



Robert S. Bernstein
**Partner | Bankruptcy &
Restructuring**

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WH | BURKLEY
ATTORNEYS AT LAW

OVERVIEW

Robert is General Counsel for the firm and a Partner in WH Burkley's Bankruptcy and Restructuring Group. His practice concentrates on bankruptcy and commercial law throughout Pennsylvania and the Middle Atlantic states, serving as a mediator and as counsel to commercial landlords, equipment lessors, bankruptcy trustees, creditors' committees, and creditors, as well as the representation of businesses of all sizes and types in many areas of their operation, including in reorganization proceedings. Bob regularly serves as Trustee or Plan Administrator in post-confirmation Chapter 11 liquidations.

In addition, Bob is part of the firm's Preference Defense Team, a specialized group within WH Burkley dedicated to the effective and efficient representation of clients against whom preference payment claims are made.

Bob also has extensive experience in credit recovery matters, including collection, secured transactions and mortgage foreclosures.

EXPERIENCE

- Represented a Pittsburgh-area professionals in restructuring their practice while in a dispute with a significant creditor of the practice.
- Serves as the Liquidating Trustee for South Hills Operations, et al, a group of more than 20 Pittsburgh-area nursing homes.
- Represented creditors and was Special Counsel to the Chapter 7 Trustee of Arter and Hadden, LLP, a 200-lawyer failed lawfirm; succeeding in recovering more than \$12 million after litigation pursuing voidable transfers from more than 200 lawyers, resulting in a 54% distribution for unsecured creditors.

- Represented a Pennsylvania homecare agency in governance, acquisition/expansion, and litigation issues.
- Represented partners in a failing consulting business in their personal asset protection planning.

RECOGNITION

- *American College of Bankruptcy* | Fellow
- *Turnaround Management Association* – Lifetime Achievement Award (Pittsburgh Chapter) | 2026
- *Super Lawyers* – Bankruptcy (Pennsylvania) | 2004-present
- *Super Lawyers* – Business & Corporate (Pennsylvania) | 2004-present
- *Super Lawyers* – Alternative Dispute Resolution (Pennsylvania) | 2004-present
- *Super Lawyers* – “Top 50 Attorneys” (Pittsburgh) | 2021-2024
- *Best Lawyers* – Bankruptcy “Lawyer of the Year” (Pittsburgh) | 2016
- *Best Lawyers* – Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law | 2009-present
- *Best Lawyers* – Litigation – Bankruptcy | 2009-present

PUBLICATIONS

- How, Why, and When to Seek the Appointment of a Chapter 11 Trustee
- When A Tenant Files Bankruptcy
- Ethics and Professionalism: But, Your Honor, I am Only Local Counsel!
- Ethics and Professionalism: A New Look. Let's See if we Can Avoid Boring!
- Ethics and Professionalism: Lawyer as Supervisor
- Ethics and Professionalism Series
- Ethics and Professionalism: Can I Tell Clients That I “Specialize”?
- Ethics and Professionalism: A New Look. Let's See if We Can Avoid Boring!
- Ethics and Professionalism: Duty to Keep Client Funds Separated Under Rue 1.15
- Ethics and Professionalism: But, Your Honor, I am Only Local Counsel!
- Ethics and Professionalism: But, She Was Only Supposed to be “Local Counsel!”

- Ethics and Professionalism: Sorry, Local Counsel, You Are COUNSEL!"
- Ethics and Professionalism: Inadvertent Disclosure of Documents
- Ethics and Professionalism: The "Professionalism" Part
- Ethics and Professionalism: When is a Contingent Fee not a Contingent Fee?
- Ethics & Professionalism: Professional Courtesy v. Zealous Representation
- Chapter 5 Actions and the Contract Assumption Defense
- 10 Things about Bankruptcy for Collection Professionals
- Simple Steps To Better Security Interests
- Security Interests - Imperfect Perfection
- Part 3: Perfection By Filing, A Short Series On Security Interests For Credit Managers
- Part 2: Security Interests for Credit Managers
- Part 1: Basics - A Short Series On Security Interests For Credit Managers
- A Short Series on Reclamation for Credit Managers
- 5 Ways Mediation Can Save You Time & Money
- Practical Advice for Creditors in Preference Defense
- A Trustee's Burden for Preference Transfer: Getting More Than in a Chapter 7
- Preference Actions, Part 6: Preference Time Periods: The Beginning and the End
- Preference Actions, Part 5: Preference Transfers Made While Debtor was Insolvent
- Preference Actions, Part 4: Trustee Burden for Preference Transfers For or On Account of an Antecedent Debt
- Preference Actions, Part 3: Just What Do They Mean?
- Preference Actions, Part 2: Prove It, Mr. T
- Preference Actions, Part 1: The Double Whammy
- Defending Against Preference Actions: The Domestic Support Obligation Exception
- Defending Preference Actions: Statutory Liens
- Defending Preference Actions - Security Interests in Inventory or Receivables
- Defending Preference Actions: Transfers For Subsequent New Value
- Defending Preference Actions: Purchase Money Security Interest Transfers
- Defending Preference Actions: Ordinary Course of Business
- Defending Preference Actions: Contemporaneous Exchange for New Value
- Once a Collection Goes Legal

- Reclamation for Credit Managers
- A Short Series on Reclamation for Credit Managers, Part 5: CODE V. CODE
- A Short Series on Reclamation for Credit Managers, Part 4: CASH, LIEN OR CLAIM?
- A Short Series on Reclamation for Credit Managers, Part 3: HOW IT WORKS
- A Short Series on Reclamation for Credit Managers, Part 2: RECLAMATION AND BANKRUPTCY
- A Short Series on the Disappearing Debtor – Conclusion: What Creditors Can Do
- A Short Series on the Disappearing Debtor – Fraudulent Transfers
- A Short Series on the Disappearing Debtor – Debt Structure
- Sample Bylaws of an OFFICIAL UNSECURED CREDITORS' COMMITTEE
- Improve Chances of Payment from a Risky Customer
- Bridging the Abyss: Reorganization Without Bankruptcy
- Background Information for Chapter 11 Committees of Unsecured Creditors
- Pre-Bankruptcy Lease Termination: Overlooked Benefit?
- Landlord Recourse in Residential Tenant Bankruptcy
- A Primer on Preferential Actions in Bankruptcy
- A Short Series on Security Interests for Credit Managers
- A Short Series on Reclamation for Credit Managers, Part 1: RECLAMATION BASICS
- Executory Contracts and Unexpired Leases
- A Short Series on the Disappearing Debtor - Ownership Structure
- Collection and Enforcement
- Chapter 11 Cases for Chinese Vendors
- Debtor in Distress
- Five Essential Contracts for Small Businesses
- The Benefits of Obtaining a Judgment: Post Judgment Collection
- BAPCPA Amendments to Bankruptcy Code Provide Extra “Teeth” for Unsecured Credit Sellers
- What Credit Grantors Should Do Just Before Sunrise

ASSOCIATIONS

- City of Pittsburgh Ethics Hearing Board | Chair
- American College of Bankruptcy | Fellow, Class XXVII
- Commercial Law League of America
 - President | 1995-1996, 2015-2016
 - Board of Governors | 1991-1994
 - Recording Secretary | 1989-1990
 - Treasurer (2001-2002)
 - Chair – Committee on Ethics and Professional Responsibility | 2002-2004
 - Chair – Young Members Section | 1986-1987
- American Board of Certification
 - Chairman | 2006-2007
 - President | 2005-2006
 - Treasurer | 2003-2005
 - Chair – Standards Committee | 2001-2002
- Lease Enforcement Attorneys Network (LEAN) | Founder and Chairman
- Equipment Leasing and Finance Association (ELFA) | Legal Committee | 2000-2003
- Allegheny County Bar Association
 - Chair – Professional Ethics Committee | 2003-2005
 - Chair – Technology Utilization Committee | 1996-2001
 - Chair – Bankruptcy and Commercial Law Section | 1992
- Allegheny County Bar Foundation
 - Board of Trustees | 2019-2025
 - Treasurer | 2022-2025
- Commercial Law Foundation | Fellow
- Association for Conflict Resolution | Member and Trained Mediator
- Duquesne University Law Alumni Association | President | 1994-1995
- American Bankruptcy Institute | Member
- National Multiple Sclerosis Society – Allegheny District Chapter | Chairman, Board of Trustees | 2006-2009

- Temple Sinai, Pittsburgh, PA | President, Board of Trustees | 2005-2007
- Riverview Towers Board of Directors, Pittsburgh, PA | Member and Board President |2013-2016

EDUCATION

- Duquesne University, J.D.
- University of Pittsburgh, B.A.
- American Board of Certification
 - Business Bankruptcy Specialist
 - Creditors' Rights Specialist

FOCUS

- Bankruptcy & Restructuring

NEWS

- WH Burkley Attorneys Named to Best Lawyers 2027 Edition
- Robert Bernstein to Receive 2026 TMA Pittsburgh Lifetime Achievement Award

LICENSED

- Pennsylvania
- Florida
- West Virginia
- New York
- United States District Court for the Western, Middle and Eastern Districts of Pennsylvania
- United States District Court for the Northern and Southern Districts of West Virginia
- United States District Court for the Southern and Middle District of Florida
- United States Court of Appeals for the Third Circuit

- United States Supreme Court

OFFICE

- Pittsburgh