Advisory Committee on New York State Pro Bono Bar Admission Requirements

Report to the Chief Judge of the State of New York and the Presiding Justices of the Four Appellate Division Departments

SEPTEMBER 2012

Advisory Committee on New York State Pro Bono Bar Admission Requirements

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Introduction

ON MAY 1, 2012, THE HONORABLE JONATHAN LIPPMAN, Chief Judge of the State of New York, announced that beginning in 2013, prospective attorneys will be required to spend 50 hours performing pro bono work as a requirement for admission to the bar of the State of New York. This requirement arose primarily to respond to the crisis in access to justice. More and more people are navigating the complexities of the court system, in New York and around the country, without the assistance of an attorney. In New York State alone, millions of such litigants appear in court annually, many of them fighting for the essentials of life — housing, family matters, access to health care and education, and subsistence income. Providers of free legal services for low-income New Yorkers are turning away eligible clients because of lack of resources, having no choice but to leave them to fend for themselves.

The Chief Judge, with the help of the Judiciary's partners in government in the legislative and executive branches, has been able to obtain critical state funding for civil legal services over the last two years. As Judge Lippman has acknowledged, this funding will go a long way in addressing the needs of litigants and others in desperate straits. However, much more needs to be done to bridge the continuing gap between the rising need and the availability of services.

The Chief Judge frequently acknowledges the contribution of pro bono work by the practicing bar, praising those who have embraced a culture of service. "So many lawyers understand that it is their special responsibility to use their skills and their position to help ensure that we are providing for the justice needs of *all* New Yorkers." For centuries, as the Chief Judge has said, assuring access to justice by performing pro bono service for those in need has been a part of the professional lives of lawyers; it is recognized as the professional responsibility of those privileged to be licensed to practice law. Additionally, law schools in New York and around the country have long recognized that serving the public is an essential element of being a lawyer. They all offer pro bono opportunities for students, and many even require the performance of pro bono work as a condition for graduation.

By requiring 50 hours of pro bono work, properly supervised, from the many thousands who apply for New York bar admission each year, this initiative addresses the crisis in access to justice, and — just as importantly — helps prospective attorneys build valuable skills and imbues in them the ideal of working toward the greater good. As the Chief Judge put it:

> "If pro bono is a core value of our profession, and it is — and if we aspire for all practicing attorneys to devote a meaningful portion of their time to public service, and they should — these ideals ought to be instilled from the start, when one first aspires to be a member of the profession. The hands-on experience of helping others by using our skills as lawyers could not be more of a pre-requisite to meaningful membership in the bar of our state."

For the aspiring lawyer, it is hoped that this initiative will provide several benefits. If law students receive instructive and meaningful pro bono experiences, they will be exposed to the pressing needs of those less fortunate and gain a deeper understanding of the problems confronted by

those segments of society that have little access to legal resources and institutions. For those students who opt for complying with the requirement by working in the government arena, they will learn of the myriad legal opportunities for lawyers in the public sector. Equally important is the recognition that lawyering is a mentoring profession. By requiring supervision of all qualifying work, the prospective lawyers will acquire hands-on skills under the guidance of committed members of the legal profession. It is our goal for law students to understand the intrinsic rewards and personal satisfaction from their volunteer efforts that practicing attorneys consistently experience, and that this will encourage them to make pro bono work a regular part of their professional lives after admission to practice. This is a great opportunity for the legal profession, organized bar, legal services providers, and all those devoted to improving the access to justice to work with law schools and their students to participate in a statewide initiative to imbue future generations of lawyers admitted to practice in New York State with the commitment to pro bono and public service work.

The Advisory Committee's Outreach Efforts

THE ADVISORY COMMITTEE ON NEW YORK STATE PRO BONO BAR ADMISSION REQUIREMENTS was appointed by Honorable Chief Judge Jonathan Lippman on May 22, 2012. The Advisory Committee was asked to provide recommendations to the Chief Judge and the Presiding Justices of the four Appellate Division Departments on the scope and nature of this new initiative. Chief Judge Lippman's appointments reflected all the stakeholders interested in the formulation of the pro bono requirement for bar admission. Co-Chairs of the Advisory Committee are the Honorable Victoria A. Graffeo, Associate Judge of the New York Court of Appeals, and Alan Levine, a practicing lawyer and former Chair of the Legal Aid Society. Included on the Committee are the Deputy Chief Administrative Judge for the New York City Courts, who serves as the Director of the New York State Access to Justice Program, current and former state and local bar leaders, a former Justice of the Appellate Division, a current and a former law school dean, representatives of legal service providers throughout the state, a pro bono counsel from one of the country's leading law firms, and the Chair of the Task Force to Expand Access to Civil Legal Services in New York.

The Advisory Committee worked formally and informally on a daily basis from its formation through the release of this Report. Because of the vast experience of the members of the Advisory Committee, the Committee conferred about the many different aspects of the proposal. We have explored its impact on the State Board of Law Examiners, including understanding the nature of the pool of applicants who take the bar examination. We have also consulted with deans and representatives of the 15 New York State law schools to understand the clinical and other programs that are available in law schools, the resources available to assist students in complying with this proposed rule, their experience in administering pro bono projects and their concerns about foreign-educated students in LL.M. programs. Recognizing the unique role of legal services providers in this initiative, we worked closely with members of the Task Force to Expand Access to Civil Legal Services to gather information regarding the capacity of the system to accommodate the thousands of law students who will be available to assist them in their work, as well as the issues of supervision that necessarily will arise. The bar leaders on the Advisory Committee have

played an active role in assessing the suitability of aspects of the proposed rule and in terms of achieving involvement and support from the organized bar.

By way of background, as we discuss more thoroughly in this Report, more than 15,000 candidates each year take the New York State bar examination and, in 2011, more than 9,000 were admitted. Roughly one-third of those candidates were educated in New York State law schools, one-third educated in law schools around the country and one-third were from foreign jurisdictions. We recognize, as Chief Judge Lippman noted in his Law Day 2012 speech, that what New York does with this initiative can, and will, have national implications. Accordingly, we have cast a wide net in seeking input from national leaders of the pro bono community and from law schools around the country. With the breadth of the Advisory Committee's experience and relationships in this area, we have also been able to reach other interested parties, soliciting views on how this proposed rule should be defined and implemented from the standpoint of pro bono and legal services organizations, bar associations, New York State court administrators, and law schools throughout the United States.

Moreover, a national culture exists within the legal profession and the nation's law schools that has encouraged pro bono service for decades. Indeed, this new requirement is not written on a blank slate. It is made possible by the law schools that have led the way by encouraging pro bono and public service for students. We are mindful that this proposed rule should reflect the best of those experiences to make this a model for the nation. We have therefore sought the advice of the nationally recognized Pro Bono Institute and other national advocates, and they have all provided valuable input.

The Advisory Committee held three all-day meetings in June, in July and in August to provide a forum for discussion with many of the interested groups.

- We convened a roundtable discussion with the deans or their representatives of all 15 law schools located in New York State and also solicited views on the proposed requirement from nearly 200 other ABA-accredited law schools in the United States. Follow-up discussions with representatives of a number of New York's law schools, as well as out-of-state law schools, took place. In particular, law schools with mandatory requirements, such as Columbia, Touro and Harvard, shared their experiences in implementing their pro bono requirements for graduation.
- We met with the leadership of the New York State Bar Association, the City Bar, the New York County Lawyers' Association and the Women's Bar Association, and received written comments from other local bar associations. Many other representatives of the organized bar weighed in with issues relating to the requirements and supervision of the work.
- There were presentations by legal services providers that operate in different regions of the state to help us understand their needs and the current delivery systems for legal services to the poor in all corners of New York. We examined the availability of pro bono opportunities for law students within their organizations.
- The Advisory Committee heard from representatives of government law offices about their capacity for helping students meet this requirement within the public realm.

- We met with the Association of Pro Bono Counsel to review the programs that are supervised in the large New York law firms.
- The New York State Board of Law Examiners provided us with information on the bar examination process, and Justices from the Appellate Divisions and the employees who are responsible for bar admission procedures were consulted regarding workable guidelines and recommendations on needed documentation.
- Finally, we received numerous comments and suggestions from students, legal services providers and practicing lawyers.

Pool of Applicants for Bar Admission in New York

IN NEW YORK, THERE ARE TWO ENTITIES INVOLVED IN THE ADMINISTRATION OF ADMISSION TO PRACTICE, with two distinct areas of responsibility. The New York State Board of Law Examiners (SBLE), whose members are all practicing attorneys and appointed by the Court of Appeals, administers the New York bar examination, which is given twice a year (in February and July). The SBLE is responsible for the creation and grading of the New York portion of the bar examination and matters of policy related to the examination. The SBLE also works with the Court of Appeals in applying Part 520 of the Rules of the Court of Appeals for the Admission of Attorneys.

After bar examination passage, candidates apply for admission to one of the four Appellate Divisions of the New York Supreme Court, depending on place of residence or employment. The Appellate Divisions review the admission applications, appoint and supervise their Character and Fitness Committees, and approve candidates for admission. Each applicant for admission completes an application packet that includes an admission questionnaire, two good moral character affidavits, employment affidavits and law school certificates. The Appellate Divisions have the right to request additional information. All applicants for admission attend a personal interview with a member of the Character and Fitness Committee prior to admission, which requires all applicants to travel to New York for the interview. If the Character and Fitness Committee discovers an issue affecting fitness, the Committee can further investigate and conduct a hearing.

New York tests a vast number of candidates each year – more than 15,000 in 2011 — or approximately 20% of all the candidates taking a bar examination in the United States each year. The number of candidates seeking admission to practice in New York has grown steadily and New York now tests more foreign-educated candidates than any other jurisdiction in the country. In 2011, 70% of the candidate pool was educated in the United States and 30% were foreign educated. New York tested 80% of all foreign-educated candidates who took an American bar examination in 2011. This pool of foreign-educated candidates is a reflection of New York State's prominence in international finance and trade and, as a result, admission to the New York bar is a highly sought credential in international legal circles. It is important when developing a rule that deals with bar admissions to recognize that more than half of the candidates taking the New York bar examination are not graduates of New York's 15 law schools. In 2011, New York tested more than 10,500 graduates from 188 American law schools in 49 states, and more out-of-state law

graduates took the examination than graduates of New York's law schools. Add to that figure the more than 4,400 foreign-educated pool of test-takers from 122 foreign countries, and it is obvious that any proposal dealing with bar admissions must take serious account of the diverse composition of the annual pool of candidates for bar admission in New York.

Recommendations and Conclusions

AS CHIEF JUDGE LIPPMAN EMPHASIZED IN HIS LAW DAY 2012 ADDRESS announcing this pro bono initiative:

> "Those who are privileged to call ourselves lawyers have a special duty as the gatekeepers of justice to participate in preserving what we hold so dear….It is the legal profession's commitment to equal justice and to the practice of law as a higher calling that has made service to others an intrinsic part of our legal culture. …. "

Consistent with Chief Judge Lippman's aspirations, we recommend the 50-hour requirement inculcate law students with core values of the legal profession through qualifying law-related work (i) in the traditional pro bono areas of legal services for the poor and unrepresented, (ii) in the traditional areas of public service throughout the levels of federal, state and local government and the judiciary, and (iii) in the service of not-for-profit institutions.

Our proposed definition of the nature of law-related work qualifying for the 50-hour requirement is consciously inclusive. Beyond the traditional area of pro bono service to those unrepresented in our society, we have chosen as an Advisory Committee to recommend that essentially law-related work performed in government and the judiciary qualify, as well as work for not-for-profit organizations. We recognize that in the national pro bono community there are numerous definitions of the concept of "pro bono." Law schools requiring a certain threshold of pro bono service for graduation, or for conferring a graduation prize for pro bono service, have distinct — and laudable — reasons for encouraging pro bono work for the poor and unrepresented where there is such a crisis in need. Many law firms in New York and around the country have aspirational goals for the performance of certain levels of pro bono service and, for that work, the Association of Pro Bono Counsel uses a nuanced definition from the Pro Bono Institute that also draws a certain line in defining what qualifies as pro bono service for practicing attorneys, which we should consider for government-related work.

There is no dispute that the poor and unrepresented who cannot afford a lawyer present the quintessential client for pro bono work. As Chief Judge Lippman noted in his Law Day 2012 speech,

> "The critical need for legal services for the poor, the working poor and what has recently been described as the near poor could not be more evident."

A prime objective of Chief Judge Lippman's initiative is to use the collective value of these hours to bridge the gap in representation for these low-income families and individuals and organizations that serve this population in our society.

But, Chief Judge Lippman's Law Day 2012 remarks go a step further and identify the need to impress upon law students "the conviction that serving the public is an essential component of our professional identity as lawyers." The public interest is served by government; it is served by government at all levels and in all agencies. Political philosophy aside, there should be no higher aspiration for a lawyer than to work in the public interest in one way or another, and thus as an Advisory Committee we believe that the definition of pro bono service by law students and law graduates should necessarily include *law-related work* that a law student can perform in the government arena. (We are, however, of the view that partisan political work should not qualify.) Similarly, it is not disputed that not-for-profit organizations are constrained by resources and are working for the improvement of their respective aspect of society. We see the 50-hour rule as encouraging law students to understand the many different roles that a lawyer can perform in society. If a law student can have a positive experience before becoming a lawyer in working in any area that would serve the public interest, then we believe that it will encourage participation on a volunteer basis when that student becomes a member of the bar. In addition to these valid policy reasons for an inclusive definition of qualifying work, we recognize the practical impact of thousands of law students performing this kind of work for the first time as a prerequisite for admission to the New York bar.

Specific Recommendations

A. Qualifying work must be law-related

We urge that the qualifying work must be *law-related;* that is, law students should be required to use the legal skills acquired through legal education so that as prospective lawyers they will learn the many ways in which it is possible to contribute to the public good as a practicing lawyer. While we admire law students who contribute time to building a home for Habitat for Humanity or working in a soup kitchen for the needy, the 50-hour requirement is intended to build new generations of lawyers who see a role for lawyers throughout their careers in the public interest, either in full- or part-time employment or through volunteer activities. Recognizing that only those admitted to practice law can actually provide legal services and legal representation, we emphasize that law students will be using those legal skills that are appropriate to their status and the rules should require that such work be performed under the supervision of practicing lawyers, of a law school program or other suitable legal oversight.

B. Law-related work can be performed in law school or in an employment setting so long as completed before application for bar admission

We recommend that the *law-related work* qualifying for this requirement can be performed (i) as part of a law school clinical program (whether the student receives law school credit or not), (ii) as part of summer or part-time employment (whether that employment provides the student with a stipend or a salary), (iii) during the course of law school in an intern /externship (whether the student receives a stipend or salary); (iv) during the course of law school in a qualified setting not associated with a law school; or (v) during the course of full-time or part-time employment after graduation if that employment otherwise qualifies as pro bono work or public service, as

defined in these recommendations. The Advisory Committee heard the debate from those who favor/disfavor allowing law school credit programs as qualifying work and has concluded that some of the finest programs with intense supervision that provide legal training in the public interest are the clinical programs operated by law schools. Participation in such programs should be encouraged. Moreover, were we to disallow enrollment in qualifying clinical programs, we would be significantly reducing the supply of opportunities available to law students to satisfy this requirement. It is important to note that these particular requirements have the unanimous support of the New York's law school community.

C. Requirement is effective now for first- and second-year law students

As Chief Judge Lippman declared in his Law Day 2012 speech, there is a "crisis" of need for legal services for the poor and unrepresented in New York State and elsewhere. Legal services providers and many others support the proposition that the immediate, additional support of qualifying work by law students would be a positive outcome both for their clients and their organizations, and would help to ease this crisis. For this reason, consistent with Chief Judge Lippman's announcement, we recommend that the pro bono requirement be effective immediately for those entering their first year and second year of law school.

However, we are persuaded that the administrative burden to provide all law students graduating nine months from this date with adequate and meaningful opportunities to comply with the new rule places too much of a strain on the law schools and their senior classes to apply the requirement to those presently entering their final year of legal study. Law students themselves need to gather information about qualifying opportunities. By the time this Report is issued, classes will have begun for the Class of 2013; schedules for many are set for the entire year; and law school budgets are already in place that otherwise could provide further administrative assistance to students. Given that current one-year LL.M. candidates may have started their programs, it would be impossible for them to have had prior notice of the commencement of the 50-hour requirement. By the same token, legal services programs need to determine the quantity of students they can adequately supervise. The organized bar needs to publicize the need for lawyers engaged in pro bono work to offer to provide qualifying work for students. In addition, we appreciate that the Appellate Divisions also must prepare to administer the requirement.

Accordingly, we recommend that the rule commence with the law school graduation classes of 2014 and thus, those seeking admission to the bar after January 1, 2015 will need to demonstrate compliance with the 50-hour pro bono requirement. Law school graduates of earlier years who apply for admission after January 1, 2015 will also need to comply with the rule. This proposed schedule has the unanimous support of all New York's law schools.

D. Qualifying work can be performed outside New York

We recommend that qualifying law-related work be allowed to be performed anywhere in the United States or in a foreign country. First, as we have pointed out, approximately one-third of those individuals sitting for the bar examination in New York attend an ABA-accredited law school outside our state. Many of those law schools provide similar clinical programs and public interest opportunities for students comparable to those at New York's 15 law schools. Some of them have

been leaders in developing pro bono curricula in their jurisdictions. We have benefited from input from a number of these law schools who have urged that qualifying work be permitted in their law schools. We see no valid reason to provide otherwise. Second, at least one-third of the prospective lawyer candidates that sat for the New York State bar examination in 2011 were foreign educated. Some received their entire legal education outside the United States, while others were matriculated in one-year LL.M. programs offered at American law schools. It would be inequitable to impose a more lenient, or more stringent, requirement on these candidates for admission to the bar. These applicants come from more than 120 countries and some of these countries have their own requirements for pro bono service. We understand from administrators of LL.M. programs that a number of these foreign-educated students will have pro bono opportunities available in their home countries that will meet the criteria that this rule will establish, and of course, there are opportunities in the United States during and after their LL.M. courses of study that these candidates can avail themselves of. We therefore propose that the 50-hour requirement apply to *all* applicants to the New York bar (except admission-on-motion candidates) and that qualifying work may occur in another state or country. But, we further recommend that the Affidavit of Compliance for the pro bono requirement provide for more detail on the circumstances where the work is performed outside the United States, because the Character and Fitness Committees at the Appellate Divisions are likely to be unfamiliar with pro bono opportunities outside the United States.

E. Mandatory supervision is essential

The Advisory Committee thoroughly explored the issue of supervision. We are mindful that the individuals complying with this proposed rule will most likely be law students, not admitted practicing lawyers, and that in its Judiciary Law, New York State, like all jurisdictions, forbids the unauthorized practice of law. At the same time, we are of the view that for this requirement to be a valuable learning experience, the qualifying *law-related work* must be supervised. As we point out in other sections of this Report, one of the principles underlying this requirement is to expose law students to the professional value of volunteering for pro bono work and performing government service. An essential aspect of that experience is the opportunity to perform this law-related work in legal environments where there is exposure to competent practicing lawyers. Clinical programs, legal services providers and their programs, and government law offices all present the kind of legal environments that we believe will maximize the value of this experience. Equally important is the need for the supervisor to appreciate the value of that role. Thus, we recommend that the Affidavit of Compliance form (discussed more fully below) provide for the signature of the supervisor, along with a telephone number and email address. In this way, there will be a recognition on the part of the supervisor, as well as the applicant, that the work is to be completed under supervision. If there is more than one location in which the 50 hours were completed, a separate form should be required for each such location or project. No application for bar admission should be accepted without the appropriate supervisor certification.

We make a special point of the role that the organized bar can play here. Practicing lawyers supervising this qualifying work have an important mentoring function. We encourage the organized bar through its young lawyer and pro bono sections to create programs that assist legal services providers and law schools in implementing this rule.

F. Qualifying work is an essential part of education and should not be deferred until after admission

The Committee gave serious consideration to the requests from interested parties to allow deferral of the 50-hour pro bono requirement until the first or second year of practice after admission. Although this would extend the time for compliance, the Committee determined that this recommendation was not feasible and would result in inequities among applicants for admission. A considerable number of candidates who take the New York bar examination, particularly those from foreign jurisdictions, are interested in acquiring New York admission solely as a credential — they do not intend to practice in New York. But there is no way of distinguishing between those candidates who intend to practice in New York from those who have no plans of returning to New York after securing admission. Hence, the adoption of a deferral option would result in an undetermined number of applicants for admission claiming that they will fulfill the pro bono requirements during the deferral period, but New York will not be able to enforce the rule if these individuals move to other states or return to home countries. This then creates an inequality in the bar admissions process that would be virtually impossible to avoid.

More importantly, the deferral proposal not only would impose a new and impractical administrative burden on the Appellate Divisions but also raises the difficult question of appropriate enforcement. If satisfaction of the pro bono requirement is allowed to be deferred post-admission, should delinquent attorneys be referred for disciplinary action? A reprimand, censure or other penalty would damage their fledgling professional reputations and would not serve the laudable aim of stimulating the growth of volunteer pro bono legal services by attorneys admitted to practice. The Committee is further aware of the opposition of many bar associations throughout the country to mandatory pro bono requirements for the practicing bar. For all these reasons, the Committee has decided to recommend as a bright-line rule that the pro bono requirement be completed at the time an applicant's admission packet is submitted to the appropriate Appellate Division. The rule is then easy to understand, becomes a component of training for the legal profession and is capable of administration consistent with the other aspects of the admission process.

The Proposed 50-Hour Rule

CONSISTENT WITH THE FOREGOING DISCUSSION, THE ADVISORY COMMITTEE RECOMMENDS the following definition for qualifying law-related work for admission to the New York bar:

For purposes of the requirement for admission to the New York bar, qualifying work consists of pre-bar-admission activities that are:

1. law-related, which means that knowledge of the law or the exercise of legal skills is required to perform the activities; and

2. performed under the supervision of: (a) a member of the law school faculty or a law school instructor, or (b) an attorney admitted to practice and in good standing with the bar in the jurisdiction in which the work is performed, or (c) in the case of a clerkship or externship in a court system, by a judge or an attorney employed by the court system;

3. provided that such activities involve:

- **a.** assisting in the provision of legal services without charge (i) to persons of limited means or (ii) to not-for-profit organizations in matters that are designed primarily to address the needs of persons of limited means; or
- **b.** assisting in the provision of legal assistance without charge to individuals, groups, or not-for-profit organizations seeking to secure or promote access to justice, including but not limited to the protection of civil rights, civil liberties or public rights; or
- **c.** assisting in the provision of legal assistance without charge to not-for-profit organizations qualified under Internal Revenue Code, Section 501(c)(3); or
- **d.** providing legal services that are authorized and approved pursuant to (a) Section 484 of the New York Judiciary Law regarding practice by students and recent but unadmitted law graduates or (b) equivalent legal authority in the jurisdiction in which the services are performed; or
- **e.** assisting in the provision of legal assistance in public service for (a) a judicial, legislative, executive or other governmental entity at the federal, state, county or local level, or (b) a federal, state or local judge, or an administrative judge; or
- **f.** full-time or part-time employment in any of the circumstances that would otherwise be permitted as defined in paragraphs (a) through (e) above.

Affidavit and Certification of Compliance

ATTACHED AS AN APPENDIX "A" TO THIS REPORT IS A PROPOSED AFFIDAVIT OF COMPLIANCE, which we suggest should become part of the Application for Admission to Practice as an Attorney and Counselor-At-Law in the State of New York that all applicants for bar admission in New York must complete and file with the respective Appellate Division. First, all 15 New York law schools were unanimous in preferring not to have the administrative burden of maintaining the relevant records for their students and graduates. Accordingly, we recommend that each law student should be held responsible for his/her own compliance. Second, if all 50 hours of the requirement are met in one legal environment or one program, only one form will be necessary. If an applicant has qualified for the 50 hours in multiple settings, one form for each setting will be required. Finally, each Affidavit will set forth the identification of the client/organization/legal services provider/governmental entity under which the law-related work was provided; the dates/time period within which such work was performed; and a description of the actual work. **Each form must be signed and verified under penalty of perjury by the applicant.** Each Affidavit of Compliance must also include a certification by the applicant's supervisor verifying performance of the work. As with other documents provided in the Application, we would expect that the circumstances of the qualifying law-related work will be the subject of applicant interviews with the Appellate Division Character and Fitness Committees.

Continuity of implementation

THIS PROPOSED NEW RULE WILL HAVE NO MODEL IN THE NATION. We commend the Chief Judge for making New York State an exemplar to the legal profession and the nation in encouraging pro bono service for our profession by requiring a reasonable number of hours in pro bono work as a prerequisite to admission to the New York bar. Having acknowledged that this is a groundbreaking proposal, we recognize that the scope and implementation of the rule will require further assistance, and, perhaps, future revision. For this reason, it is our view that the Advisory Committee should continue in existence for two years during which time we can provide assistance and evaluate the experiences of law students, the law schools and those providing the legal environments in which the 50-hour requirement will be performed.

Appendix A:

Form of Affidavit of Compliance

APPLICATION FOR ADMISSION TO PRACTICE AS AN ATTORNEY AND COUNSELOR-AT-LAW IN THE STATE OF NEW YORK

FORM AFFIDAVIT AS TO APPLICANT'S COMPLIANCE WITH THE PRO BONO REQUIREMENTS, INCLUDING CERTIFICATION BY SUPERVISOR

INSTRUCTIONS

All applicants for admission to practice as attorneys in New York State must complete at least 50 hours of law-related pro bono work as defined and required by Court of Appeals Rule § 520.16 prior to being admitted. Applicant must submit a form affidavit for each pro bono project that applicant is using to satisfy the 50-hour requirement and must secure the certification of the individual who supervised each project. All applicants should refer to the Frequently Asked Questions about Pro Bono Requirements (available at www.nycourts.gov/attorneys/probono/baradmissionreqs.shtml) for further information about qualifying work.

PLEASE PRINT OR TYPE THIS FORM

To Be Certified Under Oath By Applicant:

NAME OF APPLICANT

ADDRESS OF APPLICANT

CITY / TOWN / VILLAGE

STATE ZIP COUNTRY *(if not USA)*

NAME OF ORGANIZATION/DEPARTMENT WHERE PRO BONO EXPERIENCE WAS COMPLETED

SUPERVISING ATTORNEY

ORGANIZATION/DEPARTMENT ADDRESS

STATE ZIP COUNTRY *(if not USA)*

ORGANIZATION PHONE ORGANIZATION E-MAIL

DATES OF SERVICE: **From** *(mm/dd/yyyy)*: ____/____/_____ **To** *(mm/dd/yyyy)*:____/____/_____

NUMBER OF HOURS COMPLETED: _____.

INDICATE CATEGORY OF SERVICE by checking appropriate box below:

☐ **Legal Services Provider** ☐ **Government Service** ☐ **Law School Sponsored Program** ☐ **Other**

All applicants must provide a description of the nature of the pro bono work completed. If applicant performed the pro bono work outside the United States, complete details must be included about the type of work performed, the nature of the program and where the work was performed. *(Attach additional sheets if needed.)*

STATE (Country) OF: _____)

_____) ss.:

COUNTY (City) OF: _____)

I *(name of applicant)*, _____, SWEAR (OR AFFIRM) that the foregoing information is true and accurate to the best of my knowledge.

Signature of Applicant: _____

Print Name: _____

Subscribed and sworn to or affirmed before me this

_____ day of _____ in the year 20_____.

_____

Notary Public
(Affix seal or stamp.)

(If this afffidavit is sworn to outside the United States, its commonwealths, territories or possessions, attach a certificate of the attesting officer's authority.)

To Be Completed By Supervisor:

SUPERVISOR CERTIFICATION

I HEREBY CERTIFY (a) that I have read the foregoing Affidavit of Compliance and (b) that the applicant has accurately described the circumstances, timing and nature of the pro bono work described therein.

▾ ATTORNEY SIGNATURE ▾ PRINT ATTORNEY NAME ▾ DATE

▾ ATTORNEY TITLE

▾ ATTORNEY EMPLOYER:

▾ JURISDICTION WHERE ADMITTED TO PRACTICE LAW:

▾ E-MAIL ADDRESS ▾ TELEPHONE

▾ COMMENTS (*if further explanation is necessary)*