DAFTAR PUSTAKA

A. Peraturan Perundang-Undangan

Kitab Undang-Undang Hukum Perdata (Burgerlijk Wetboek).

Undang-Undang Nomor 37 Tahun 2004 tentang Kepailitan dan Penundaan Kewajiban Pembayaran Utang.

Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan.

Peraturan Pemerintah Nomor 47 Tahun 2024 tentang Penghapusan Piutang Macet kepada Usaha Mikro, Kecil, dan Menengah.

Undang-Undang Nomor 20 Tahun 2008 tentang Usaha Mikro, Kecil, dan Menengah.

Title 11, Bankrupty Code, United State Code.

B. Putusan Pengadilan

Board of Trustees of the Ohio Carpenters' Pension Fund on Behalf of the Ohio Carpenters' Pension Fund, et al., Petitioners v. Charles S. Bucci (Juli 2007).

Harrington v. Purdue Pharma L.P., 603 U.S. (2024).

In re David B. Fredman, Sheila V. Fredman, 471 B.R. 540 (Bankr. S.D. Ill. 2012), No. 11-40791.

Local Loan Company v. Hunt, 292 U.S. 234 (1934).

Putusan Mahkamah Agung Nomor 1475 K/Pdt.Sus-Pailit/2021.

Putusan Pengadilan Negeri Semarang Nomor 09/Pdt.Sus-Pailit/2024/PN Niaga Smg.

Putusan Pengadilan Negeri Semarang Nomor 26/Pdt.Sus-Pailit/2021/PN Smg.

Putusan Pengadilan Negeri Surabaya Nomor 11/Pdt.Sus-Pailit/2024/PN Niaga Sby.

Taggart v. Lorenzen, Executor of the Estate of Brown, et al. (2019).

C. Buku

Abdulkadir Muhammad, *Hukum Perdata Indonesia*, Edisi 5, Citra Aditya Bakti, Bandung, 2014.

Abdul Jamil, *Kepailitan dalam Islam*, Genta Publishing, Yogyakarta, 2022.

Agus Yudha Hermoko, *Hukum Perjanjian Asas Proporsionalitas dalam Kontrak Komersial*, Edisi 4, Kencana, Jakarta, 2014.

Ahmad Saprudin dan Ahmad Satiri, *Teknik Penyelesaian Perkara Kepailitan Ekonomi Syariah*, Pustaka Pelajar, Yogyakarta, 2018.

Amran Suadi, *Hukum Kepailitan Syariah (Al-Taflis): dalam Penyelesaian Sengketa Ekonomi Syariah*, Kencana, Jakarta, 2021.

Aria Suyudi dkk., *Analisis Hukum Kepailitan di Indonesia: Kepailitan di Negeri Pailit*, Pusat Studi Hukum & Kebijakan Indonesia, Jakarta, 2004.

Bagus Irawan, *Aspek-Aspek Hukum Kepailitan, Perusahaan, dan Asuransi: Analisis Yuridis Tentang Kepailitan, Perusahaan, dan Asuransi Manulife dan Prudential*, Alumni, Bandung, 2007.

Badan Analisis Informasi Kebijakan, *Analisis Kebijakan Perpanjangan Restrukturisasi Untuk Usaha Terdampak Covid-19*, Jakarta, 2024.

Bernard Nainggolan, *Perlindungan Hukum Seimbang, Debitur, Kreditur dan Pihak-Pihak Berkepentingan dalam Kepailitan*, Edisi 1, PT Alumni, Bandung, 2011.

Charles J. Tabb, *Bankruptcy Anthology*, Anderson Publishing, 2002.

Charles Jordan Tabb, *The Law of Bankruptcy*, West Academic Publishing, St. Paul, 2016.

Douglas G. Baird, *The Elements of Bankruptcy*, Edisi 7, Foundation Press, New York, 2022.

Elyta Ras Ginting, *Hukum Kepailitan Teori Kepailitan*, Sinar Grafika, Jakarta, 2018.

Elyta Ras Ginting, *Pembuktian & Praktik Hukum Acara Pengadilan Niaga*, Cetakan 1, Sinar Grafika, Jakarta, 2024.

Emmy Yuhasaarie, *Undang-Undang Kepailitan dan Perkembangannya: Prosiding Rangkaian Lokakarya Terbatas Masalah-Masalah Kepailitan dan Wawasan Hukum Bisnis Lainnya Tahun 2004*, Cetakan 1, Pusat Pengkajian Hukum, Jakarta, 2005.

Hülya Eraslan dkk., *An Anatomy of U.S. Personal Bankruptcy under Chapter 13*, New York, 2016.

Jono, *Hukum Kepailitan*, Edisi 1, Sinar Grafika, Jakarta, 2008.

Karen Gross, *Failure and Forgiveness: Rebalancing the Bankruptcy System*, Yale University Press, New Haven, 1997.

Kartini Muljadi dan Gunawan Widjaja, *Pedoman Menangani Perkara Kepailitan*, RajaGrafindo Persada, Jakarta, 2004.

Kementerian Hukum dan Hak Asasi Manusia Badan Pembinaan Hukum Nasional, *Naskah Akademik Rancangan Undang-Undang Tentang Perubahan Atas UU Kepailitan*, Jakarta, 2018.

M. Hadi Shubhan, *Hukum Kepailitan: Prinsip, Norma, dan Praktik di Peradilan*, Kencana, Jakarta, 2008.

Munir Fuady, *Hukum Pailit 1998: dalam Teori dan Praktek*, Citra Aditya Bakti, Bandung, 1999.

R. Subekti dan R. Tjitrosudibio, *Kitab Undang-Undang Hukum Perdata*, Edisi 50, PT Balai Pustaka, Jakarta, 2022.

Rachmadi Usman, *Dimensi Hukum Kepailitan di Indonesia*, Gramedia Pustaka Utama, Jakarta, 2004.

Rahayu Hartini, *Hukum Kepailitan*, Edisi Revisi, UMM Press, Malang, 2017.

Ridwan Khairandy, *Perseroan Terbatas: Doktrin, Peraturan Perundang-Undangan, dan Yurisprudensi*, Total Media, Yogyakarta, 2009.

Royston Miles Goode, *Principles of Corporate Insolvency Law*, Edisi 3, Sweet & Maxwell, London, 2005.

Serlika Aprita, *Hukum Kepailitan dan Penundaan Kewajiban Pembayaran Utang: Perspektif Teori*, Setara Press, Malang, 2018.

Siti Anisah, *Perlindungan Kepentingan Kreditur dan Debitur dalam Hukum Kepailitan di Indonesia: Studi Putusan-Putusan Pengadilan*, Total Media, Yogyakarta, 2008.

Siti Ismijati Jenie, "Perkembangan dari Asas Hukum Khusus Umum di Indonesia," Pidato pada Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 10 September 2007.

Soetandyo Wignjosoebroto, *Dari Hukum Kolonial ke Hukum Nasional: Dinamika Sosial-Politik dalam Perkembangan Hukum di Indonesia*, HUMA, Jakarta, 2014.

Subekti, *Pokok-Pokok Hukum Perdata*, Intermasa, Jakarta, 2005.

Sudikno Mertokusumo, *Mengenal Hukum: Suatu Pengantar*, Edisi 5, Cahaya Atma Pusaka, Yogyakarta, 2016.

Sudikno Mertokusumo, *Penemuan Hukum: Sebuah Pengantar*, Universitas Atma Jaya Yogyakarta, Yogyakarta, 2010.

Sudiarto, *Pengantar Hukum Kepailitan di Indonesia*, Mataram University Press, Mataram, 2022.

Suparji, *Kepailitan*, UAI Press, Jakarta, 2018.

Susanti Adi Nugroho, *Hukum Kepailitan di Indonesia: Dalam Teori dan Praktik Serta Penerapan Hukumnya*, Kencana, Jakarta, 2018.

Sutan Remy Sjahdeini, *Hukum Kepailitan: Memahami Undang-Undang No. 37 Tahun 2004 tentang Kepailitan*, Pustaka Utama Grafiti, Jakarta, 2009.

Sutan Remy Sjahdeini, *Sejarah, Asas, dan Teori Hukum Kepailitan: Memahami Undang-Undang No. 37 Tahun 2004 tentang Kepailitan dan Penundaan Kewajiban Pembayaran Utang*, Kencana, Jakarta, 2016.

Tami Rusli, *Hukum Kepailitan di Indonesia*, Universitas Bandar Lampung Press, Bandar Lampung, 2019.

Valerie Selvie Sinaga, *Analisa Putusan Kepailitan Pada Pengadilan Niaga Jakarta*, Edisi 1, Fakultas Hukum Universitas Katolik Atmajaya, Jakarta, 2005.

William H. Brown, *Consumer Bankruptcy Law: Chapters 7 & 13*, Edisi 2, Federal Judicial Center, Washington D.C., 2025.

Zainal Asikin, *Hukum Kepailitan dan Penundaan Pembayaran di Indonesia*, RajaGrafindo Persada, Jakarta, 1994.

D. Jurnal

Abdulhadi M. A. Alajmi dan Mohammad Khalid Mansour, "Common Provisions between Preventive Measures and Bankruptcy Declaration in Kuwaiti Law (71/2020): A Comparative Study with Islamic Jurisprudence," *Journal of College of Sharia and Islamic Studies*, Vol. 42, No. 2, 2024.

Alfit Jenifer, "Pembatasan Syarat Pembuktian Secara Sederhana Dalam Kepailitan Melalui Surat Edaran Mahkamah Agung Nomor 3 Tahun 2023," *IURIS STUDIA: Jurnal Kajian Hukum*, Vol. 5, No. 3, 2024.

Auwal Adam Saad dan Syed Musa Syed Jaafar Alhabshi, "Debt Theories in Islamic Commercial Transactions and Their Implications for the Islamic Capital Market," *International Journal of Management and Applied Research*, Vol. 6, No. 4, 2019.

Christopher Cornwell dan Bing Xu, "Effects of the BAPCPA on the Chapter Composition of Consumer Bankruptcies," *Economics Letters*, Vol. 124, No. 3, 2014.

Colin McGrath, "Municipal Bankruptcy and the Limits of Federalism," *University of Pennsylvania Journal of Constitutional Law*, Vol. 18, No. 4, 2016.

Elizabeth Warren, "Bankruptcy Policy," *University of Chicago Law Review*, Vol. 54, No. 3, 1987.

Elizabeth Warren, "Bankruptcy Policymaking in an Imperfect World," *Michigan Law Review*, Vol. 92, No. 2, 1993.

Elizabeth Warren dan Jay Westbrook, "The Success of Chapter 11: A Challenge to the Critics," *Michigan Law Review*, Vol. 107, No. 4, 2009.

Faishal Fatahillah dan Atik Winanti, "Perbandingan Konsep Hukum Kepailitan Amerika (Chapter 11) dan Hukum Kepailitan Indonesia," *Jurnal USM Law Review*, Vol. 6, No. 3, 2023.

Fritz Schulz, "Classical Roman Law," *The Cambridge Law Journal*, Vol. 11, No. 3, 1953.

Gary Sullivan, "A Fresh Start to Bankruptcy Exemptions," *BYU Law Review*, Vol. 2018, No. 2, 2018.

Gede Aditya Pratama dkk., "Indonesian Bankruptcy Law Policy After Political & Monetary Turmoil in 1998," *Jurnal Ilmu Sosial*, Vol. 23, No. 2, 2024.

James J. Edelman dkk., "The Evolution of Bankruptcy and Insolvency Laws and the Case of The Deed of Company Arrangement," *Lloyd's Maritime and Commercial Law Quarterly*, 2019.

Jérôme Sgard, "Bankruptcy Law, Majority Rule, and Private Ordering in England and France (Seventeenth-Nineteenth Century)," *Santa Clara Law Review*, 2010.

Ketut Gde Swara Siddhi Yatna dan Ni Putu Purwanti, "Perbandingan Hukum Negara Indonesia Dengan Hukum Negara Belanda Dalam Penyelesaian Perkara Sisa Hutang Debitor Pailit," *Acta Comitas*, Vol. 5, No. 2, 2020.

Lois R. Lupica, "The Consumer Bankruptcy Fee Study: Final Report," *SSRN Electronic Journal*, Vol. 86, 2018.

Louis Levinthal, "The Early History of Bankruptcy Law," *University of Pennsylvania Law Review*, Vol. 66, No. 3, 1918.

M. Hadi Shubhan, "Deconstructing Simple Evidence in Bankruptcy Petition for Legal Certainly," *Indonesia Law Review*, Vol. 9, No. 2, 2019.

M. Hadi Shubhan, "Legal Protection of Solvent Companies from Bankruptcy Abuse in Indonesian Legal System," *Academic Journal of Interdisciplinary Studies*, Vol. 9, No. 2, 2020.

Maan Hashim Lhimas Al Rudaini dkk., "The Rules of Discharge and Its Effects in Legal Relationships: A Comparative Study in Islamic Sharia and Civil Law," *Legal Studies in Digital Age*, Vol. 5, No. 2, 2025.

Mary Jo Wiggins, "The New Rawlsian Theory of Bankruptcy Ethics," *Cardozo Law Review*, Vol. 16, No. 1, 1994.

Michael Herbert, "As We Forgive Our Debtors: Bankruptcy and Consumer Credit in America," *University of Richmond Law Review*, Vol. 25, No. 1, 1990.

Michelle J. White, "Small Business Bankruptcy," *Annual Review of Financial Economics*, Vol. 8, 2016.

Mohammad Daffa Naufal Ihsan dan Tajul Arifin, "Perspektif H.R Muslim No. 2910 Dalam Proses Likuidasi Pailit Atas Boedel Pailit," *Jejak Digital: Jurnal Ilmiah Multidisiplin*, Vol. 1, No. 4, 2025.

Nelson Kapoyos, "Konsep Pembuktian Sederhana Dalam Perkara Kepailitan," *Jurnal Yudisial*, Vol. 10, No. 3, 2017.

Nisrawanty Lembang dan Iryana Anwar, "The Urgency of Implementing the Insolvency Test in Bankruptcy Cases in Indonesia," *Jurnal Ilmu Hukum Kyadiren*, Vol. 6, No. 2, 2025.

Pamela Foohey dkk., "Debt on the Ground: The Scholarly Discourse of Bankruptcy and Financial Precarity," *Annual Review of Law and Social Science*, Vol. 20, No. 1, 2024.

Putri Rahmawati dan Wardani Rizkianti, "Insolvency Test Sebagai Solusi Preventif dalam Kontruksi Hukum Kepailitan di Indonesia," *Jurnal Yuridis*, Vol. 10, No. 2, 2023.

R. Benny Riyanto dkk., "Clashing Legal Realities: A Comparative Analysis of Insolvency Tests in Australia and Indonesia's Bankruptcy Law," *Jambura Law Review*, Vol. 7, No. 1, 2025.

Rana Syahla dkk., "Urgensi Minimal Utang Sebagai Persyaratan Permohonan Pailit (Perbandingan Pengaturan Minimal Utang dengan Hukum Kepailitan Amerika Serikat)," *LEX RENAISSANCE*, Vol. 9, No. 1, 2024.

Remgijus Jokubauskas, "Discharge of Debts of Insolvent Entrepreneurs Under the Restructuring and Insolvency Directive," *Utrecht Journal of International and European Law*, Vol. 38, No. 1, 2023.

Richard M. Hynes dan Nathaniel Pattison, "Chapter 13 Outcomes," *Journal of Empirical Legal Studies*, Vol. 22, No. 4, 2025.

Rizqi Muallif dan Elfrida Ratnawati Gultom, "Aspek Kepailitan dan Penundaan Kewajiban Pembayaran Utang dalam Pembangunan Ekonomi Nasional," *UNES Law Review*, Vol. 5, No. 4, 2023.

Robert Robert dan Ningrum Natasya Sirait, "The Urgency of Good Faith Principle Implementation in Indonesian Bankruptcy Regime," *Jurnal Mercatoria*, Vol. 16, No. 2, 2023.

Sergey Pavlikov dkk., "Financial Recovery As a Means of Restoring Solvency of Bankrupt Debtor: Special Provisions in Russian Civil Law," *E3S Web of Conferences*, Vol. 403, Juli 2023.

Siti Ismijati Jenie, "Perkembangan dari Asas Hukum Khusus Umum di Indonesia," Pidato pada Fakultas Hukum Universitas Gadjah Mada, Yogyakarta, 10 September 2007.

Sonyendah Retnaningsih, "Perlindungan Hukum Terhadap Debitor Pailit Individu Dalam Penyelesaian Perkara Kepailitan di Indonesia," *ADHAPER: Jurnal Hukum Acara Perdata*, Vol. 3, No. 1, 2018.

Sonyendah Retnaningsih dan Isis Ikhwansyah, "Legal Status of Individual Bankrupt Debtors After Termination of Bankruptcy and Rehabilitation Under Indonesian Bankruptcy Law," *Indonesia Law Review*, Vol. 7, No. 1, 2017.

Surya Dharma Putra dan Andryawan, "Analisis Mengenai Penerapan Prinsip Debt Collection Dan Ketiadaan Prinsip Debt Discharge Dalam Undang-Undang Kepailitan," *Jurnal Serina Sosial Humaniora*, Vol. 1, No. 2, 2023.

Charles Tabb, "The History of the Bankruptcy Laws in the United States," *American Bankruptcy Institute Law Review*, Vol. 3, 1995.

Tiara Ayu Lestari dkk., "Tinjauan Hukum Kebijakan Penghapusan Tagihan Piutang Macet pada UMKM di Indonesia," *SOSCIED*, Vol. 8, No. 1, 2025.

E. Website dan Sumber Online

Bank Indonesia, "Perkembangan Kredit UMKM," terdapat dalam https://www.bi.go.id/id/umkm/kredit/default.aspx, diakses tanggal 18 April 2026.

Cornell Law School Legal Information Institute, "Chapter 7 Bankruptcy," Wex Legal Dictionary, terdapat dalam https://www.law.cornell.edu/wex/Chapter_7_bankruptcy, diakses tanggal 24 April 2026.

Harrington v. Purdue Pharma L.P., 603 U.S. (2024), terdapat dalam https://supreme.justia.com/cases/federal/us/603/23-124/, diakses tanggal 19 Februari 2026.

Kompas, "Penghapusan Utang Macet UMKM: Dampak Positif untuk Ekonomi ke Depan?," diakses 12 Februari 2026, https://nasional.kompas.com/read/2024/11/06/16100961.

Letter in Support of the Consumer Bankruptcy Reform Act of 2020, United States Senate – Office of Senator Elizabeth Warren, 2020, terdapat dalam https://www.warren.senate.gov/download/cbra-2022_-law-prof-letter, diakses tanggal 26 Maret 2026.

U.S. Department of Justice, United States Trustee Program, "Means Testing," terdapat dalam https://www.justice.gov/ust/means-testing, diakses tanggal 24 April 2026.

United States Courts, "Chapter 13 - Bankruptcy Basics," terdapat dalam https://www.uscourts.gov/court-programs/bankruptcy/bankruptcy-basics/Chapter-13-bankruptcy-basics, diakses tanggal 14 Januari 2026.

United States Courts, Instructions Bankruptcy Forms for Individuals, 2025, terdapat dalam https://www.uscourts.gov/forms-rules/forms/bankruptcy-forms. diakses tanggal 14 Januari 2026.