

## Acceptance of Distinguished Service Award

Thanks so much Alan for that kind introduction.

Let me first say how honored I am to be sharing this day with Jay Westbrook. I have long admired his work. I know of no one who is such an important influence in so many areas – International bankruptcy, executory contracts, and of course his work on consumer bankruptcy with, Elizabeth Warren.

I also have to say I've been very lucky. I come here today standing on the shoulders of giants, a whole generation that was passionate about the bankruptcy fresh start – people like Larry King, one of the first to receive this award, gave a talk in which he urged us all to “give something back” as he was literally hours away from his death.

People like Vern Countryman, Frank Kennedy, Barney Shapiro, Leonard Rosen, Joe Lee, George Treister, Harvey Miller, and Leon Forman.

In early 1980's, when I was a young kid, mostly self-taught in bankruptcy – I managed to go through Harvard Law School without taking a bankruptcy course -- they took me into their midst – at the National Bankruptcy Conference, the NYU Bankruptcy Workshop, and on the Bankruptcy Rules Committee.

Moreover, they were wonderful and kind human beings

I also have to acknowledge our debt to Dave Sykes, who established our bankruptcy pro bono program locally in Philadelphia, then spearheaded the College's pro bono efforts nationally, resulting in well over a million dollars going to pro

bono and legal services programs. These efforts were also a recognition of the importance of consumer bankruptcy to the college, and of the public interest community and legal services for the poor.

I also must thank some people with whom I've worked for decades and who played a huge part in whatever I've accomplished:

First, Alan Resnick, whom I really got to know when I was on Bankruptcy Rules Committee and he was the Reporter, and of course, for many years now, as my Collier Co-editor in Chief.

And John Rao, who edits the National Consumer Law Center's bankruptcy manual that I've written for 35 years, and with whom I have worked with on innumerable legislative matters, amicus briefs, educational programs.

I count on both of them to catch my mistakes - and they do.

In addition, I have to recognize Ike Shulman and Norma Hammes, who founded the National Association of Consumer Bankruptcy Attorneys, (NACBA) and asked me to join them, which later led to the creation of the National Consumer Bankruptcy Rights Center. Their efforts succeeded beyond my wildest expectations in providing a strong voice for consumer debtors in Congress and the courts.

And I would be remiss if I did not mention my former colleagues at Community Legal Services- especially Eric Frank (now a bankruptcy judge) and Irwin Trauss, who joined me in much of the most exciting work of my career.

Last, but certainly not least , I have to thank my wife Beth and my sons Ethan and Aaron, and give credit to my late parents, refugees from Europe who had a much more difficult life than I have had, and who must have done something right.

We all know that bankruptcy is all about fresh start, another chance in life that so many in our society need. As a child of the 1960's, I was always drawn to the cause of economic justice, so as a legal services lawyer I was drawn to consumer law and to bankruptcy, to fighting predatory lending that transferred wealth from poor people to those much better off. When the 1978 Code was enacted, I naturally sought ways to use it in that work.

The 1978 law was the culmination of the work of that King, Kennedy, Countryman, and Lee generation. But since then, especially in 2005, the fresh start has been under attack. It's been seriously weakened – consumer bankruptcy has made that a lot more difficult and more expensive, which shows in the drop in case filings. Most of the people in this room opposed those changes, but in Congress, overrun by lobbyists, it was a different story.

As result of the weakening of fresh start, we had a mortgage crisis, but special interests handcuffed bankruptcy debtors' ability to modify mortgages. Now, when Student loans are biggest debt problem of our time, more than credit cards, bankruptcy offers little help to those burdened by enormous educational debt.

My message today is that we all need to follow the lead of that earlier generation. There are still predatory lenders out there. There are still millions of people in need of bankruptcy relief.

Often it's two steps forward, one step back. Sometimes it feels like one step forward and two steps back. But we need to continue the fight to restore the bankruptcy fresh start.

I hope you will join me in that work

Thank you.