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transfer.”⁴ Yet in his authoritative
treatise published in 1940, Professor Gar-
rard Glenn declared that “[i]f there is in
our law one point which is more
ungrudgingly accepted than others, it is
that the preferential transfer does not
constitute a fraudulent conveyance.”⁵
More recently, in a widely cited case,

Debt Repayments as Fraudulent Transfers

Fraudulent conveyance is the illegal or
unfair transfer of property to another
party via a bankruptcy trustee. Two
types of fraudulent conveyance exist,
actual fraud and constructive fraud.

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Fraudulent Conveyance Definition

Fraudulent Conveyance A transfer of property that is made to swindle, hinder, or delay a creditor, or to put such property beyond his or her reach. For example, a man transfers his bank account to a relative by putting the account in the relative's name.

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CHAPTER 13. Fraudulent Transfers §
1301 Definitions. As used in this chapter:

(1) "Affiliate" means: a. A person who directly or indirectly owns, controls or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor, other than a person who holds the securities: 1.

TITLE 6 - CHAPTER 13. Fraudulent Transfers

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