

## **Certified Bankruptcy Assistant Program**

**NOTICE:** The Certified Bankruptcy Program provides a general background in bankruptcy law and writing skills to assist individuals in their jobs as professionals and for work skill enhancement. All requirements for and all benefits to be derived from recognition as a certified bankruptcy assistant and/or a successful graduate of the Program are for use in personal skill enhancement and for development of increased training qualifications for private or public employment in the bankruptcy field.

The Program and its certification are not designed or intended to qualify individuals to practice law, sign ANY LEGAL documents, and/or teach the course materials to anyone else for any purpose.

### **FAQ's**

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### **Purpose of the CBA**

The Association of Bankruptcy Judicial Assistants (ABJA) is a national organization formed by the judicial assistants/secretaries to United States Bankruptcy Judges.

Understanding that certification in a particular field can promote and maintain professional standards, the ABJA Continuing Legal Education Committee developed and modified the Certified Bankruptcy Assistant ("CBA") program for non-lawyer persons. Bankruptcy law has developed into a very unique, sophisticated, and technical area of expertise. This certification program will enable secretaries/judicial assistants, paralegals and bankruptcy support staff to keep pace with new developments and will be an effective quality improvement mechanism for employers.

This certification program was developed with the assistance of the Knapp Designing Certification and Accreditation Programs, associated with the American Bar Association Accreditation of Specialty Certification Programs for Lawyers, through the American Bankruptcy Institute.

## **Certification v. Accreditation**

According to the Designing Certification and Accreditation Programs, the definition of "certification" is:

A voluntary process by which a non-governmental agency or association grants recognition to an individual who has met certain pre-determined qualification specified by that agency or association. Such qualifications may include graduation from an accredited or approved training program, acceptable performance on a qualifying examination, and/or completion of some specified amount or type of work experience.

"Accreditation" is defined as:

The process whereby an association or agency grants public recognition to a school institute, college, university, or specialized program of study and having met certain established qualifications or standards as determined through initial and periodic evaluations.

"Certification" is individual and voluntary, whereas "accreditation" is designed for organizations. An accredited organization must follow certain criteria and standards of the accredited program. An organization which has chosen to sponsor a certification program, without being accredited, sets its own standards and criteria. Even though the ABA is not accredited it has followed the criteria for the standards and guidelines as promulgated by the American Bankruptcy Institute - which is modified for nonlegal persons.

## **Analysis of Certification**

Purpose of certification for bankruptcy assistants:

- to identify ourselves as qualified professionals
- to insure ourselves recognition for our expertise
- to enhance our credibility and prestige
- to assist in professional development
- to establish professional practice
- to enable professionals to stay current
- to help us better serve the public

Components of a quality bankruptcy certification program are:

- needs analysis
- purpose
- independent governance
- appropriate and supportive by-laws
- advance public information
- costs and fees
- eligibility requirements
- valid assessment based on work-related standards
- accessibility
- standard review and maintenance

## **FREQUENTLY ASKED QUESTIONS**

### **What are the costs?**

The registration fee for the annual examination generally costs between \$150 and \$200. This fee covers the cost of the study guide, the live educational program to prepare you for the examination, and also includes break refreshments on the first two days, and lunch on the last day. While attendance at this program is not required for certification, it is, however, advisable.

### **Fee**

The examination fee is \$149.00.

### **What are the deadline dates?**

Applications and any supporting documentation must be sent 30 days prior to the conference to Ann Virgadamo, Chair of the ABA CLE Committee, 500 Poydras Street, Suite 741-A, New Orleans, Louisiana 70130 or fax to Ann at 504-589-7813. Please submit the application, keeping in mind that you will need enough time to review the study guide in preparation for the examination.

### **Are the courses CLE/CEU credit?**

## **CONTINUING LEGAL EDUCATION VERSUS CONTINUING EDUCATIONAL UNITS FOR CREDITS**

The explanation and difference for the two units of credits are as follows:

**Continuing Legal Education (CLE) Units.** Courses that are given on law and taught by attorneys or judges or law professors, are issued CLE credits. Any legal course that a legal assistant/secretary attends and receives a certificate or letter with the number of hours on it is considered CLE units. The colleges and/or universities also give continuing legal education to paralegals. The law courses, for example, are as follows: bankruptcy code and rules, legal research, legal writing, legal ethics, or any other subject of law.

**Continuing Educational Units (CEU).** Courses given on non-legal issues, and are taught by professional instructors with a degree and experience in that subject matter are considered to be CEU credits. These courses have to be given by a professional organization and accredited, such as Skillpath, Fred Pryor, and other organizations with a qualified background and instructors. Non-legal courses offering CEUs can also be obtained through colleges and/or universities. Most colleges or universities are under the ABA accreditation. Any organization that is accredited can give certificates or letters for the credited hours which are called CEUs.

### **Can the ABA accept CEUs?**

CLE or CEU (job related CEU) credits can be accepted for the Certification Program.

**What is the examination like?**

There are 25 multiple choice and/or true-false questions per section on the Grammar/Usage and Writing, Ethics, and Legal Research sections. The Bankruptcy Code and Rules section consists of 35 questions. The examination is given on the second day of the program and will take approximately two to three hours. No one is obligated to take the examination. If you feel that you are not ready for the examination you will have an opportunity to take the examination at another time. The Chair of the ABA CLE Committee will help you make arrangements.

A passing score of 70% is required for each of the sections. Your test results will be sent to you in writing within six to eight weeks after you have taken the examination.

**Can a person attend the Certified Bankruptcy Assistant Seminar and receive credits on the program?**

The answer is "Yes," but only those persons who are already certified by another accredited organization, such as paralegals, NALA, or CLAs, can attend this class and receive a certificate for credits without taking the exam. Remember, without taking the exam, you will not be considered a Certified Bankruptcy Assistant. The ABA's Continuing Legal Education Committee, of course, would need proof of the prior certification by any other organization before a certificate of CLE credits is issued. Further, anyone can take the review courses as a seminar, and we can issue a certificate of CLE/CEU credits for the number of hours attended. The CBAs who have already taken the courses will not receive any further credits for it. It would only be a review for them.

**Is there a retake policy?**

There are four major sections of the examination. If an applicant passes fewer than three sections at the initial testing, the applicant must reapply and retake the full examination. If an applicant passes three of the sections then only the failed section will need to be retaken. If the examination is not completed within three years, credit for the passed sections is forfeited and the applicant must reapply to take the full examination.

**Location**

The annual examination is held immediately prior to the ABA annual conference, which is usually held in the fall. For detailed information on the exams and the educational seminars, please contact Martie Kantor at 850-521-5031 or [martie\\_kantor@flnb.uscourts.gov](mailto:martie_kantor@flnb.uscourts.gov).

**2009 Certified Bankruptcy Assistant Examination Site**

The annual examination will be held in conjunction with our Annual Meeting and Educational Conference on October 20-21 in Baltimore, Maryland. For detailed information on the exam and the educational seminars, please contact Martie Kantor at 850-521-5031 or [martie\\_kantor@flnb.uscourts.gov](mailto:martie_kantor@flnb.uscourts.gov).