quotes Special Counsel Benjamin D. Feder on Supreme Court's Ruling on Bankruptcy Court Power

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In the *Law360* article "Lawyers React To Justices' Ruling On Bankruptcy Court Power," special counsel [Benjamin D. Feder](#) provided comments regarding the Supreme Court's ruling to overturn a Seventh Circuit decision in *Wellness International Network Ltd. v. Sharif*. The overturned decision held that bankruptcy courts have the authority to make final decisions on certain legal claims that help liquidate a debtor or adjudicate a bankruptcy proceeding. Mr. Feder said:

An affirmance today would have irreparably damaged the entire Article I court system. The court succeeded in escaping somewhat from the formalistic straitjacket of *Stern*. Since *Stern*, however, the court has needed to resolve firmly two questions: the scope of what constitutes a 'public right' in the context of bankruptcy that can be decided by an Article I judge, and whether the right to have a dispute determined by an Article III judge may be waived by consent. By only answering the second question today, the court ensured that some uncertainty will continue to hover over issues of bankruptcy court jurisdiction."

To read the full article, please click [here](#). Access may require subscription.