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ABC Update

BY DAVID P. LEIBOWITZ

The Invaluable Benefits of Bankruptcy Board Certification

Full disclosure: I've been certified by the American Board of Certification (ABC) in Business and Consumer Bankruptcy Law for more than 10 years. I'm a true believer. You and your firm should be, too!

Lakelaw is a small bankruptcy boutique that represents businesses and individuals in Illinois and Wisconsin. I also serve as a chapter 7 trustee in Chicago. We are called upon to represent large corporations in discreet matters in substantial bankruptcy cases. We have a lot of competition, but we try to differentiate ourselves based on the quality of our people and service. We value our reputation and are pleased to have been recognized by the various rating agencies.

ABC certification offers a different and better opportunity. Last year, I challenged each of my bankruptcy associates to demonstrate their commitment to excellence by becoming board certified. I offered a modest bonus to each of them upon achieving this objective. I am very proud to say that all four of my bankruptcy associates have now become board certified in either Business Bankruptcy or Consumer Bankruptcy Law!

To achieve board certification, our attorneys demonstrated experience, peer recognition and professional competence. They documented their practical experience in a wide variety of matters. They were endorsed not only by their friends but also by their adversaries and passed a rigorous examination. In short, they demonstrated a high level of professionalism.

Many states explicitly recognize bankruptcy as a specialization and accept board certification as evidence of specialization.¹ However, Illinois does not recognize specialization,² and Wisconsin pro-

hibits the use of the term "specialist" without board certification.³ A recent study by the American Bar Association presented the overall landscape in the U.S. regarding board certification.⁴ The Bankruptcy Code explicitly recognizes board certification as a factor that the court may consider as a reason to enhance the fees allowed to a professional.⁵

We did not achieve 100 percent board certification because we had to. We did it because we wanted to. By doing so, we gained additional client confidence, increased recognition by courts and peers, personal satisfaction and team achievement.

We at Lakelaw expect to continue to reap the benefits, both tangible and intangible, from board certification for years to come. We remain true believers, and we invite you to rise to the challenge as well. **abi**

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David Leibowitz is the founder of Lakelaw, which has offices in Illinois and Wisconsin. He also serves as a coordinating editor for the ABI Journal.

1 Advertising restrictions, in general, can be found at pview.findlaw.com/html/state_restriction.html.

2 Illinois Rules of Professional Conduct, Rule 7.4(c)(2)(2010).

3 Wisconsin Professional Conduct for Attorneys at Law, Rule 7.4(d).

4 *A Concise Guide to Lawyer Specialty Certification*, ABA Standing Committee on Specialization (2007), available at www.americanbar.org/content/dam/aba/migrated/2011_build/specialization/june2007_concise_guide_final.authcheckdam.pdf.

5 11 U.S.C. § 330(a)(1)(E) (2012).