

State of New York Court of Appeals

*At a session of the Court, held at Court of
Appeals Hall in the City of Albany
on the 25th day of August, 2015*

Present, HON. JONATHAN LIPPMAN, Chief Judge presiding.

In the Matter

of

The Amendment of the Rules of the Court of Appeals
for the Admission of Attorneys and Counselors at Law.

Pursuant to section 53 of the Judiciary Law, it is hereby

ORDERED that section 520.16 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR § 520.16) is amended, effective September 16, 2015, or as soon thereafter as section 52 of the Judiciary Law is complied with, by deleting the bracketed material and adding the underlined material.

§ 520.16 Pro Bono Requirement for Bar Admission

(a) Fifty-hour pro bono requirement. Every applicant admitted to the New York State bar on or after January 1, 2015, other than applicants for admission without examination pursuant to section 520.10 of this Part, shall complete at least 50 hours of qualifying pro bono service prior to filing an application for admission with the appropriate Appellate Division department of the Supreme Court.

(b) Pro bono service defined. For purposes of this section, pro bono service is supervised

pre-admission law-related work that:

(1) assists in the provision of legal services without charge for

(i) persons of limited means;

(ii) not-for-profit organizations; or

(iii) individuals, groups or organizations seeking to secure or promote access to justice, including, but not limited to, the protection of civil rights, civil liberties or public rights;

(2) assists in the provision of legal assistance in public service for a judicial, legislative, executive or other governmental entity; or

(3) provides legal services pursuant to subdivisions two and three of section 484 of the Judiciary Law, or pursuant to equivalent legal authority in the jurisdiction where the services are performed.

(c) Supervision required. All qualifying pre-admission pro bono work must be performed under the supervision of:

(1) a member of a law school faculty, including adjunct faculty, or an instructor employed by a law school;

(2) an attorney admitted to practice and in good standing in [the] a jurisdiction [where the work is performed] , provided that the supervisory work does not violate any statute, regulation or code regarding the unauthorized practice of law; or

(3) in the case of a clerkship or externship in a court system, by a judge or attorney employed by the court system.

(d) Location of pro bono service. The 50 hours of pro bono service, or any portion thereof, may be completed in any state or territory of the United States, the District of

Columbia, or any foreign country.

(e) Timing of pro bono service. The 50 hours of pro bono service must be performed on or after May 1, 2012 and after the commencement of the applicant's legal studies, and prior to filing an application for admission to the New York State bar. However, if the applicant attended an approved law school as defined in section 520.3(b) of this Part and will be admitted on or before December 31, 2015, eligible pro bono work may be performed before May 1, 2012, provided it is performed after the commencement of the applicant's legal studies.

(f) Proof required. Every applicant for admission shall file with the appropriate Appellate Division department an Affidavit of Compliance with the Pro Bono Requirement, describing the nature and dates of pro bono service and the number of hours completed. The Affidavit of Compliance shall include a certification by the supervising attorney or judge confirming the applicant's pro bono activities. For each position used to satisfy the 50-hour requirement, the applicant shall file a separate Affidavit of Compliance.

(g) Prohibition on political activities. An applicant may not satisfy any part of the 50-hour requirement by participating in partisan political activities.