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## ABC Update

BY MICHAEL B. WATKINS

### You Can Do This: Mythbusting ABC's Certification Examination Process

Have you considered taking the American Board of Certification (ABC) certification examination for either business, consumer or creditors' rights, but decided not to based on what you may have heard or perceived about the difficulty of the examination or your ability to pass it? In this article, a few of the newly minted crop of ABC-certified attorneys share the doubts and perceptions that they carried into the examination and their (pleasant) surprise that their concerns were misplaced.

A universal comment that has been made is that the multiple-choice questions were not nearly as difficult as the examinee had feared and were easier than the multiple-choice questions used in the sample examination on the ABC website (available at [www.abcworld.org/exam](http://www.abcworld.org/exam)). In fact, one test-taker suggested making the multiple-choice questions on the website more representative of the actual questions, as the sample questions that are now used tend to foster the misperception that the examination is difficult and, thus, may dissuade attorneys from taking it. This misperception also led one examinee to note that he spent more study time preparing for the multiple-choice questions and instead realized that his time would have been better spent preparing for the ethics questions.

Another popular misperception, which has been refuted by the examinees, was that there is an insufficient amount of time allotted to complete the various portions of the examination. To the contrary, however, **Ryan Blay** (Lakelaw; Kenosha, Wis.) noted, "I've always been a very fast test-taker, but I was still shocked at how much time I had left on the multiple-choice questions." As a caveat, however, **Austin L. McMullen** (Bradley Arant Boulton Cummings LLP; Nashville, Tenn.), who became board certified in creditors' rights law on March 27, 2014, observed that "I only had sufficient time because I had studied and either knew the answer or

where to find the answer in the resource materials. Lack of preparation will show up in lack of time!"

There was a divergence in comments in respect to the essay questions. The essay questions on the practice areas were viewed as quite representative of practical experience. For instance, Phoenix-area attorney Bradley Pack of Engelman Berger PC was concerned that the questions would cover obscure aspects of the Bankruptcy Code, but commented that it instead "required real-world analysis of the type of factual and legal issues [that] I deal with routinely." Chris Schmidgall of the Law Office of Weiss and Schmidgall PC of Merrillville, Ind., similarly "found the essays to be very fair in that they gave me the opportunity to draw upon experience from my practice in spotting and explaining the issues in the fact patterns [that] were similar to the solutions [that] our clients present to us on a daily basis."

On the other hand, the ethics questions were not seen as being in keeping with their day-to-day business or consumer practices, and these questions were therefore found to be "tricky." But the examinees also found that the "open book" nature of the examination helped to reduce their anxieties. Mr. Schmidgall also participated in the review seminar sponsored by the Bankruptcy and Creditors' Rights Section of the Indiana State Bar Association in September 2013 and found the sessions covering the business bankruptcy issues, which he does not usually encounter in his consumer-based practice, to be especially helpful in his preparation for the examination.

Perhaps the best piece of advice is to listen to your peers. Many noted that their colleagues who had previously taken the examination advised them that they would "be fine, just study the Code." As it turns out, their peers were right. **abi**

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