



**CONFIDENTIAL BEFORE THE
BOARD OF LEGAL SPECIALIZATION**

**APPLICATION FOR
RECERTIFICATION IN
BANKRUPTCY LAW**

Revised January 2020

| | |
|---------------------------------|--|
| Name | |
| Bar Number | |
| Firm | |
| Street and/or PO Box Address | |
| City | |
| State/Zip | |
| Telephone | |
| Email | |
| Date of Submission | |

Please submit your application:

PDF version – by email to: specialization@staff.azbar.org

NOTE:

A \$300 application fee, payable to the State Bar of Arizona, is to be submitted with a copy of the first page of your application to:

Board of Legal Specialization
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, AZ 85016-6266

For applications submitted AFTER August 1 - an additional \$75 late fee is assessed.

I. On a separate sheet, please provide the following information:

- A. Record of Discipline.** A discipline check will be conducted on every applicant. Please list any disciplinary actions taken against you in any state, jurisdiction, or organization. In addition, list all instances of discipline in which the sanction imposed was censure or greater, or an informal reprimand in which the disciplinary record was public, pursuant to Rule 70, Ariz. R. S. Ct. A record of discipline or failure to disclose the same may constitute grounds for denial of an application.
- B. Employment History.** In chronological order, beginning with your most recent employment, list a complete statement of your employment during the last five years. Include the dates of employment, employer's name and address, and a brief summary of the nature of the work performed.
- C. References.** List the names, mailing addresses and e-mail addresses of five attorneys who practice in bankruptcy law and/or judges before whom you have appeared, familiar with your practice, and not including current partners or associates. You may not use as references the members of the Board of Legal Specialization or the Bankruptcy Law Advisory Commission. A list of the members serving in these capacities can be found at:

<https://www.azbar.org/for-lawyers/career-advancement/legal-specialization/>

In addition to the references you provide, the Bankruptcy Law Advisory Commission will also contact other individuals with respect to your qualifications. All references will be requested to provide written comments regarding your knowledge, skill, thoroughness, preparation, effectiveness and judgment in bankruptcy law as well as your ethics and professionalism. Statements of references shall be confidential and privileged from disclosure, except to the applicant upon request.

The Standards for Certification require that an applicant demonstrate a high degree of honesty, integrity and professionalism and meet high ethical standards in compliance with, and as defined by, the Lawyer's Creed of Professionalism of the State Bar of Arizona as well as the Rules of Professional Responsibility. These standards are higher than the bare minimum ethical and professionalism standards an attorney must meet to avoid disciplinary action or the threshold conduct that would warrant the filing of a bar complaint.

- D. Substantial Involvement in Bankruptcy Law.** Pursuant to the Standards for Certification of Lawyers Specializing in Bankruptcy Law, recertification applicants must demonstrate substantial involvement in the field of bankruptcy law during the past five years. For purposes hereof, substantial involvement shall mean the engagement by the applicant in legal service (as defined in Section I of the Rules and Regulations of the Arizona Board of Legal Specialization) equivalent to at least 50% of a full-time practice, in the course of which not less than 33.3% of a full-time practice is devoted to bankruptcy matters and the applicant has represented parties in not less than thirteen of the categories of bankruptcy work.

To demonstrate substantial involvement in bankruptcy law during the past five years, please list the bankruptcy work categories, which you have engaged in since the date of your last certification. List the required information below which will serve to demonstrate satisfaction of the requirement of having represented parties in not less than 13 of the categories listed below.

- Category Number:
- Case/Proceeding Name:
- Date:
- Description of Work:
- Name and Address of Opposing Counsel:
- Judges:

BANKRUPTCY WORK CATEGORIES:

| <u>Category</u> | <u>Description</u> |
|-----------------|--|
| 1) | One contested or substantially negotiated objection to discharge; |
| 2) | Two contested or substantially negotiated determinations of discharge ability; |
| 3) | Two fraudulent conveyances; |
| 4) | Two preferential transfers; |
| 5) | Three avoidances of non-purchase money, non-possessory liens in consumer goods or avoidance of judgment liens; |
| 6) | One avoidance of unperfected or unrecorded transfer by a hypothetical bonafide purchaser of lien creditor; |
| 7) | One equitable subordination; |
| 8) | Two contested or substantially negotiated modifications of automatic stay; |
| 9) | Four sales, use or leases of property; |
| 10) | Two contested or substantially negotiated sales of property free and clear of liens; |
| 11) | Two contested or substantially negotiated cash collateral disputes; |
| 12) | Three assumptions or rejections of leases or other executory contracts; |
| 13) | Two extensions of secured or unsecured credit; |
| 14) | Two involuntary petitions; |
| 15) | Two contested or substantially negotiated objections to the allowance of claims; |
| 16) | Two appointments of a trustee or examiner; |
| 17) | Two contested or substantially negotiated conversions or dismissals; |
| 18) | Two contested or substantially negotiated turnovers of property; |
| 19) | One reclamation; |
| 20) | One PA CA claim; |
| 21) | Two substantially negotiated reaffirmations; |
| 22) | Two contested or substantially negotiated redemptions; |
| 23) | Five motions for abandonment; |
| 24) | Conducting three examinations under Rule 2004; |
| 25) | One revocation of an order of confirmation of a Chapter 11 or 13 plan; |
| 26) | Twenty voluntary petitions, with schedules and statements, under Chapter 7; |
| 27) | Ten voluntary petitions, with schedules and statements, and plans under Chapter 13; |
| 28) | Five voluntary petitions, with schedules and statements, under Chapter 11; |
| 29) | Two voluntary petitions, with schedules and statements, and plans under Chapter 12; |
| 30) | Five confirmations of plans under Chapters 12 or 13; |
| 31) | Two confirmations of plans under Chapters 9 or 11; |
| 32) | Three disclosure statements and plans or reorganization under Chapter 11; |
| 33) | Three requests for administrative priority of claim other than own fee application; |
| 34) | Three objections to claimed exemptions; |
| 35) | Two applications for replacement liens; |
| 36) | Two proceedings to determine the validity, priority or extent of a lien or other interest in property; |
| 37) | One relief application for injunctive or declaratory; |

- 38) Three representations of a trustee;
- 39) Ten evidentiary hearings of which each is at least two hours duration;
- 40) One representation of a creditors committee or equity committee;
- 41) One determination of tax liability that is contested or substantially negotiated;
- 42) Two Motions for Removal, Abstention or Withdrawal of Reference;
- 43) One rejection of a collective bargaining agreement;
- 44) Two bankruptcy related adversary proceedings or contested matters of a type other than as above described;
- 45) Two appeals relating to the above described.

E. Continuing Legal Education.

Provide information regarding CLE you acquired with advanced level subject matter in the area of specialization in which you are seeking recertification.

If you did not, indicate in a separate statement that this question is not applicable and provide an explanation.

If your answer is affirmative, provide copies of your MCLE affidavits (last five educational years only), clearly indicating on the affidavit (circle, underline, asterisk, etc.) those events in the area of specialization.

If you have not filed your affidavit for the current educational year, print a copy of the tracking page clearly indicating the advanced level events in the area of specialization.

THIS APPLICATION CONTINUES
ON THE FOLLOWING PAGE

II. APPLICATION AGREEMENT

Read and initial each of the following statements and sign below:

a. _____ I agree to abide by all Rules and Regulations of the Arizona Board of Legal Specialization as amended from time to time, to pay all fees required by the Board of Legal Specialization as due, and to furnish to the Board such information as may be required from time to time to ascertain my entitlement to certification.

b. _____ I certify that I am an active member in good standing of the State Bar of Arizona and that I continue to engage in legal service (as defined in the Rules and Regulations of the Arizona Board of Legal Specialization) on an annual basis equivalent to at least 50% of a full-time practice.

c. _____ I annually devote not less than 50% of a full-time practice to bankruptcy law, as defined in the Standards for Certification for Lawyers Specializing in Bankruptcy Law.

d. _____ Pursuant to Rule 70, Ariz. R. Sup. Ct., I hereby waive confidentiality of any disciplinary proceeding initiated against me by the State Bar of Arizona after January 1, 1992, or which may be initiated against me during the pendency of my application. I understand and agree, to the extent permitted under Rule 70, Ariz. R. Sup. Ct., that my disciplinary records may be requested from the Lawyer Regulations Records Manager (or representative) or Disciplinary Clerk.

e. _____ I agree to advise the Board of Legal Specialization, from the date of filing this current application throughout the next approved five-year period of certification, of any disciplinary action taken against me in any state, jurisdiction, or organization. I will advise of all instances of discipline in which the sanction imposed was censure or greater, or an informal reprimand in which the disciplinary record was public. Further, if any formal matters are pending against me, or any develop, I will advise the Board.

f. _____ I authorize all persons, firms, officers, corporations, organizations, associations (including Bar Associations of other jurisdictions), State or Federal agencies and institutions to furnish to the Board of Legal Specialization or any of its authorized representatives, all relevant documents, records or other information that may be requested in the investigation of this application or in any investigation of my continuing satisfaction of the Standards for Certification.

g. _____ I authorize the Board of Legal Specialization to consult with any persons who may have information relating to my professional qualifications, credentials or character, ethics, behavior, or any other matter reasonably bearing on the criteria for initial and continued certification. I further agree that all information received by the Board shall be treated confidentially and that I have no right of access to information received by the Board from third parties. I specifically waive any right to review any reference or other evaluations made to the Board, whether solicited by me or the Board. In addition, I agree not to seek discovery of such references and evaluations, formally or informally, in any legal proceeding or otherwise.

h. _____ I release, discharge and exonerate the State Bar of Arizona, its officers, directors, staff, agents, employees and representatives, and any person furnishing information and evaluations to the Board of Legal Specialization, from any and all liability of every nature and kind arising from the investigation and evaluation of my application or my continued satisfaction of the Standards for Certification.

i. _____ I authorize the Board of Legal Specialization to release my application, if requested, to a professional attorney organization to which I have applied for membership, or to which I am being nominated for membership. I understand the Board will not release the peer review forms, investigation, or work product thereof.

I certify my application is true or true to the best of my knowledge and belief. I understand that failure to make a truthful disclosure of any material fact or item of information required may result in the denial of my application, revocation of my certificate of specialization if granted, or disciplinary action by the State Bar of Arizona.

Signature of Applicant

Date