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ABC Update

BY PATRICIA B. FUGÉE

Why I Became Certified, and Why I Want to Stay ABC Certified



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My first thought when confronted with the idea of becoming certified was, "Great! Not only will I be certifiable — as in insane — but I can be actually certified, too!" When I finished chuckling (alone, I'm sure), I decided to look into what being certified by the American Board of Certification (ABC) is really all about. I learned that becoming certified in a particular area of insolvency practice reflects a significant degree of experience, professionalism and ethics, so that makes being certified both a personal achievement and an important way to distinguish myself from other attorneys. The ABC is dedicated to "serving the public and improving the quality of the bankruptcy and creditors' rights law bars."¹ It also "encourages attorneys to strive toward excellence."² That sounded appealing, but the process also sounded incredibly daunting.

To be eligible, applicants need five years of practice with at least 30 percent of their practice and 400 hours per year in the area in which certification is being sought. They must be able to identify at least 30 different matters in which they have been substantially involved, and no more than three of any such matters may be of the same type. Applicants are required to have participated in at least 60 hours of CLE in the three years preceding the application, all in the area in which they seek certification.³ Applicants must also demonstrate the highest integrity, as reflected in an examination of each applicant's grievance history and review of at least nine references, five of which must be from attorneys who handled matters adverse to the applicant. Last but not least, applicants must pass a comprehensive examination.⁴

When I first reviewed these requirements, I was worried that I would never qualify. However, while I try to find humor in many things, I am also very serious about the quality of the service that I provide to my clients and colleagues, and I personally strive for professional excellence. Thus, the challenge of becoming board certified was a goal that I could give myself that would say something about my efforts in the years since law school. I have to admit, too, that the idea of a third party giving me the proverbial "gold star" was also appealing; I am, like many lawyers, a "type-A" person who appreciates and enjoys competition and reward.

What finally made me start the application process was running into my old law school friend Joe, who is both a good guy and a good lawyer, at an ABI Annual Spring Meeting. He won a free ABC application in the vendor raffle and, seeing a good deal, he stepped right up to apply for certification. He passed the exam and the application process. Then, at the next ABI Spring Meeting, he told me that it was not as difficult as I had feared. Joe shared his experience with the process and compared the exam to ones we both had passed in law school, which made it sound so much more manageable. Not only that, Joe showed off his ABC Certified pin and ribbon that adorned his ABI tag. I wanted those! So, I went to visit the helpful folks at the ABC booth.

ABC Executive Director **Dian Gilmore** and Assistant Executive Director **Pamela Farmer** were warm, responsive and very helpful with navigating through the process, which is rigorous enough to ensure its integrity and the value of certification, but still manageable. I am very proud of being certified by the ABC.

I plan to remain certified as long as the ABC will let me, based on a recertification process every five years. As promised, my certification is a strong indi-

¹ To learn more about the ABC, visit abcworld.org.

² *Id.*

³ ABC offers CLE at its various regional and national events throughout the year. To learn more and/or register for a conference, visit abi.org/events.

⁴ If you are planning to take the ABC exam, you can now sign up for a new prep course being offered by ABI and ABC at abi.org/abcprep.

cation of my skills, and because many states restrict advertising, certification allows me to promote my practice area in ways that are not available without it. Clients, referring attorneys and other certified attorneys have noted certification as a reason for my retention. I also believe that it is an important consideration in having my retention or appointment (as an examiner or a receiver) approved by a court. Finally, the directory of ABC-certified attorneys has proven useful many times when clients, friends and colleagues need professionals in other jurisdictions.

To my surprise, being certified has had some additional benefits that I did not anticipate. First, I often work on matters in various cities outside my main location. Whenever someone involved in those matters is also ABC certified, we are able to form a positive working relationship very quickly, even when we are on opposing sides. This has been both personally gratifying and beneficial to my clients because we can more efficiently cut to the chase.

Second, I was invited by one of those attorneys in a different city to consider serving on the ABC's Board of Directors, and I am now coming close to finishing what I hope is only my first term as a director. Serving on the board has been an amazing personal and professional experience for me. As a director, I participate in two meetings per year with a group of incredible lawyers from all insolvency practice areas in all types of practices from all over the country. I have learned so much from them, and I have really enjoyed the opportunities to develop a new network of colleagues and friends. I have also served on several active committees, giving me the opportunity to work with many of my co-directors on a number of projects for the ABC while furthering the important goals of the organization. It has been a very rewarding experience that I encourage every one of you to consider. Thanks, Joe, for the kick in the pants! **abi**

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