STATE OF NEW YORK

2053

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. SIMON -- Multi-Sponsored by -- M. of A. BARRETT, BARRON, BICHOTTE HERMELYN, BUTTENSCHON, CARROLL, COLTON, COOK, DAVILA, DE LA ROSA, DICKENS, ENGLEBRIGHT, EPSTEIN, FAHY, FERNANDEZ, FRONTUS, GOTTFRIED, GRIFFIN, GUNTHER, HEVESI, HUNTER, HYNDMAN, LAVINE, LUPARDO, NIOU, OTIS, PHEFFER AMATO, QUART, RAMOS, REYES, RODRIGUEZ, SEAWRIGHT, STIRPE, THIELE, WALKER, WALLACE, WOERNER -- read once and referred to the Committee on Judiciary

AN ACT in relation to temporarily admitting certain attorneys graduating from law school or taking the bar exam during the COVID-19 state disaster emergency; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Notwithstanding any provision of law, rule, or regulation to the contrary, any person who has graduated or will graduate from an American Bar Association accredited law school or who would otherwise be eligible to take the New York state bar examination, has demonstrated compliance with section 520.9 of the rules of the court of appeals, and has satisfied the requirements for good moral character and general fitness requisite for an attorney- and counselor-at-law as required by section 90 of the judiciary law and who intends to primarily practice law in the state of New York shall be admitted to practice in all the courts of record of the state on a temporary basis. An individual who remains in good standing in accordance with section 90 of the judiciary law and practices law for a minimum of 100 hours under the supervision of a permanently admitted attorney, who shall submit an affirmation of the nature and extent of the supervision to the committee on character and fitness and shall, upon such completion of such supervision, transmit the candidate's credentials to the appellate division, shall be admitted to practice in all courts of record of the state on a permanent basis. Such submission shall not be made earlier than three months after

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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having completed the requisite number of supervised hours. Such supervised work shall be completed no later than 18 months after September 30, 2022 or such date as the COVID-19 state disaster emergency ends, whichever is later.

§ 2. Nothing contained in this act shall be construed as rescinding any rules promulgated or waivers thereof by the court of appeals pertaining to admission to practice as an attorney- and counselor-at-law that are not inconsistent with this act.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed on September 30, 2022 or upon the expiration of the COVID-19 state disaster emergency, as declared pursuant to Executive Order Number 202 of 2020, and any extensions, amendments or modifications thereto, whichever is later; and the provisions of this act shall apply to any individual whose application for admission to the New York state bar is pending on such date.