

The Orange County Bar Association Honors Judge Arthur Briskman with the James E. Glazebrook Memorial Bar Service Award

Submitted by: Eva Gadzheva



(Pictured: OCBA President, Wiley S. Boston, Esq., and Judge Arthur Briskman with the award.

The Orange County Bar Association honored Judge Arthur Briskman with the 2017 James E. Glazebrook Memorial Bar Service Award. The award recognizes the accomplishments of a state or federal judge who serves and supports local bar associations; is dedicated to professionalism, both in and out of the courtroom; and who exemplifies qualities that heighten professionalism, including civility, integrity, and respect for our system of justice. Judge Briskman has served the bankruptcy community for over thirty years and has helped improve the effectiveness of the bankruptcy courts in their service and accessibility to those most in need. In his award speech, Judge Briskman highlighted the role of professionalism in helping those who feel invisible.

Professionalism: Listening to the Invisible¹

Professionalism is the manner an attorney conducts himself or herself with the public, in court, with colleagues, and particularly with their clients.²

¹ The Honorable Arthur B. Briskman, United States Bankruptcy Judge for the Middle District of Florida.

² Fla. Bar Standing Comm. on Professionalism, *Professionalism Expectations*, FLA. BAR, [https://www.floridabar.org/TFB/TFBResources.nsf/Attachments/1ACF11084FDADAA285257DE7006B5511/\\$FILE/Professionalism Expectations.pdf?OpenElement](https://www.floridabar.org/TFB/TFBResources.nsf/Attachments/1ACF11084FDADAA285257DE7006B5511/$FILE/Professionalism%20Expectations.pdf?OpenElement) (last visited Feb. 15, 2017).

Being a member of the legal profession has always been a high honor; with that honor comes significant corresponding responsibility to our community and its citizens.

Professionalism has been defined as a commitment to service and the public good, including efforts to provide all persons, regardless of their means, with access to the law and the judicial system.³

My view of professionalism may be through a different prism than many of you. The bankruptcy courts are a unique component of our judicial system.

We deal with individuals overwhelmed by everyday life and their financial obligations. They are in significant debt usually by their own circumstances and decisions, but in many cases, it is based upon events beyond their control.

Their efforts to deal with banks, mortgage companies, hospitals, insurance companies, the IRS, and other creditors have been frustrating and, in many cases, not productive.

When these individuals are in foreclosure proceedings or other litigation in our federal or state courts, they usually have no defense or remedy because they frequently owe the creditor and are unable to pay the debt. A positive resolution to their situation does not seem available or feasible.

I have been in the bankruptcy world for more than 40 years: as an attorney representing debtors, creditors, and trustees; as a judge; and as a child of a debtor in bankruptcy.

Our court provides a unique forum for debtors to pay their creditors what they would receive in non-bankruptcy courts and obtain a discharge of their legitimate debts, or propose a plan to repay their creditors and, in many cases, save their homes and receive a fresh start.

One hundred twenty thousand Chapter 7 debtors and 8,000 Chapter 13 debtors have received a discharge since 2001 in the Orlando Division. More than 3,600 debtors have received a permanent mortgage modification to save their homes since 2012.

The most frustrating aspect of being a judge is witnessing attorneys who are not prepared to provide the adequate representation required—the very definition of the lack of professionalism.

³ *Id.*

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Our court can be difficult to navigate, particularly for individuals who have been frustrated when dealing with creditors and other courts and who feel “invisible” because they perceive no one was seeing them, listening to them, or helping them.

More than 20% of our debtors are *pro se*, and many do not understand or speak English fluently.

Our success is based upon the professionalism of our staff, trustees, and attorneys. The court is evolving to endeavor to listen and show the way. Not every litigant obtains the relief they envision, but most obtain a fresh start to deal with their financial situation and the world with a more positive attitude.

Our voluntary attorneys in the *pro se* clinic, pro bono clinics, bench bar committees, and summits on particular aspects of the law are the vehicles to improve the access to and effectiveness of delivering justice to as many citizens as feasible.

Most significant is the Bankruptcy Bar, without monetary compensation and with a substantial amount of their valuable time, assisting unrepresented individuals.

They act as translators, giving individuals insight into the process and our procedures and pointing them in the right direction to better comprehend what can realistically be achieved, and in some cases, act as their counsel on a pro bono basis.

Hundreds of voluntary attorneys participated in more than 1,000 counseling sessions by donating thousands of hours in our *pro se* clinic.

Many times, all an individual, debtor or creditor, is looking for is someone to listen to them and explain what is possible, what is not, and why. Then they do not feel invisible.

We try to accomplish this in our court, and it demonstrates the professionalism we all strive for as attorneys.