

## PUBLICATIONS

# Landmines in Bankruptcy Appellate Practice, Part III

## The Bankruptcy Strategist

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In his latest article for *The Bankruptcy Strategist* titled, “Landmines in Bankruptcy Practice, Part III,” Schulte Roth & Zabel of counsel Michael L. Cook discusses appellate jurisdiction and finality in relation to the current bankruptcy appeals boom.

Congress limited the jurisdiction of appellate courts in the plain language of the Judicial Code, saving appellate courts from unnecessary work: “The *district courts* [or any bankruptcy appellate court] ... shall have jurisdiction to hear appeals (1) from *final* judgements... and (3) with leave of the court from other *interlocutory* orders ... The *courts of appeals* shall have jurisdiction of appeals from all *final* decisions, judgements...” 28 U.S.C. §§158(a), 158(d)(1) (emphasis added). When courts have made important exceptions in the past year, as shown here, they have either added a gloss on the Judicial Code, corrected lawyers’ errors, filled in statutory gaps, or clarified the relevant statutory language.

[Read more here.](#)

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## Related People



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