

How We Founded the Bankruptcy Bar Association for the District of Maryland

BY LAWRENCE D. COPPEL

Prior to 1979, the Maryland bankruptcy bar was a small one. Historically, bankruptcy law was practiced by small boutique firms that also performed collection work. The rapid growth of the bankruptcy bar can be traced back to the mid-1970s when the state's larger law firms began to develop expertise in bankruptcy matters. At the same time, the number of business case filings increased and bankruptcy courts were issuing a greater number of decisions applying the former Bankruptcy Act of 1898 to a modern day business environment. Another significant development was the Supreme Court's adoption of the 1973 Bankruptcy Rules under which Bankruptcy Referees became Bankruptcy Judges and the filing of a bankruptcy case resulted in an automatic stay of all creditor actions.

The established bar associations were slow to recognize these developments. Back then, they did not consider bankruptcy as an area of substantive law that deserved the same prominence as other specialties. Bar committees that had been established for bankruptcy specialists were largely inactive.

At about the time of the passage of the Bankruptcy Reform Act of 1978, I became aware that the commercial real estate attorneys in Baltimore City were having regular monthly meetings to discuss issues of mutual interest. I attended one of these and realized the benefits of forming an active group of lawyers who shared similar interests. With the advent of the Bankruptcy Code, the time was ripe to convene a group of bankruptcy lawyers to familiarize themselves with the new law.

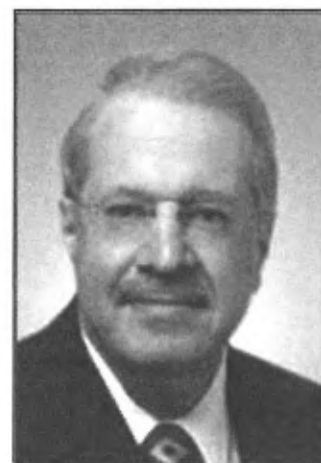
In 1979, with the assistance of Nelson Fishman, I invited a group of Baltimore bank-

ruptcy attorneys to meet over lunch at Gordon Feinblatt. Although the records of these early meetings no longer exist, I recall that the group was comprised of seven lawyers including Mr. Fishman and myself, Howard Rubenstein, Charles Tatelbaum, James Lekin, Richard Rosenstein and Michael Schwarz. The group called itself the "Baltimore Bankruptcy Bar Discussion Group," and met on a monthly basis to discuss topics of interest to bankruptcy practitioners. Not too long thereafter, we were joined by others, including today's judges, Duncan Keir and Steve Derby. Harvey Lebowitz also became an active member of our group after his appointment as Bankruptcy Judge in 1979. He continued his involvement after leaving the bench in January 1982 and became one of the Association's original directors and later its President.

In early 1982, a second *ad hoc* group of attorneys that practiced primarily in the Rockville division of the Bankruptcy Court was organized by Edward Dolan in order to meet with Judge Mannes for a discussion of bench-bar issues of mutual concern. Mr. Dolan later became the second President of the Association.

The Bankruptcy Court facilitated the organization of a state-wide bankruptcy bar through its appointment of committees whose members were practitioners from both divisions. Their interaction led to the decision to hold an annual dinner for bankruptcy attorneys and judges, the first of which was held at the Hilton Inn in Columbia on April 9, 1986.

By 1987, the Baltimore Bankruptcy Bar



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Discussion Group had grown to nearly 50 attorneys and the Rockville Bankruptcy Group had grown as well. It was at that time that the two groups decided to organize a bar association of Maryland bankruptcy attorneys.

Accordingly, The Bankruptcy Bar Association for the District of Maryland, Inc., was officially formed on March 2, 1988, when Articles of Incorporation were filed with the Maryland State Department of Assessments and Taxation. The first Board of Directors of the Association consisted of myself, Edward Dolan, Gail Green, Morton Faller, Michael Schwarz, Harvey Lebowitz, Richard Wasserman, Nelson Cohen and Thomas Lackey. The By-Laws established chapters in Baltimore and Rockville (now Greenbelt).

The BBA was established as a non-profit corporation for the purpose of advancing the interests of attorneys engaged in the practice of bankruptcy law. While the Association has provided an opportunity for its members to network, its primary mission from the very beginning has been the education of its members and the improvement of the practice. Beginning in 1988, annual continuing legal education programs planned by Ed Dolan and others were presented to the Association's membership. Before 1996, the CLE programs were held in Rockville at the Montgomery County Courthouse. Although held during the evening, these programs were well attended by attorneys

from both chapters.

The BBA's first newsletter was published in October 1988. In a message from the President, I reported that the Association had 145 members with 74 in the Baltimore Chapter and 71 in the Rockville Chapter.

In 1996, the Board of Directors decided to expand the annual Spring dinner meeting into a two-day event over a spring weekend that would provide its members with CLE and an opportunity to network. On April 25-26, 1997, the First Annual BBA Spring Break Weekend was held at the Harbortowne Golf Resort and Conference Center in St. Michaels, Maryland. Two years later, the location of the Weekend was moved to its current venue in Annapolis. The 2004 Spring Break Weekend was held on May 7-8, 2004, attended by over 150 persons, including bankruptcy judges from the District of Columbia, Northern Virginia and the four from Maryland, as well as attorneys, law clerks, spouses and friends.

The Association has come a long way since seven Baltimore attorneys met in 1979 over a brown bag lunch to discuss the practice. Today, the BBA has over 250 members practicing in all parts of the State. The Association is unique in that Maryland is one of the few jurisdictions whose bankruptcy attorneys have established an independent bar association. We are proud of our past accomplishments and look forward to an exciting and productive future.