

HOFSTRA LAW SCHOOL MEMORIAL SERVICE
FOR PROFESSOR ALAN N. RESNICK:
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*Louis A. Scarcella**

Alan Resnick changed my life. In the course of our forty-year relationship, he was my teacher, my mentor, and my close friend. To a large extent, Alan Resnick made me who I am today.

I first met Alan in the fall of 1974 when we started Hofstra Law School together. He was a twenty-six-year-old first-time law professor with an LL.M. degree from Harvard, and I was a first-year law student, just a few years his junior. Alan was young and approachable, with long hair and eventually a mustache—grown, I suspect, to make himself look older. We met, not in the formality of the classroom, but casually, in the halls of the building, and while I was not a student in his class at the time, he would always greet me by name whenever our paths crossed.

I was in my second year when Alan became my commercial law professor and later taught my bankruptcy class. He was a brilliant legal scholar, but more importantly, he was an incredible teacher. His classes were exciting and engaging. He would introduce topics and then build on them logically, always making sure that his students understood underlying concepts before moving on. To promote a deeper understanding of the topics he covered, not only would he explain the existing law, he also provided us with a historical perspective, detailing how and why the law had evolved. Everything he taught abstractly, he applied to real-world situations through his repeated use of hypotheticals. Anyone who has taken a bankruptcy course with Alan will have heard about the now-“famous” hypothetical, “Jones’s Shoe Store.” He inspired us with his passion for the law and his love of learning. If we tried to take shortcuts, he would remind us,

* United States Bankruptcy Judge for the Eastern District of New York, Special Professor of Law, Maurice A. Deane School of Law at Hofstra University. This tribute, delivered before Professor Resnick’s family, friends, and colleagues, was adapted for publication by the *Hofstra Law Review*.

“Don’t be lazy—read the Bankruptcy Code.” Alan made learning the law easy, and he was the best professor I have ever had.

Alan’s prodigious teaching skills were surpassed only by his dedication to his students. He was always available to give his students advice and support; he cared deeply about them, and he truly wanted them to succeed. This was certainly the case for me. While I was still in law school, as an unpaid law clerk for a bankruptcy judge in Westbury, Alan became my unofficial and equally unpaid faculty advisor. Almost daily, I would stop by his office to discuss core concepts and major themes of both consumer and business bankruptcy cases. Those discussions helped me understand how to find the answer to any bankruptcy question. There was never a time when Alan made me feel that I was imposing on him; to the contrary, he never rushed me out the door, and his making the time to sit with me clearly showed how much he enjoyed mentoring students and how much he loved analyzing the law.

Alan’s impact on his students did not end upon graduation. Like he was to so many others, Alan was my mentor for my entire career. I will never forget the first piece of advice he gave me after law school. Having received an offer from a New York City law firm, where associates typically held degrees from Columbia, Yale, and Harvard, I hesitated about accepting the position. Thankfully, Alan was there to give me confidence. Without hesitation, he said, “You have to reach for it—I have no doubt you’ll succeed. You have to believe in yourself.”

As an associate at that firm, and even after I made partner, Alan would be the first person I called whenever I had any kind of success, whether in the courtroom or the boardroom. Alan was always interested in hearing about my day and was always encouraging. Conversation would naturally move from the law to sports and, of course, to family. Alan loved his family. He was a wonderful husband and father. That love is reflected in his wife, Jill, and his sons, Brian and Craig, and their families.

As my life-long mentor and my friend, Alan knew it was my dream to someday become a bankruptcy judge. With that goal in mind, and to hone my legal skills, Alan encouraged me to participate in panel discussions on bankruptcy and commercial law. And, of course, it was Alan who gave me my first speaking opportunity—he asked me to replace him on a panel in Washington, D.C., when I was just a third-year associate. Needless to say, I prepared round-the-clock so I would not let Alan down.

Alan also encouraged me to write on timely topics in the ever-changing world of bankruptcy. Again, it was Alan who gave me the opportunity to publish. He asked me to pen a couple of chapters for a book on bankruptcy strategy,¹ and later asked me to serve as a contributing author to Collier's *Bankruptcy Practice Guide*.²

Finally, Alan gave me the opportunity to teach. When Hofstra Law School needed an adjunct professor to teach the Bankruptcy course in the evening division, Alan reached out to me. I was thrilled. But, I must admit, when I proudly explained to my wife, Joanne, that I would be teaching at Hofstra Law School, her response was a little ego-deflating. "Let me get this straight. Alan Resnick will be teaching the Bankruptcy course during the day, and you will be teaching it at night? . . . Why would anyone want to take the course with you?" she astutely asked. She had a point, and Alan and I had a good laugh over it.

Three years ago, I told Alan that I planned to apply for the bankruptcy judge position in Central Islip. Of course, he was encouraging and brimming with confidence. Because of him, I had a solid foundation in the law, had made wise career choices, and had speaking, writing, and teaching experience, all of which helped me in my quest to become a bankruptcy judge. At my investiture ceremony, the first person I publicly thanked was Alan.

As he has done for countless other students, Alan Resnick changed my life, and his influence will continue to guide me in everything I do. Like all of his students, I will try to carry on his legacy. He will live on in every decision I write, in every student, associate, or law clerk I mentor, and in every class I teach.

This semester, I am teaching Alan's Bankruptcy course here at the law school. As I prepare my weekly class lectures, I hear Alan's voice telling me to be practical, to use hypotheticals, and to break things down so the students understand the core concepts and master the tools to solve any bankruptcy problem. Because Alan played such a pivotal role in my life, twice a week, since the beginning of the semester, when I arrive at the law school to teach, I follow the same, simple ritual. Before going to my classroom, I make my way to the second floor of the building. First, I find the photograph of a young Alan Resnick that hangs on the wall—the Alan I remember so well. I think of him teaching with a twinkle in his eye and a smile on his face, pacing back and forth in the

1. See Louis Scarcella, *Obtaining Subordination of Claims*, in *BANKRUPTCY PRACTICE AND STRATEGY* 15-1 to 15-53 (1987).

2. See 1 *COLLIER BANKRUPTCY PRACTICE GUIDE* (Alan N. Resnick & Henry J. Sommer eds., 2016).

classroom, doing what he loved—telling the story of bankruptcy. Then, I look at his corner office, now sadly empty. I tell Alan I am doing my best for his students, and I thank him for all he has done and all he continues to do for me. Then, I go upstairs to teach, and talk about Jones's Shoe Store.