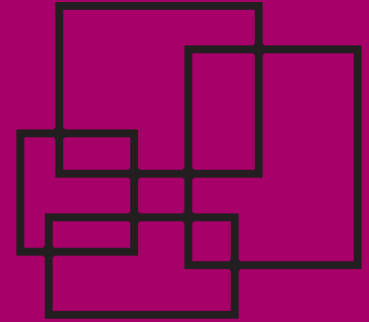


# CERTIFICATION LINK

*Your ABA Specialization Connection*



Summer 2007



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## THE AMERICAN BOARD OF CERTIFICATION IS IMPLEMENTING CHANGES TO INCREASE VALUE TO MEMBERS

By John Young, Block Markus & Williams, LLC  
Marketing Committee Chair of the American Board of Certification

Nine members of the American Board of Certification (ABC) Executive Board recently met to develop a strategic plan strengthening the association and making it more responsive to its members' changing needs and requests. Joe Peiffer, President of the ABC Board, expects that "the improvements we will soon be implementing through our strategic plan will make our association more valuable to all three of the constituencies we serve—individuals and companies looking for legal representation, our certified member lawyers, and lawyers who are considering certification to advance their careers."

ABC is accredited by the American Bar Association as a certifier of bankruptcy and creditor's rights lawyers. Board Certification assures that an attorney has met rigorous, objective standards. These standards include: having demonstrated knowledge in bankruptcy and/or creditors' rights law through testing, having the respect and endorsement of peers, and being free from ethical grievances reflecting on integrity. Certification also gives prospective clients objective criteria on which to judge an attorney's qualifications.

Recent changes in the Bankruptcy Law have made professional certification even more important than ever. The new bankruptcy law now specifies that a bankruptcy court can consider the certification of an attorney when awarding fees. 11 U.S.C. S 330(a)(3)(E). While the law makes certification more important, ABC is working to make it even more relevant to the consumers of legal services and valuable to its Members.

In the recent meeting, Executive Board Members identified key goals to accomplish in 2007. These goals were prioritized according to when they needed to be accomplished and which Board Member would be responsible for the action steps required to meet each goal. One of the main focuses of these changes will be better communication. Through better communication and improved management of the association, ABC seeks to improve the public access to information about ABC Certification and to help

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# Welcome!

## Please Meet Your New ABA Committee Appointees



### **Julia L. Orzeske**

Ms. Orzeske is the Executive Director of the Indiana Commission for Continuing Legal Education. The Commission is an agency of the Indiana Supreme Court and is responsible for regulating mandatory CLE, specialization, and the mediator registry in Indiana.

Ms. Orzeske served as a deputy prosecutor in Marion County from 1985 to 1991, then as a staff attorney for the Indiana Supreme Court from 1991 through 1994. She has been with the Commission since 1994.

She is a member of the Indianapolis, Indiana, and American Bar Associations and is also licensed to practice law in Illinois. She is on the Indiana State Bar Association's Alternative Dispute Resolution and PLEADS Sections Councils.

She has served as chair of the Organization of Regulatory Administrators for Continuing Legal Education and is the current management committee chair for that organization. She was the general chair for the Indiana State Bar Association meeting in October 2006. She is the immediate past chair of the ISBA PLEADS section.

Ms. Orzeske lives in Indianapolis with her husband and three children.

### **Meaghan Harper**



Meaghan graduated from the University of Minnesota Law School in 1981 and practiced in civil trial law. In 2003, she became the manager of the Minnesota State Bar Association's Certified Legal Specialists program, with approximately 700 certified specialists in two specialty areas. In that capacity, she has attended five Roundtables and has gotten to know many terrific people interested in legal specialist certification. She recently accepted another position at the MSBA as Section Services Director, where she will remain involved with the existing certification program and will encourage the development of new specialty areas. She has three dogs, two horses, 1 cat, 1 grown daughter and a husband who is a certified civil trial specialist.

### **James Carr**



Jim Carr has been liaison to the Standing Committee on Specialization from the TIPS Section. He is a member of the ABA House of Delegates, as well as the Councils of TIPS and the Government and Public Sector Division. Jim is a member of the ABA Commission on Law and Aging. He previously chaired the ABA Commission on Mental and Physical Disability Law and was a member of the Standing Committee on Public Education. Jim served on the Denver Bar Association Board of Trustees and Colorado Bar Association Board of Governors. He was a member of the Colorado Board of Law Examiners for ten years. He is active in law related education programs, volunteer mediation and referees high school lacrosse.

Jim Carr is a Senior Assistant Attorney General in the Colorado Attorney Generals office where he represents a number of professional licensing boards and the Division of Insurance. He has experience in environmental law and general litigation and served as Assistant Prosecuting Attorney in Genesee County, Michigan.

He has a J.D. from George Washington University Law School and B.S. from the United States Air Force Academy.



## OSBA Certifies More than 80 Paralegals



The OSBA is proud to announce that it has certified 82 paralegals who have successfully met all of the requirements of its recently established credentialing program. The following have earned the designation of "OSBA Certified Paralegal."

A paralegal eligible for OSBA certification is a person qualified by education, training or work experience, who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs substantive legal work for which a lawyer is responsible.

An applicant must meet the definition of a paralegal, and becomes eligible to sit for the written examination only after successfully meeting specified education/experience, continuing legal education, and reference requirements.

The certification period for an OSBA Certified Paralegal is four years. Biennial reporting is required to maintain certification. At the end of the certification period, a paralegal may be recertified if the continuing legal education and reference requirements continue to be met.

A Paralegal Certification Board was established with members appointed by the OSBA president. The purpose of the OSBA Paralegal Certification Board is to grant, revoke or re-grant certification as an OSBA certified paralegal. The Certification Board determines eligibility, administers the written exam and sets passage rates.

*"I have found that becoming a certified specialist has elevated the level of my practice. In addition, having my staff earn certification guarantees our clients the confidence that they are working with a staff of professionals exhibiting the highest level of expertise. Our clients are assured that the certification of our staff magnifies the professional level of work we desire to bring to our practice. I am very proud of both of my paralegals, Kimberly Shackle and Shawn Martin, who are among the first paralegals to become certified by the Ohio State Bar Association." states Rosemary Rubin, Attorney at Law Canton, Ohio.*

### **Keeping You Connected...**

#### **ABA Certification Website gets a face-lift of the Cyber kind!**

The time has come for the Specialization webpage of the ABA site to be updated! You can expect friendlier navigation and links to other states and programs that will aid the visitor when searching for Certified Specialist - stay tuned!



## TBLS MARKET RESEARCH

The Texas Board of Legal Specialization (TBLS) is currently conducting an extensive market research study to be used in the development of a marketing plan. The main purpose of the marketing plan is to first enhance value to Texas certification, and by increasing that value, of increase market share and develop long term strategies that address this objective.



Because of the program's voluntary component, the TBLS staff, the Board, the Advisory/Exam Committees, and every certified attorney are invested in TBLS on a personal level. This is our core strength. However, it is also a potential weakness - it possibly has blinded TBLS. To move forward, TBLS decided it is imperative to gain a better understanding of an outsider's perspective. This is even more important as TBLS formulates a marketing and communication plan for the next five years. This research will provide us with the communication insights necessary to plan, execute, run and monitor an effective communication campaign and marketing plan over the next five years.

### **Methodology**

The study will investigate perceptions of the TBLS within three audiences: certified attorneys; attorneys not certified; and typical users of legal services in major Texas metropolitan areas. The research results will add to the TBLS's understanding of the brand perceptions, attitudes, interests, and public knowledge of the Texas Board of Legal Specialization. Greenwood Marketing, a Houston-based research firm, will manage the development research of the questionnaire, the tabulation of the responses, and the analysis and reporting of the findings.

### **Phase One**

The first phase of the study was a survey sent to currently certified attorneys. In March, approximately 1,300 questionnaires were mailed to a sample of certified attorneys. The prospective respondents were selected randomly to accurately represent the total population of Board Certified attorneys. The information sought included basic demographics of certified attorneys, their perceptions of the certification process, and their reasons for seeking certification. These attorneys were also asked to relate whether their expectations regarding certification had been met, and what they felt the value of certification had been for them. They were also asked what, if anything, the TBLS could do to enhance the value of certification, including their opinions related to the importance of efforts to increase awareness among the general public of the TBLS and the certification of attorneys.

The percentage of return on the surveys was outstanding. Within three weeks, over 750 completed questionnaires had been returned. The response rate of nearly 60% is an indication of the strong level of interest in the program and of the ownership of the accomplishment by participating certified attorneys.

The top three reasons for wanting to be board certified were: (1) personal goal, challenge, want to be better - 28%, (2) marketing, more clients - 27% (3) promoting my specialty, making others aware of expertise - 26%. The majority have a web site (65%), and utilize networking and referrals (62%) as sources to generate business. An overwhelming number of respondents are in favor of increasing awareness of the certification program. When polled what the TBLS could do to add value to their Board Certification, most of these certified attorneys suggested that the TBLS should make

efforts to increase the public awareness of the TBLS and what certification means in terms of the experience and skills of a certified attorney.

In response to the question as to whether the attorney would go through the process of certification again, 65% said "definitely yes" and 27% said "yes". 87% reported that their certification had met their expectations and only 1% felt dissatisfied with being certified. This reaffirms that we have been doing our job, and that certification has value to its attorneys.

### **Phase Two**

In May, 260 telephone interviews with non-certified attorneys were completed. The sample was designed to include attorneys, who were under 50 years of age, reside in the five most populous metropolitan areas of the state and who had a minimum of five years experience in practicing law. Many of the questions asked of the certified attorneys in the previous mailed survey were included in this research.

According to the attorneys in this survey, just as in the survey with certified attorneys, there was no single reason for desiring to seek TBLS certification. However, the non-certified attorneys believed that marketing reasons - attracting a greater number of clients - was the primary reason attorneys sought certification. In general, the non-certified attorneys do recognize that there are valid reasons attorneys (not necessarily themselves) desire to be TBLS certified.

Among the non-certified attorneys, there were several reasons for not seeking certification. A fourth of this sample said they weren't qualified to be certified, and almost all of these cited lack of trial experience as to why they were not qualified. Almost a fourth (24%) said they did not need certification in their jobs, many of which were government jobs or in-house counsel positions. Many respondents in the "Other" category believed certification was not available in their area of practice. The majority of non-certified attorneys know little about the TBLS. A fifth of these non-certified attorneys said the TBLS should explain the process of applying for certification, and explain more of what the TBLS does that may be a benefit to certified attorneys. As shown previously, most of this sample agrees that there are benefits associated with certification, so for some, just being more aware of what it would take to apply might be enough for them to take favorable action. They do not know what, other than offering certification, the TBLS does for its certified attorneys (94%). But virtually all of the non-certified attorneys in this survey could identify reasons for and benefits from being Board Certified.

### **Phase Three**

Greenwood Marketing has just begun the last phase of the research with phone interviews of 350 targeted consumers. Participants represent diverse demographic segments and reflect typical users of legal services associated with major legal areas such as personal injury, civil trial, family law, etc. The majority reside in the largest Texas metropolitan areas. The purpose of this research is to determine the public awareness of the TBLS and the public's perception of certified versus non-certified attorneys. The process of selecting an attorney will be investigated, with an emphasis on the relevance of attorneys being certified. Consumers in this survey will receive a brief description of what certification means, and asked how, if at all, certification would influence their future selection of attorneys.

Results from all three studies will be available this Fall. TBLS will utilize the study information, including the statistics and several of the meaningful testimonials to develop our future communication strategy and marketing plan. TBLS strongly believes that this research will inspire a new level of commitment to our mission of promoting the availability, accessibility and quality of attorney services to the citizens of Texas.



# Awards

## Congratulations goes out to...



The Florida Bar Board of Legal Specialization and Education presented two board certification awards at The Bar's annual convention. The Honorable Ralph Artigliere of Bartow received the 2007 Justice Harry Lee Anstead Award for The Florida Bar Board Certified Lawyer of the Year, and the Fox, Wackeen, Dungey, Beard, Sobel, Bush & McCluskey firm of Stuart won the Award for Excellence in

the Promotion of Board Certification.

The Anstead award recognizes exemplary professionalism, excellence, character and commitment to The Florida Bar's board certification program and to the practice of law. The newly created excellence award recognizes excellence and creativity by a Florida Bar board certified lawyer or Florida law firm in advancing the public's knowledge of and appreciation for legal board certification. Both awards were presented at the BLSE's annual meeting reception.

Artigliere is board certified in civil trial and is a 10th judicial circuit judge. He is a former chair of the Board of Legal Specialization & Education who had a distinguished 24-year career as a trial lawyer and was appointed to the bench in 2001 by Gov. Jeb Bush. He chaired the 10th Circuit Judicial Professionalism Committee, was the first judicial recipient of the Willson American Inn of Court Professionalism Award, and received the William M. Hoeveler Judicial Award for outstanding contributions to the judicial system. Artigliere is an author and instructor on trial practice, professionalism, and related CLE. He graduated from the U.S. Military Academy at West Point, served as a captain and helicopter pilot in Vietnam, and received the Bronze Star and numerous other medals.

Judge Artigliere has been the most articulate and passionate advocate for certification that I have ever known," said outgoing Florida Bar President Hank Coxe, delivering remarks from Supreme Court Justice Harry Lee Anstead, a consistent supporter of The Bar's board certification program. "He has a clear vision of the enormous benefits certification brings to Florida's citizens by assuring to them the availability of legal professionals who have been identified as the most competent and ethical in providing legal services."

Other board certified lawyers nominated for the Anstead award were Arthur J. England Jr., Miami; Anne Marie Estevez, Miami; Richard A. Gilbert, Tampa; The Honorable Stephen E. Mander, Miami; Rebecca C. Morgan, St. Petersburg; Norman Vaughan-Birch, Sarasota; Jon Whitney, Tallahassee; The Honorable Mark R. Wolfe, Tampa, and C. Steven Yerrid, Tampa.

The Fox, Wackeen, Dungey, Beard, Sobel, Bush & McCluskey firm of Stuart won the Award for Excellence in the Promotion of Board Certification for consistently promoting board certification on the firm Web site, in newsletters and in news releases.

Other excellence award nominees were Terry L. Fogel of Miami and Lawrence J. Marraffino of Gainesville.

## Dates to Remember

This information is pulled from various websites, please check with the organizations, as information may be updated.

### National College for DUI Defense, Inc.

Certification Application Deadline:  
September 7, 2007

Certification Exam Date:  
January 23, 2008

### California Board of Legal Specialization

Next exam is August 12 in all areas of law. We have two sites, San Jose and Los Angeles, and will be testing in franchise and distribution law, our newest specialty, for the first time.



## News from Connecticut

The Judicial Branch has passed the amendment to the Connecticut Rules of



Professional Conduct recognizing Child Welfare Law as a specialty.

The amendment will take effect on January 1, 2008. At that time Connecticut will proceed with the process of authorizing the National Association of Counsel for Children to become the certifying body and commence with the Certification Program.



## Happy Anniversary!!

The North Carolina State Specialization is celebrating year. The board is planning specialists in conjunction with meeting in October. During be shown featuring several talk about their experiences addition to the activities planned the fall edition of the State Bar's publication, the Journal, will be dedicated to the specialization program. The dedicated edition will include articles on the history of specialization in North Carolina, national and state statistics on lawyer specialization, and why specialization is good for the profession. In addition, the cover of the Journal will focus on the celebration of this important anniversary.

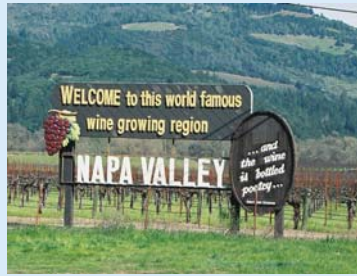


Bar Board of Legal its 20th anniversary this a reception for all certified the State Bar's annual the reception, a video will certifiedspecialists who with certification. In during the annual meeting,

Log on to [www.LegalSpecialists.org](http://www.LegalSpecialists.org)  
for the latest certification news

## ROUNDTABLE 2007 WRAP-UP

Wine tasting, vintage rail car rides, networking, education and reconnecting with old and new friends were equally woven into the two-day conference held in the rolling hills of Napa Valley, CA last March. The 2007 Roundtable attracted over 50 attendees over all.



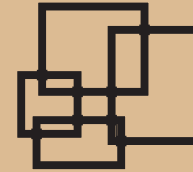
After review of the evaluations that were received from the 2007 meeting, we will look to enhance the Welcome Reception with light hors d'oeuvres and offer a more protein-rich breakfast to keep you fueled for the day. If you have comments or suggestions as to how we can improve the meeting, please feel free to share them anytime throughout the year. This is your show, we want you to enjoy it!

As for the 2008 Roundtable, we are negotiating a contract with the Royal Sonesta in New Orleans. The Roundtable group as a whole communicated a strong desire to bring the event back to New Orleans to assist the community in its recovery. Staff members are working on finding some short service projects for anyone who may wish to do more. Further details will follow.

### CHANGES continued from p. 1

individuals find the most highly qualified legal representation available. This effort also seeks to help certified lawyers improve the marketing of their ABC Certification.

The American Board of Certification (ABC) is jointly sponsored by the Commercial Law League of America (CLLA) and the American Bankruptcy Institute (ABI). Its programs are accredited by the American Bar Association. For more information on ABC please visit their website at [www.abcworld.org](http://www.abcworld.org) or call (319) 365-2222. The ABC website contains sample exams and review information to help attorneys prepare themselves for the Certification process as well as a state-by-state list to help individuals find a certified attorney in their area. ♦



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you want to share?

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