

JOINT ORDER OF THE APPELLATE DIVISION

The Departments of the Appellate Division of the Supreme Court, pursuant to the authority invested in them, do hereby amend, effective December 20, 2012, Rule 4.2 of Part 1200 of Title 22 of the Official Compilation of Codes, Rules and Regulations of the State of New York, entitled "Rules of Professional Conduct," as follows:

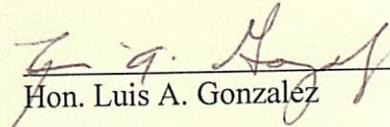
Rule 4.2

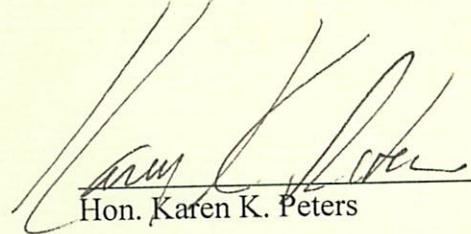
Communication with Person Represented by Counsel

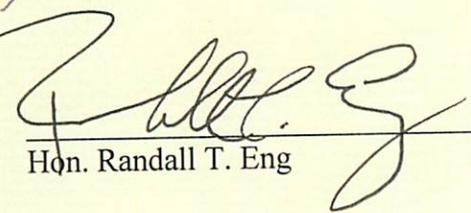
(a) In representing a client, a lawyer shall not communicate or cause another to communicate about the subject of the representation with a party the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the prior consent of the other lawyer or is authorized to do so by law.

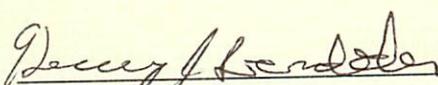
(b) Notwithstanding the prohibitions of paragraph (a), and unless otherwise prohibited by law, a lawyer may cause a client to communicate with a represented person unless the represented person is not legally competent, and may counsel the client with respect to those communications, provided the lawyer gives reasonable advance notice to the represented person's counsel that such communications will be taking place.

(c) A lawyer who is acting *pro se* or is represented by counsel in a matter is subject to paragraph (a), but may communicate with a represented person, unless otherwise prohibited by law and unless the represented person is not legally competent, provided the lawyer or the lawyer's counsel gives reasonable advance notice to the represented person's counsel that such communications will be taking place.


Hon. Luis A. Gonzalez


Hon. Karen K. Peters


Hon. Randall T. Eng


Hon. Henry J. Scudder

Dated: December 20, 2012