

J. Scott Bovitz, an irreverent history

By J. Scott Bovitz

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In 1955, I was born in downtown Los Angeles. Today, I can see the hospital building (near modern Dodger Stadium) from my office window on Wilshire Boulevard.

As a significant birthday approached, I decided on a field trip to conduct research for a future article on bankruptcy lawyers in Hawaii.

I booked the flight on Hawaiian Airlines. The more experienced fellows of the American College of Bankruptcy will remember that Hawaiian Airlines filed chapter 11 in 1993 and 2003. Those were good days for corporate bankruptcy attorneys.

I hired a car service to take me to Los Angeles International Airport.

My driver was Kevin. Kevin looked about 45. He has five kids. They are all doing well, thank you. One of his kids is the top student in her 8th grade class. Nice! Kevin reminded me that parental supervision is critical to the success of children. (Mom told me that I should become a doctor. Go figure.)

Kevin's oldest boy has been thinking about law school.

If Kevin's son had been riding in the van, I would have told his son to work at a law firm before he applied to law school. Test the waters. I love the law, but not everyone is ready for the victories, defeats, and tactical withdrawals of litigation. (But no one chases a bankruptcy lawyer with a bat or golf club, like they did when I worked as a process server in college.)

Kevin asked about the bar examination. I told Kevin that the bar examination is manageable for applicants who take time off to thoroughly prepare for the exam. If I knew Kevin's son well, I would have told him to avoid any romance with another student in bar review class. I failed to take my own advice. But I didn't go into that last part with Kevin (who seemed like a serious fellow).

Kevin asked about my career. In 1980, I went to work for my bankruptcy law professor (David Luna) when I graduated from Loyola Law School in Los Angeles. (Thanks, David.) We represented consumers, billed frugally, and always flew in coach. For my first trial, Prof. Luna assigned me (with client permission) to defend a motion for relief from the automatic stay. My client lost. My mother was grief stricken. ("My boy has been a lawyer for a week -- and he already lost his first trial!")

Then I was honored to serve as an adjunct professor at Loyola Law School from 1982 to 1987. My friends started calling me "the professor" because I could answer off the wall questions about

the Bankruptcy Code. I'm proud to say that several of my early students have pursued their own successful careers in the bankruptcy field.

Kevin asked if I ever worked for a bigger law firm. In 1984, I joined a regional firm (Pacht, Ross, Warne, Bernhard & Sears). This firm quickly merged with a large New York based firm (Shea & Gould). We represented lenders and lessors. I learned the meaning of political connections and first-class travel. (They named Shea Stadium after Mr. Shea while he was alive. Dang.) Here, I was supervised by Joseph Bernfeld (an old-fashioned New York lawyer, now deceased) and Martin S. Zohn (now of Proskauer Rose LLP). Michael Askenaizer (now a Nashua, New Hampshire chapter 7 trustee) was my contemporary.

In 1991, I formed my own law firm (Bovitz & Spitzer) with my spouse. This was the second-best decision I ever made.

Kevin asked why lawyers charge so much. I thought about this question. The 1980s were a great time to be a lawyer. Law firms put on huge holiday parties. We had clients who were willing to pay invoices that said, "For services rendered, \$11,422.12." But, then again, 1980 associates were billing at \$60.00 an hour (in quarter hour segments). I told Kevin, "Because we are a less expensive alternative to self-help with a shotgun."

I also told Kevin that the bankruptcy judiciary, the court team, and lawyers have a great working relationship. Bankruptcy judges are always willing to help younger lawyers with their courtroom success. For example, from 1980 to date, I have made many appearances before the witty and always well-prepared Hon. Barry Russell (Class III, American College of Bankruptcy). Judge Russell is still active and the most senior member of the bankruptcy bench. Today, I am honored to have lectured on dozens of panels with Judge Russell before the Beverly Hills Bar Association the Federal Bar Association, and other professional organizations. Recently, Judge Russell (author of the Bankruptcy Evidence Manual) kindly appeared as a guest lecturer in my evidence skills class at the William S. Boyd School of Law, University of Nevada, Las Vegas. That appearance kept the evidence students on their toes.

After dropping off my luggage at Terminal 4, I gave Kevin a good tip and my card (a guitar pick with "bovitz.com" printed on the side). I'm still waiting to hear from his kid about going to law school. After my conversation with Kevin, perhaps the teenager has decided to go into medicine.