

# AMERICAN BANKRUPTCY INSTITUTE JOURNAL

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## ABC Update

BY MICHAEL P. HORAN

### Five States Lead in Certifications

Certification programs for attorneys are of relatively recent origin. The first state programs certifying attorneys as specialists in areas of legal practice began in the late 1970s and early 1980s. The American Board of Certification (ABC) for bankruptcy and creditors' rights attorneys is just over 20 years old; physician certification, by contrast, has existed for nearly 80 years.

Attorney certification programs typically require (1) that an attorney's admission to practice is in good standing in one or more jurisdictions; (2) evidence of the attorney's substantial involvement in the specialty area; (3) peer references; (4) proficiency on a written examination; and (5) continuing legal education requirements. The ABC is the pre-eminent national organization certifying attorneys in business bankruptcy, consumer bankruptcy, and creditors' rights law. ABC-certified attorneys tend to be more common in states with strong attorney certification programs, but there are exceptions.

According to the American Bar Association (ABA),<sup>1</sup> the 10 largest state-sponsored certification programs include Texas, Florida, California, New Jersey, North Carolina, Minnesota, Ohio, Arizona, Louisiana and Indiana. Seven of the states with the largest state attorney certification programs also lead in number of ABC-certified attorneys:<sup>2</sup>

1. Florida
2. Texas
3. California
4. Tennessee

5. North Carolina
- 6-8. Michigan, Ohio and Pennsylvania (tie)
9. Indiana
10. Louisiana

The three largest state certification programs and the three leading states for ABC certifications are the same, albeit in a different order (Texas and Florida are reversed). Tennessee is a notable exception: It is listed as fourth on the ABC certification list, but it is not in the state certification "Top 10." Michigan and Pennsylvania are tied with Ohio for ABC certifications, but they too are not on the state certification "Top 10" list.

It is not surprising that attorneys that hold ABC certifications are more common in states that emphasize their own certification programs. Attorneys in these states are regularly exposed to the benefits of attorney certification, which carries a distinction and a credential, as well as marketing and referral opportunities.

On the other hand, ABC certifications are not limited to the "Top 10" states that certify attorneys. The nationwide and uniform laws governing business bankruptcy law, consumer bankruptcy law and a substantial portion of creditors' rights law are well served by the ABC. **abi**

*Reprinted with permission from the ABI Journal, Vol. XXXIII, No. 3, March 2014.*

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<sup>1</sup> The author thanks Martin Whittaker, senior counsel of the ABA Center for Professional Responsibility, for some of the information in this article.

<sup>2</sup> These figures are based on the total number of certifications issued; some attorneys might hold more than one certification.