

Long Range Strategy Plan for the American Board of Certification

January 1, 2022

I. Mission Statement

The American Board of Certification (“ABC”) is committed to providing progressive and responsible leadership in the field of legal specialization for bankruptcy and creditors’ rights lawyers. This involves providing meaningful information about board certified attorneys to all consumers of bankruptcy and creditors’ rights law services. ABC is dedicated to serving the public and improving the quality of the bankruptcy and creditors’ rights law bars. ABC certification serves the public by allowing potential clients to make an informed decision in choosing bankruptcy and creditors’ rights counsel. In addition, ABC certification encourages attorneys to strive toward excellence and recognizes those attorneys who have met the rigorous ABC standards.

II. Introduction.

This Long-Range Strategy Plan for the ABC is developed by Long-Range Planning Committee and the Board of Directors of the ABC (“Board”). The purpose of this Plan is to provide a guide for the Board for its activities designed to maintain, improve and grow the ABC. This Plan should be consulted, reviewed and revised as needed to meet the ever-changing legal environment with the ultimate goal of maintaining, improving and growing the ABC.

The ABC has a well-respected brand accredited by the American Bar Association (“ABA”). The job of the Board is to polish that brand, making sure that certified attorneys value their certification, actually receive value on account of their certification and are aware that they do receive value.

The Board is also charged with safeguarding the brand by maintaining its high standards for certification, continuing to develop fair but tough qualifying exams and standards and making sure that certified attorneys are upholding the standards.

While maintaining and polishing the brand is a continuing proposition, the Board is ultimately charged with growing the organization by increasing the number of certified attorneys and the states and organizations that recognize ABC certifications.

To accomplish these goals, ABC will have to find ways to interest and attract young lawyers to certification in part because the demographics of the ABC are weighted toward an older population and because growing the organization requires attracting and including the upcoming lawyers in the practice to help grow and perpetuate the organization.

All of the above will lead to increased membership, resources, revenue, diversity, and growth. These increases will allow the ABC to provide service to its members through maintaining sufficient staffing, advancing technology, and high standards.

The balance of this Plan will provide suggestions for working on the goals outlined above of attracting and certifying professionals, obtaining recognition of their certified status, involving young but upcoming lawyers and making the certification experience valuable. To summarize the key recommendations of the Committee:

- A. Schedule member surveys at least every five years.
- B. Prioritize disseminating the brand, including advertising the results of the annual survey, including that 87% of certified attorneys were satisfied or very satisfied with their certification, and the top three reasons are a sense of personal accomplishment; heightened recognition among peers; and heightened recognition among the public; and that ABC certification often leads to more and better referrals. Members may be encouraged to refer cases to other certified attorneys.
- C. Utilize our affiliation with the ABI to publicize the importance and value of ABC certification, including taking advantage of ABC's presence at ABI events and ABC's column in the *ABI Journal*.
- D. Renew efforts to publicize ABC via CLLA.
- E. Communicate with members regarding the availability of senior specialist certification, perhaps targeting attorneys with 20 or more years as a certified attorney.
- F. Consider forming a committee or subcommittee to encourage more states to recognize certified attorneys.
- G. Consider an honorarium/award for outstanding academic faculty.
- H. Increase participation at young lawyer events to communicate the benefits of certification to younger attorneys, including the fact that the certification process can begin prior to 5 years, and is available at 5 years of practice.
- I. Consider an entry level status for bankruptcy lawyers not yet ready or qualified for certification but perhaps working toward certified status. ABI has a Young and New Lawyers Committee. ABC should consider a liaison with that Committee to tap into and listen to the concerns or potential new certified members.
- J. Consider a mentorship program where an aspiring member can reach out and speak with an existing member.

- K. Consider reviving the quarterly newsletter and soliciting and including articles about successful cases or outstanding activities of certified attorneys.
- L. Schedule and follow through on regular updates to the ABC website and social media pages.
- M. ABC's web presence should have easy access to content that certified lawyers and their potential clients consider valuable and be fully searchable. Links to the Board members, faculty and emeritus Board members' own sites might add value to the site for those hard-working volunteers
- N. Publicize among certified attorneys opportunities for participation on the Board and committees, and follow through with attorneys who indicated in response to the survey that they want to be more involved.
- O. Consider listing on the website (and potentially other communications) the attorneys serving on ABC committees or otherwise contributing to the organization.

III. Making Sure that Certified Attorneys Value the Brand

Certified attorneys should feel that the work they did to become certified and the work they continue to do to maintain their certification has significant value and that they receive a return commensurate with or in excess of the time and energy invested in obtaining and maintaining their certification.

a. Survey results—ABC sent a survey out to the 555 certified attorneys in the Fall of 2021. 200 of those attorneys responded which is 36% of the ABC members. The actual survey Executive Summary is appended to this plan.

As a first proposition, ABC should repeat the survey every 5 years to continue to maintain an understanding of what its members are thinking.

62% of respondents were very satisfied with their ABC certification and 87% were satisfied to very satisfied. The top three reasons for becoming certified with ABC were:

Personal Accomplishment,

Heightened recognition among peers

Heightened recognition among public.

As a result of these three reasons the members would highly recommend certification to other lawyer and believed that ABC certification results in more business

It should be noted that some respondents suggested easing the requirements for senior attorneys. This emphasizes the need to publicize the availability and requirements of Senior Specialist certification.

b. Disseminating the Brand—Board certification is a personal accomplishment giving one heightened recognition among peers and the public. The ABC Brand as a certified attorney needs to be told to lawyer and the public and the Board needs to make that a priority.

c. ABA and State Recognition of certified status—The ABA recognizes ABC's certified lawyers' status as do a number of states as listed on the ABC website. ABC might consider forming a separate committee or subcommittee to engage in a concerted effort to increase the number of states recognizing ABC certification.

IV. Maintaining ABC's High Standards

a. Staffing and Supporting the Faculty--ABC's faculty create certification examination questions and review and evaluate results of those examinations. The faculty consists of professors and certified attorneys who spend countless hours developing and grading examinations. Attracting additional qualified faculty and maintaining and nurturing the existing faculty are critical to accomplishing ABC goals described herein. The best resources for recruitment are existing faculty and board members. Events, receptions, or other recognition may also be a good way to honor faculty for their service and add value in exchange for the time they donate. The ABC should consider an honorarium for academic faculty.

b. The Standards Committee maintains the gateway for certification and recertification. Adding additional members as needed and defining the mission for the members of that Committee is important to modulating the gateway to certification and recertification. The standards committee is also a good way to identify future leadership of the ABC.

V. Growing and Maintaining the ABC

a. Reaching Out to and Attracting Young Upcoming Lawyers—

ABC should consider programs to reach out to students and young lawyers to introduce them to certification and its benefits. Emphasis should be made that an applicant has only to have practiced bankruptcy for 5 years in order to be certified and can commence the application process prior to that date. ABI presents programs to young lawyers now at most events. ABC might consider having certified lawyers at those events to explain and promote the benefits of certification. ABC might also consider offering local events with certified attorneys telling their story to students, who are potential future certified professionals.

ABC could consider an entry level status for bankruptcy lawyers not yet ready or qualified for certification but perhaps working toward certified status. ABI has a Young and New Lawyers Committee. ABC should consider a liaison with that Committee to tap into and listen to the concerns or potential new certified members. Alternatively, ABC should consider a mentorship program where an aspiring member can reach out and speak with an existing member—some sort of a match program. A relationship between an established ABC member and a potential candidate starts the connection which benefits the member, the aspiring member and the entire ABC community.

b. Increasing and developing ABC's Technology Presence

E-communications have blossomed in recent years for all professional organizations. Blogging is being used more and more by the lawyers to communicate with their constituencies and distribute content. Blogging and other social media presence needs to continue to be encouraged and developed.

The Board should also consider reviving its quarterly newsletter to push out information to certified lawyers. A regular communication should serve to remind certified lawyers to promote the fact of their certification, to utilize the directory of other certified lawyers, to learn about other certified lawyers' successes and to take advantage of the benefits of their certified status. Perhaps we could include articles about successful cases by ABC Certified Lawyers. The quarterly newsletter should provide a vehicle for timely news, reminders, and items of interest to certified lawyers and so they continue to value their certification.

Having a current internet presence is critical in today's environment. The ABC website should be continually updated to keep up with changes at ABC and in the profession. The Board and ABI working together to develop the renovated website into what the ABC needs for a current, valuable internet presence will be crucial over the next year. ABC's web presence should have easy access to content that certified lawyers and their potential clients consider valuable and must be fully searchable. Links to the Board members, faculty and emeritus Board members own sites might add value to the site for those hard-working volunteers.

ABC should endeavor to make exams and applications available to applicants online. This will allow for more efficiency and make the process less cumbersome and thus, more desirable for prospective applicants.

Similarly, ABC should create a database so that information provided by ABC members can be easily shared and updated. A database would allow ABC to track activity and easily follow up with members whose certification is coming due. A database will also allow members to pay and update information online more efficiently.

The use of social media in the legal profession continues to expand. Social media such as LinkedIn, Twitter and Facebook can be used to create increased exposure of ABC's presence and activities, such as announcements of new certified lawyers, long term achievements and projects, and opportunities for certified lawyers. Younger

lawyers almost exclusively use social media to communicate. ABC must have a presence in social media to remain credible, relevant and in touch with current trends in the law and to connect to young potential certified lawyers. ABC should also consider a regular update to its social media sites.

c. The Certified Lawyers Experience.

Certified lawyers generally are thought to consist of some of the best lawyers in their field and some of the rising stars of their practice. Attracting quality lawyers to apply for certification should focus on what certification can do for them.

The Survey provided clear proof that an ABC certification resulted in more and better business. Lawyers know that referrals from other lawyers tend to be better clients. Over 50% of members state that they received more business from other lawyers. The Board should emphasize that the ABC is the ultimate referral network for bankruptcy lawyers.

Certified lawyers want to be more involved in ABC. We should publicize among our members that they should volunteer to work on ABC matters and committees and we should make sure they get the opportunity. The survey included responses from members interested in becoming more active with the ABC. The Committee recommends follow-up with these attorneys to take advantage of their desire to participate in the organization. In addition, the Committee recommends that membership and participation in ABC's State Bar Liaison/Accreditation and Marketing Committees need not be restricted to Board members, as has historically been the case. The ABC's Bylaws do not require committee members to be directors. Certainly, it makes sense for the respective chairs of these committees to be Board Members, but ABC should emphasize that Board membership is not required to become an active member of these committees. This will serve the dual purposes of providing an avenue for ABC certified lawyers to become more active in the organization, while expanding the pool of available committee members for the various functions of these committees. Due to the sensitive nature of the Faculty and Standards Committees it is not recommended that non-Board members serve on these committees.

The website could add a listing of subcommittees and those volunteer lawyers participating in subcommittee activities with links to the lawyer's web presence as well. This provides additional recognition for volunteers. As mentioned above, creating a database is critical to this endeavor.

ABC could also consider doing more to encourage public acknowledgement of certified lawyers and their achievements and efforts. While the quarterly enews is the logical vehicle for announcing certified lawyers' achievements, perhaps subcommittees could consider periodic news of their projects and achievements also.

ABC should also provide board training to its new board members every year. This will allow for higher quality and easier transition as well as continuity.

c. Attracting New Certified Lawyers.

To maintain and grow its brand, ABC will need to maintain and grow the number of certified attorneys. Financial and human resources will be needed in increasing amounts as ABC becomes more active in recruiting more attorneys, increasing young lawyer participation, and making the certified lawyer experience valuable and desirable. We should take advantage of ABC's management by the ABI to attract new lawyers emphasizing the close relationship and stability the ABI management gives us.

ABC should also consider avenues in addition to electronic means for reaching out to skilled practitioners to encourage them to join the ranks of certified lawyers. Maintaining a presence of certified lawyers at ABI or other bankruptcy or CLLA events may not produce direct applicants but continues to promote the brand.

VI. Conclusion.

Implementation of a long-range plan is the key to the Plan's success. Each new board should review this plan to make sure its ideas are being considered and implemented when possible. All members feel that board certification is a major personal accomplishment of which they are proud. The ABC needs to recognize this and find ways to assist its members in letting attorneys and the public know that the best way to find an accomplished lawyer who is independently tested and verified is by looking for an ABC member.