

(When) Can Student Loans Be Discharged in Bankruptcy Without a Showing of Undue Hardship?

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It is conventional wisdom that most student loans are not dischargeable in bankruptcy. However, a growing body of case law in a minority of jurisdictions instructs that private student loans may be dischargeable under the Bankruptcy Code without a showing of undue hardship. Join Austin Smith and Sarah Doerr for a discussion of existing case law, pending appeals, as well as arguments advocated by both debtor's and lender's counsel in cases considering whether private student loans confer an "educational benefit" under 523(a)(8).

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Practice Areas

Financial Services

