

# Maine Law

Magazine



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UNIVERSITY OF MAINE SCHOOL OF LAW  
WINTER 2016

## In Brief

### Maine Law awarded \$300K diversity grant to fund undergrad summer programs

The University of Maine School of Law has been awarded a three-year, \$300,000 grant to host a summer immersion program for college undergraduates who are interested in learning about the law and potential legal careers.

The program will be called the Pre-Law Undergraduate Scholars (PLUS) program. It is designed primarily for students of color, immigrants, and low-income students, reflecting the ultimate goal of bringing more diversity to the legal profession in Maine and around the country. Maine Law faculty members will teach the four-week program. About 25 undergraduate students will be selected for the first session to begin in June.

The curriculum for the summer PLUS Program will include an introduction to lawyering, logical and analytical reasoning, and legal writing, as well as visits to courthouses, law firms, the State House and other destinations. Students will also take part in simulations where they will work in teams to represent fictional clients.

For additional info visit: [mainelaw.maine.edu/admissions/plus](http://mainelaw.maine.edu/admissions/plus).

### WLA honors Aria Ee '94

The Women's Law Association at the University of Maine School of Law recently recognized Aria Ee '94 as the 2015 Outstanding Alumna Award Recipient.

A 1994 graduate of Maine Law, Ee serves as Deputy Bar Counsel for the Maine Board of Overseers of the Bar. In that role, Ee helps ensure that lawyers throughout Maine abide by the highest standards of ethics, and provide competent representation to their clients. Ee gives lawyers guidance on the Maine Bar Rules, and the Maine Rules of Professional Conduct, and she investigates and prosecutes cases involving alleged



### Maine Law welcomes Richard Chen to the faculty

Professor Richard Chen joined the Maine Law faculty in the fall of 2015 as an associate professor. He is an expert in civil procedure, commercial law, international business transactions, corporations, and contracts. Professor Chen most recently served as a visiting assistant professor at Pepperdine University School of Law in Malibu, California. He previously worked as an attorney in private practice at Munger, Tolles & Olson in Los Angeles.

A native of Massachusetts, Professor Chen is a magna cum laude graduate of Harvard Law School, where he was an articles editor of the *Harvard Law Review*. While at Harvard Law, Professor Chen was an intern at the Civil Rights Division of the U.S. Department of Justice, and also at the Suffolk County District Attorney's Office.

Professor Chen has served as a law clerk for the Honorable Raymond C. Fisher and the Honorable Paul J. Watford, both of the U.S. Court of Appeals for the Ninth Circuit. Prior to his legal career, he worked at Google in Irvine, California.

"We are very excited to welcome Professor Chen and his family," said Danielle Conway, Dean at Maine Law. "Professor Chen brings outstanding academic credentials and teaching experience, along with experience in private practice and the judiciary. He will be a wonderful addition to the Maine Law community."

violations of those rules.

Ee was honored at a reception at Maine Law on Thursday, Nov. 19.

### Maine Law takes first place at Northeast Regional Duberstein Tournament

On February 20, 2016, Maine Law's Duberstein Moot Court team of Kristy Hapworth and Ryan Woodward took first place in the first annual Northeast Regional Duberstein Tournament held in Boston. The regional tournament, sponsored jointly by the American College of Bankruptcy

and the American Bankruptcy Institute, is designed to provide New England law schools with the opportunity for head-to-head competition as a warm up to the national competition.

The second team from Maine Law, Allie Tocci and Jeremy Dean, finished strongly, receiving praise from the judges, who included two expert bankruptcy reorganization attorneys and a sitting federal bankruptcy judge.

The students from Maine Law are coached by attorney Bodie Colwell '11 of the Preti Flaherty law firm and Visiting Professor Jim Haines.

opportunities to work as interns or externs in law firms or with the U.S. Bankruptcy Court. Individual accolades have included two students – Nate Hull '09, and Kaitlyn Husar '15 – who were selected by the American College of Bankruptcy as the Distinguished Bankruptcy Law Student of the Year for the First Circuit, respectively.

In addition, Maine Law has sent teams to New York City to compete in the annual Hon. Conrad B. Duberstein Bankruptcy Moot Court Competition, every year for the past 10 years. It is one of the largest moot court events in the nation, and the only competition devoted to bankruptcy law.

“Over the 10 years I have been involved with our Duberstein teams, students consistently have told me that this is the best experience they have had in law school,” Lupica said. “They are thrown into real-world brief writing. It forces them to grapple with the most complex issues of bankruptcy.”

Opening rounds of the Duberstein competition are held at St. John’s University School of Law in Queens, with final rounds at the U.S. Bankruptcy Courthouse in Brooklyn. All teams attend a gala awards banquet in Manhattan, which attracts a crowd of more than 1,000 bankruptcy lawyers and judges from New York and beyond.

Maine Law consistently fares well against much larger schools at the Duberstein Competition. Students Kristy Huff, '16, and Micah Smart, '16, advanced to the final eight of 60 teams in the spring of 2015.

In addition, the appellate brief written by Huff and Smart was recognized as one of the Outstanding Briefs. They were coached by Judge Haines and attorney Bodie Colwell, who graduated *cum laude* from Maine Law in 2011.

“It was a great accomplishment for Maine Law. We had the support of Bernstein Shur, Ms. Colwell, and the Portland area bankruptcy bar, many members of which judged practice rounds,” said Haines. “We also had great support from the state and federal judiciary. Chief Justice Saufley '80, U.S. District Court Judge Nancy Torresen, and Bankruptcy Chief Judge Peter Cary judged the final practice round.” **ML**

# Maine Law Grads & Bankruptcy Careers

## THE HON. MICHAEL FAGONE, '97 U.S. Bankruptcy Judge for the District of Maine



**How long have you been working in the field of bankruptcy law? What jobs have you held in this field?**

I started as associate attorney at Bernstein Shur Sawyer & Nelson in Portland in 1998. Later, I became a shareholder in Bernstein Shur, and continued in that role until my appointment to the bench in the spring of 2015.

### How did Maine Law help you prepare for a career in bankruptcy law?

I took several tax courses with Professors Khoury and Lang. Those classes helped me get comfortable working with a comprehensive statute, the Internal Revenue Code. I think there are some parallels between the Internal Revenue Code and the Bankruptcy Code. In addition, my legal writing was dramatically improved as a result of my service on the *Maine Law Review*. The ability to write clearly and concisely is critical in any area of law, but particularly so in bankruptcy where there is heavy motion practice.

### What do you like best about bankruptcy law as an area of practice?

For individuals, bankruptcy is an opportunity for a fresh start. For businesses, bankruptcy is a means to preserve, and at times create, value for creditors and owners. In either context, there is a substantial amount of optimism for the future. Also, in many cases, there is plenty of room for creative lawyering, within the bounds of the law, to achieve a result that yields the most benefit for the most parties.

### Why should Maine Law students and prospective students consider a career in bankruptcy law?

Bankruptcy was a great place to start my career as a lawyer. It exposed me to a litigation-based practice, with a fair amount of transactional work attached. It also required mastery of a comprehensive statute and a related set of rules.

## BODIE COLWELL, '11 Associate attorney, Preti Flaherty



**How long have you been working in the field of bankruptcy law? What jobs have you held in this field?**

I've held several positions since I began working in the bankruptcy field during my time at Maine Law. I'm currently an associate attorney with the Bankruptcy, Creditors' Rights and Business Restructuring Group at Preti Flaherty.

### How did Maine Law help you prepare for a career in bankruptcy law?

Starting the summer after my 1L year and all through law school, I was project manager and lead research assistant for Professor Lupica's Consumer Bankruptcy Fee Study. Additionally, I was a member of the Maine Law team for the Conrad B. Duberstein Moot Court Competition. The experience was so important to me that, along with Professor Haines, I serve as a coach to the Maine Law teams. That wouldn't have happened without the exposure and opportunities at Maine Law.

### What do you like best about bankruptcy law as an area of practice?

The Maine bankruptcy bar is small but has incredibly knowledgeable practitioners. Because it is a smaller group, it allows for greater familiarity and sense of community.

### Why should Maine Law students and prospective students consider a career in bankruptcy law?

Bankruptcy is one of the few areas of practice that includes opportunities for both litigation and transactional work. A young attorney practicing bankruptcy might appear in bankruptcy court one day and work on an out-of-court restructuring the next. That kind of variety can be very challenging, as well as a wonderful experience. Talking to a bankruptcy attorney can give you more insight into whether it would be a good fit.