

BANKRUPTCY AND DEBTOR/CREDITOR LAW
SPECIALIZATION ADVISORY BOARD

APPLICATION FOR CERTIFICATION

IN

BANKRUPTCY AND DEBTOR/CREDITOR LAW

I hereby apply for certification as a BANKRUPTCY AND DEBTOR/CREDITOR Law specialist pursuant to Supreme Court of South Carolina Rule 408, Commission Regulations and Bankruptcy and Debtor/Creditor Law Specialization Advisory Board Standards and Procedures.

I. GENERAL INFORMATION.

Name: _____

Firm Name: _____

Office Address: _____

Telephone - Office: _____ Home: _____

Home Address: _____

Name to appear on your certificate: _____

Date of Birth: _____

Social Security Number: _____

Do you wish notice of your certification to be provided to your home-town newspaper? Yes _____ No _____ If **YES**, please provide the name of that paper and the city in which it is published: _____

II. EDUCATION/BAR MEMBERSHIP/CERTIFICATION

A. Colleges and Law Schools Attended: From/To Degree

B. Date admitted to South Carolina Bar _____

C. Are you licensed to practice in other states? Yes _____ No _____ If **YES**, indicate state(s) and when admitted:

State: _____ Admitted: _____

D. Are you an active member in good standing of the South Carolina Bar and all other Bars of which you are a member? Yes _____ No _____ If **NO**, explain below (attach additional sheets if necessary):

E. Are you presently certified as a specialist in Bankruptcy and Debtor/Creditor Law? Yes _____ No _____. If **YES**, indicate when, where and by what organization you were certified:

F. Are you certified or designated a specialist in any specialty field other than Bankruptcy and Debtor/Creditor Law? Yes ____ No ____ If **YES**, indicate the specialty field, when and where certified, the organization issuing your certification/designation, and the percentage of your involvement in that specialty (attach additional sheets if necessary).

G. Have you ever applied for and been denied certification or recertification by any organization? Yes _____ No _____ If **YES** indicate the organization that denied you certification or recertification and the circumstances surrounding the denial (attach additional sheets if necessary).

III. PRACTICE OF BANKRUPTCY AND DEBTOR-CREDITOR LAW

A. I have been engaged in the actual practice of law on a full-time basis (as defined in §II A, Standards and Procedures for Certification, Recertification, and Decertification in Bankruptcy and Debtor/Creditor Law) for a period of at least five (5) years. Yes ____ No ____

B. Name and address of present firm, partnership, professional corporation, etc.

C. How long have you been a member of, employed by or associated with the firm, etc., indicated in § III B, above?

D. During the past five (5) years, have you been a member of, employed by, or associated with any firms, etc., other than the one indicated in § III B, above?

Yes _____ No _____ If **YES**, indicate name(s), address(es) and date(s) of such membership, employment, or association (attach additional sheets if necessary).

E. Did any of the years of practice indicated above include practice on a "part-time" basis?

Yes _____ No _____ If **YES**, indicate the years' practice that were part-time and the percentage of time devoted to practice during such years and describe briefly the balance of your activity during those periods of part-time practice. (Legal work is considered to be full-time if substantially all of the applicant's professional activity is devoted thereto with only insubstantial time devoted to another occupation or profession (attach separate sheets if necessary).

F. Are you engaged in any business other than the practice of law?
 Yes ____ No ____
 Are you licensed to engage in another business such as insurance, real estate, CPA, etc., regardless of whether you actively engage in the business covered by such license?
 Yes_____ No_____. If you answer **YES** to either of these questions, indicate the nature of any such businesses and licenses currently held by you that authorize you to engage in any business other than the practice of law. Also describe any such licenses held by any of your employees if such licenses relate to their employment by you (attach additional sheets if necessary).

IV. SUBSTANTIAL INVOLVEMENT IN BANKRUPTCY AND DEBTOR/CREDITOR LAW (See § II B, Standards & Procedures)

A. I have devoted the following percentages of my time to handling matters in which issues of bankruptcy were significant (and in which I personally handled the issues of bankruptcy) within each of the five (5) calendar years immediately preceding the date of this application.

	<u>YEAR</u>	<u>PERCENTAGE</u>
1.	_____	_____%
2.	_____	_____%
3.	_____	_____%
4.	_____	_____%
5.	_____	_____%

- B. Describe how you determined the percentage of your time devoted to bankruptcy and debtor/creditor law during the five (5) years indicated in § IV C, above. (Attach additional sheets if necessary.)

- C. Please describe in narrative fashion the nature of that portion of your practice over the past five (5) years, listed in §IV A, above, as being substantially involved in the practice of bankruptcy and debtor/creditor law, including: (1) the types of matters in which bankruptcy and debtor/creditor law issues were significant (e.g., foreclosures and other collection procedures; liquidations, reorganizations and debt restructuring; etc.) (2) your individual role in such matters; and (3) the types of clients you represent. If you engage in a group practice, include a description of the size of the firm in which you practice and the principal areas of practice by other lawyers in the firm. (Attach additional sheets if necessary)

D. I have been involved in the following number of matters in which bankruptcy and debtor/creditor law issues were significant factors and in which I personally handled bankruptcy and debtor/creditor law issues during the period covered by §IV A.

	<u>Type of Matters</u>	<u>No. Handled</u>
1.	Foreclosures and other collection proceedings	_____
2.	Liquidations, reorganizations and debt restructuring	_____
3.	Personal bankruptcies	_____
4.	Business bankruptcies	_____
5.	Receiverships	_____
6.	Contested matters or adversarial proceedings	_____
7.	Other (specify)_____	

E. Was any of the involvement in bankruptcy and debtor/creditor law reported in this section during employment in government service?
Yes _____ No _____. If **YES**, give full information about your involvement in bankruptcy and debtor/creditor law while so employed. (Attach additional sheets if needed.)

F. Was any of the involvement in bankruptcy and debtor/creditor law reported in this section teaching law courses?
Yes _____ No _____. If **YES**, give a description of the course(s) the institution, and the credited hours.

G. If any explanation would be helpful in analyzing the number of bankruptcy and debtor/creditor law matters reported in this section, give that explanation here (attach additional sheets if needed)

V. RECORD OF DISCIPLINE

A. Have you ever been disciplined or suspended by the Bar of any state or other body authorized to impose professional discipline or suspension? Yes ____ No ____ If **YES**, list all instances of discipline to include (1) title of the disciplinary action, (2) action number, (3) nature of the charge, (4) nature of sanction, (5) date sanction was imposed, and (6) date sanction was terminated. A failure to report a record of discipline and/or suspension may constitute grounds for denial of an application or for revocation of a certificate. (Attach separate sheets if necessary).

B. Have any malpractice claims been paid by you or anyone on your behalf or are there any such claims or complaints now pending against you? Yes ___ No ___. If **YES**, disclose all pertinent matters relating to such claims or complaints (attach additional sheets if necessary).

C. Have you ever been convicted, given probation, or fined for a crime (excluding minor traffic offenses), whether resulting from a guilty plea, nolo contendere or from a verdict after trial, or otherwise, regardless of the dependency of an appeal? Yes _____ No _____ If **YES**, give full details (attach additional sheets if necessary).

D. Have you filed all state and federal income tax returns for all past years, including the most recent ended calendar year (or fiscal year is appropriate) and are you currently in good standing with the State Department of Revenue and the IRS?

Yes_____ No_____. If **NO**, explain fully (attach additional sheets if necessary).

VI. CONTINUING LEGAL EDUCATION

List the courses you have attended and other CLE involvement during the past five (5) years (name of course; sponsor; subject matter; hours attended; and date and location of the course. (Attach additional sheets if necessary):

VII. PEER REVIEW (see § II K, Standards & Procedures)

I submit the names, addresses and telephone numbers of the following five (5) lawyers, at least one (1) of whom is currently certified as a specialist in Bankruptcy and Debtor/Creditor Law, who may be contacted to attest to my competence in bankruptcy and debtor/creditor law. (References may not include a partner, associate, employer, member of the Bankruptcy and Debtor/Creditor Law Specialization Advisory Board or Commission on Continuing Legal Education and Specialization.)

VIII. UNDERSTANDINGS AND DECLARATIONS

- A. I have read the Standards and Procedures for Certification, Recertification and Decertification promulgated by the Bankruptcy and Debtor/Creditor Law Specialization Advisory Board, Supreme Court of South Carolina Rule 408 and Commission Regulations on Mandatory Continuing Legal Education and I certify that I believe I am fully qualified for and know of no reason why I should not be entitled to certification. Yes ____ No _____

- B. I agree to abide by the Standards and Procedures for Certification, Recertification and Decertification promulgated by the Bankruptcy Law Specialization Advisory Board, Supreme Court of South Carolina Rule 408 and Commission on Continuing Legal Education and Specialization Regulations on Mandatory Continuing Legal Education, as amended from time to time. Yes ____ No _____

- C. I agree to pay all fees required by the Bankruptcy and Debtor/Creditor Law Specialization Advisory Board and the Commission on Continuing Legal Education and Specialization when due. Yes ____ No ____ I understand

that an application fee (**currently \$150.00**) must accompany this application, that a certification fee (**currently \$150.00**) must be paid upon notice of my certification, and that I must pay an annual filing fee (**currently \$100.00**) when I file my report of compliance with the CLE requirements of the Bankruptcy and Debtor/Creditor Law Specialty.

Yes _____ No _____

- D. I agree that I shall surrender any certificate held by me upon revocation or resignation of my certification or upon my failure for any reason to recertify.
Yes _____ No _____
- E. I agree to submit to an oral interview/examination before the Bankruptcy and Debtor/Creditor Law Specialization Advisory Board, any of its individual members, or any authorized representatives of the Board for the purpose of testing whether my knowledge, proficiency, competency, and experience in bankruptcy and debtor/creditor law warrants my certification. Yes ___ No ___
- F. I agree to submit to a written examination to test my competence and qualifications for certification. I understand that I must make a passing score, as determined by the Bankruptcy and Debtor/Creditor Law Specialization Advisory Board, and that I must complete that examination within two (2) years of the date of this application and that the examination will be given at a time and place specified by the Board. Yes _____
No _____
- G. I agree to notify the Bankruptcy Law Specialization Advisory Board if I cease to practice law or to be substantially involved in the practice of bankruptcy and debtor/creditor law. Yes _____ No _____
- H. I agree to supply all relevant documents, records, or other information that may be requested from me in the investigation of this application.
Yes _____ No _____
- I. I certify that I am covered by malpractice insurance. Yes _____ No _____
If **YES**, indicate your coverage _____ and deductible _____.
- J. In making and filing this application for certification, I authorize all persons, firms, officers, corporations, associations, organizations, state or federal agencies, and institutions to furnish to the Commission, Bankruptcy and Debtor/Creditor Law Specialization Advisory Board, or any of their authorized representatives, all documents, records or other information that may be requested in the investigation of this application, specifically

including the records of grievances in possession of any grievance committee or commission. As provided in Rule 12(c)(3) of Rule 413, SCACR, I hereby expressly authorize and permit the disclosure of disciplinary information (to include all past, current, or future disciplinary information) by The Supreme Court of South Carolina, the Commission on Lawyer Conduct, the Commission on Judicial Conduct, the Office of Disciplinary Counsel, the Office of the Attorney General of South Carolina, and similar federal entities. I further agree and understand that all information received by the Commission or Bankruptcy and Debtor/Creditor Law Specialization Advisory Board may be treated confidentially by the Commission or Board and I specifically waive any right to review any and all Statements of References made to the Commission or Board which become a part of my official file.

Signature of Applicant

State of South Carolina
County of _____

I, _____, being duly sworn, state that I have read the foregoing application for certification and its attached exhibits, if any, and have made each statement and representation therein and answered each question therein fully and frankly and without concealment or reservation, and such questions and answers are, within my personal knowledge, true and complete.

Signature of Applicant

SUBSCRIBED and SWORN to before me on this _____ day of _____, _____.

_____(SEAL)

Notary Public for: _____
My Commission expires: _____