**A BRIEF AND PROBABLY BIASED HISTORY OF THE ALABAMA STATE BAR BANKRUPTCY AT THE BEACH SEMINAR**

34th Annual Bankruptcy at the Beach Seminar

The Henderson Beach Resort & Spa, Destin, Florida

June 3, 2022

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Bill Hairston, Alabama State Bar President in 1987, encouraged the formation of the Bankruptcy and Commercial Law Section which would sponsor a seminar for lawyers who practiced in this area of the law. I was the first Chair of the new Section.

The inaugural 3 CLE hour seminar was held in May 1988 at the Perdido Hilton Hotel in Orange Beach, Alabama. Others involved with the first seminar were Arthur Briskman, Irvin Grodsky, Romaine Scott, and George Finkbohner, Jr.

I was the Seminar Chair of the section for its first 22 years. I made the hotel arrangements, invited the speakers, planned the program, planned the social events, and did just about everything except handle the money.

For the first several years we had decent attendance, but we realized that we needed more participation by the judges to increase attendance and add a judicial perspective to the program. So we focused on getting the judges to the beach, and our judges responded positively.

We programmed a private judges’ meeting to give them a chance to share with each other whatever was on their judicial minds.

We created an annual View from the Bench panel to give judges a forum to say what they felt was important and timely, to vent, and to give lawyers a way to interact with judges not always available otherwise.

After the judges began coming regularly, we began the annual 11th Circuit Bankruptcy Law Update, first presented by Judge Jack Caddell, then Judge Jamie Sledge, and then by Judge Jim Robinson.

We also began the annual UCC Update. For the first 15 years or so, Larry Vinson with Bradley Arant presented the UCC Update.

In 1993 the Perdido Hilton Hotel abruptly de-identified as a Hilton property and changed its name overnight to the Perdido Beach Resort. This immediately led to a lawsuit brought in California by Hilton, which in turn led to a Chapter 11 filing in Mobile by the hotel, which was owned by Jim Meadlock from Huntsville, who had become wealthy from his company called Intergraph. The case turned on the Alabama door closing statute, which stated that an out of state corporate party to a contract could not enforce it against an Alabama resident unless the out of state corporation was qualified to do business in Alabama when the contract was made.

Bankruptcy Judge G.B. Kahn, may he rest in peace, had the Chapter 11 case, and he attended the beach seminar in 1994 for the first time ever. He proceeded to request tours of the hotel, and freely gave unsolicited advice on construction and remodeling needs and his personal artistic recommendations. I represented Hilton, Andre Toffel represented the hotel debtor, and Bill Baxley and Irvin Grodsky represented Meadlock. It was strange running the seminar that year while at the same time trying to keep tabs on a judge who was there on a very unconventional informal fact-finding adventure outside of normal judicial procedures.

In 1994 with great fanfare Congress created the National Bankruptcy Review Commission to make recommendations on reforming the bankruptcy laws. One of the driving forces for this commission was Sen. Howell Heflin. The members of the Commission were all nationally known lawyers and law professors, plus a relatively obscure law clerk for Judge Peggy Mahoney in Mobile named Jeffery Hartley. Jeffery had worked on Sen. Heflin’s staff as counsel to the Senate Judiciary Committee Subcommittee on Courts.

The Commission held public meetings all over the country. I asked Jeffery to consider holding one of the commission meetings in conjunction with the beach seminar, and he was able to arrange a commission meeting in June 1997 at the Perdido Beach Resort the day before the beach seminar. There was an all-day session of meetings and hearings on multiple hot button bankruptcy law topics, and social events which gave our lawyers and judges there for the beach seminar a unique chance to interact with the commission members. We were ground zero for a day in the bankruptcy law world.

By that time the seminar was up to 6 CLE hours, annual attendance was consistently more than 100 lawyers, and most all the Alabama bankruptcy judges were there every year.

In the early 2000s, the Perdido Beach Resort announced a new requirement that only registered guests could come onto the hotel property. This was a problem for seminar attendees who wished to stay elsewhere, so when we could not get the hotel to change the rule, we moved the seminar to the Sandestin Hilton. It turned out that we were one of many meeting groups who became refugees from the Perdido Beach Resort because of the same restriction. The Sandestin Hilton welcomed us, and we were pleased with this venue. Since we were now meeting in his district, we invited Tallahassee Bankruptcy Judge Lewis Killian, and that brought lawyers from the Florida panhandle to the seminar.

Over the years we brought in many notable speakers who invariably gave interesting and timely presentations on a variety of topics. Bill Rochelle, Judge Keith Lundin, Sen. Jeff Sessions, Todd Zywicki, Terri Gardner, Lisa Futrell, and Karen White are just a few of those speakers.

One of the best parts of the seminar has been the Friday night cocktail party. It was always held outside, and I only remember one year when we had to move inside due to the weather. We also usually had a golf tournament on Saturday afternoon.

Most of the luminaries of the Alabama bankruptcy bench and bar have either held leadership positions in the section or were otherwise integrally involved in planning, promoting, and implementing the seminar while I was running it. This would include Judge Tamara Mitchell, Judge Peggy Mahoney, Judge Bill Shulman, Judge Jack Caddell, Judge Jim Robinson, Judge Jamie Sledge, Buddy Oldshue, Henry Callaway, Jeffery Hartley, Nick Parnell, Rick Johanson, Stuart Maples, Lee Benton, Jesse Vogtle, Lionel Williams, Irvin Grodsky, Robert P. Reynolds, Leo Math, Sabrina McKinney, Terry Brown, Travis Bedsole, Cleve Redding, Andre Toffel, Mark Williams, and Collier Espy.

Our seminar became the prototype for beach seminars sponsored by other sections of the Alabama State Bar

The beach seminar has consistently been the highlight of the year for many in the bankruptcy bench and bar. The section leaders who succeeded me have done an excellent job in designing a quality seminar product which the bar can be proud of.

I am grateful to have had the opportunity to participate in the creation and development of this seminar, and I am confident that the seminar has a bright and successful future.

Thanks for inviting me to spend a few minutes revisiting the past as we look forward to more successful Bankruptcy at the Beach seminars.