

Remarks of Prof. Kenneth N. Klee  
Accepting the American College of Bankruptcy's  
2015 Distinguished Service Award

March 13, 2015

Smithsonian Donald W. Reynolds Center for  
American Art and Portraiture

Members of the College and Jerry,

Jerry, thank you for your gracious introduction and kind remarks. You have served as a leader, mentor, and client over the last 40 years and for that I am grateful.

It is with great appreciation and deep humility that I accept the American College of Bankruptcy's 2015 Distinguished Service Award along with my friend Richard Levin. I pay tribute to Rich for his outstanding career having risen from the depths of Yale Law School to the pinnacle as head of the bankruptcy practice at Cravath Swaine & Moore and Chairman of the National Bankruptcy Conference. I am humbled to share this award with such a luminary.

The distinguished service award is not about the practice of law and what we have accomplished in our cases. It is about our service to the law and the broader community. I believe we are here to serve and help others.

No lawyer can devote significant time to service without the support of his family and co-workers. I am no exception. Over my 40 years of practice as a lawyer, I have had the steadfast support of my wife Doreen and my sons, Max and Nathan, my daughters-in-law Rula and Rachel and my grandchildren. I am grateful to them for the time I spent serving others instead of devoting time to my family. My law firms have always supported my service activities.

Early on, Ron Trost and his partners at Shutan & Trost allowed me to serve as associate counsel to the House Judiciary Committee on Capitol Hill during the 1970's to draft the Bankruptcy Code. He also introduced me to continuing legal education with ALI-ABA and started me in the classroom at the UCLA School of Law. And he encouraged me to write law review articles about the 1978 Bankruptcy Code. I am so grateful for his mentorship and support, and for the life-long friendship with Marc Cohen and Marc Levinson and others at Shutan & Trost.

For the 19 years I worked at Stutman Treister and Glatt, George Treister and my other partners, including Bob Greenfield, Isaac Pachulski, Jeff Davidson, Steve Ray, and Chip Webster. supported my participation at numerous bar functions and programs. They also encouraged me to continue writing articles and teach at UCLA and as a visiting professor at Harvard Law School. When I decided in 1997 to move into full time

teaching at UCLA, the Stutman firm allowed me to maintain an of counsel relationship with them.

In 1999 I became a founding partner of Klee, Tuchin & Bogdanoff, soon to become Klee, Tuchin, Bogdanoff & Stern LLP. Mike Tuchin, Lee Bogdanoff, Tom Patterson, Dan Bussel, and David Stern, who is being inducted into the College tonight, all encouraged me to continue teaching and writing and to do pro bono representation. I participated in several Amicus briefs at the Supreme Court, many of which were drafted primarily by Richard Lieb or Susan Freeman. I worked with my partners Dan Bussel and Rob Pfister representing Marlene Penrod in a pro bono chapter 13 case in which we prevailed at the Ninth Circuit, despite contrary holdings in the eight other circuits to consider the issue.

Without the support of these people and my fabulous staff, research assistants, and paralegal Shanda Pearson, I could not have rendered the service I did. In accepting this award, I express my heart-felt gratitude to each and every one of them.

In closing, let me also thank the College and its leadership for supporting me in writing two books on Bankruptcy and the Supreme Court, the most recent edition with my co-author Whitman Holt, who is here tonight as my guest and one day will be inducted into this organization. Without the inspiration of Mary Scott and the financial support of the College, UCLA, and the Klee, Tuchin firm, these books would not have been written. They are lasting contributions to our field for which we can all be grateful. Thank you so much for the opportunity to have been of service in writing these magnificent books.