

## **PURPOSE OF THE CERTIFIED BANKRUPTCY ASSISTANT PROGRAM**

The Certified Bankruptcy Assistant (CBA) program was created by the Association of Bankruptcy Judicial Assistants (ABJA), which is a national organization formed by the judicial assistants/secretaries to United States Bankruptcy Judges.

The CBA 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 CBA are for use in personal skill enhancement and for development of increased training qualifications for private or public employment in the bankruptcy field.

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

## **CBA PROGRAM**

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.

Bankruptcy law has developed into a very unique, sophisticated, and technical area of expertise.

The ABJA Continuing Education Committee developed and modified the CBA program for non-lawyer persons. This certification program will enable secretaries/judicial assistants, paralegals, and bankruptcy support staff in their career to:

- ensure recognition of expertise
- enhance credibility and prestige
- promote and maintain standards
- keep pace with new developments

## **RULES AND REGULATIONS FOR CBA PROGRAM**

### **Administration**

A. **Standards Committee (Committee):** The Committee shall be composed of the Chairs of the Certified Bankruptcy Assistant, Continuing Education, and Conference Committees as well as the President and President-Elect of the ABJA.

B. The Committee will:

- (1) review and approve the format of all applications and reference forms used by the Association.
- (2) determine whether particular applicants have met the standards for certification.

C. Conference: The ABJA holds an Annual Conference each fall consisting of two educational programs - the CBA program and the Professional Skills seminar. CBAs may attend the Professional Skills seminar. Qualified applicants attend the CBA program to earn a bankruptcy certification while current CBAs may attend the Professional Skills seminar to earn CEU hours to maintain their certification. Each program is held for two days.

D. CBA Qualification: In order to maintain CBA status, CBA must complete six (6) CEU hours of continuing education within two years and pay the administrative fee of \$25.00 per year due no later than March 31. Within 45 days of course completion, CBA must complete and submit the online Certificate of Attendance using the link located under the CBA program tab on the ABJA website (abja.org) and attach the appropriate documentation confirming completion of hours. If CBA does not maintain their qualification, they will become inactive and will have to recertify at a future ABJA annual conference.

E. ABJA Associate Membership:

1. Associate membership may be granted to any person in the private sector who has passed the certification examination administered by the ABJA. To remain in good standing, Associate members shall pay annual dues and maintain the required CEU hours. Becoming an Associate member waives the administrative fee. Associate members have no voting privileges, cannot hold office, and are not eligible to attend the ABJA business meetings. However, the CBA liaison, who is elected by CBAs in attendance at the annual conference, may attend the ABJA Annual Business Meeting on behalf of and in the interests of the CBAs. An Associate member cannot chair but can serve on a committee.

2. Benefits of Associate Membership:

- a. Administrative fee waived
- b. Quarterly Newsletter
- c. Discount on ABJA sponsored webinars
- d. Discount on Annual Conference registration
- e. Membership in private Facebook group
- f. Members-only access to ABJA website

### **Procedures and Standards**

A. The CBA Application is located on the abja.org website. It should be completed and submitted no later than 45 days prior to the upcoming conference. The Application must contain

the signature of a supervising attorney certifying the applicant meets the criteria. The Committee reserves the right to verify information provided by the applicant.

B. The Application must name at least one reference of a bankruptcy attorney, preferably the applicant's supervising attorney, with his/her name, address, phone number and signature.

C. By completing the Application, the applicant agrees to disclose to the ABA any pending or prior formal or informal reprimand, disciplinary action, or sanctions by a bankruptcy court and/or any other supervising or regulatory entity or agency. The Committee may deny an Application if it concludes that the applicant does not meet the ABA's standards for professional integrity.

**Revocation of Certification:** The ABA may revoke a Certificate for the following reasons:

A. The Certificate holder has failed to abide by all rules and regulations covering the certification program.

B. The Certificate holder has failed to pay any fee established by the ABA.

C. The Certificate holder no longer meets the qualifications established by the ABA.

D. The Certificate holder has been disciplined or sanctioned by a United States Bankruptcy Court and/or any other entity. If such information is not provided at the time an Application is completed, the ABA will revoke the certification, if it has been previously awarded.

E. If a Certificate holder does not fulfill the requirements to maintain certification or the certification revoked by the ABA, the CBA cannot represent to the public that he/she is a "Certified Bankruptcy Assistant" and will be required to recertify by attending an ABA annual conference.

### **Amendments**

This document may be amended from time to time as provided in the ABA Bylaws or as needed.

Any applicant or applicant holding a certification is not allowed to solicit or advertise under the ABA's name or at the ABA Annual Conference. The ABA is not a public entity. The Judicial Assistants follow the Code of Conduct for Judicial Employees. There are no written ethical procedures for non-attorneys, however, CBAs are to abide by the ethical behavior under the supervision of their attorneys.

### **ABA Logo**

The use of the ABA logo is restricted and only for the purposes of the Association. Any applicant holding a certification is not allowed to use the ABA's logo for any advertisement, for use on any website, on any letterhead, nor for any other purpose. Any applicant holding a certification found using the logo for personal gain will be suspended and/or certification will be revoked.

### **Confidentiality**

By completing an Application, the applicant agrees that any forms submitted in connection with the Application will remain confidential. Committee reserves the right to notify the supervising attorney for verification of information provided by the applicant. The identity of applicants and the results of the certification examinations will not be disclosed to the officers and/or directors of the ABA, or anyone other than the applicant, except as necessary for the satisfaction of their duties with this Association.

### **Written Disclosure**

The CBA 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 CBA 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 for any purpose.