

ATTORNEY ADMISSIONS OFFICE
APPELLATE DIVISION, THIRD DEPARTMENT
ANNUAL REPORT FOR 2017

Admissions on Exam and on Motion

The Appellate Division, Third Department admits applicants to practice as attorneys and counselors-at-law who have taken and passed the New York bar examination¹ or who are qualified for admission on motion without examination² and who have been certified for admission to the Third Department by the New York State Board of Law Examiners (see Judiciary Law § 90 [1] [a], [b]; Rules of Ct of Appeals [22 NYCRR] § 520.7; Rules of App Div, 3d Dept [22 NYCRR] § 805.1). Applicants certified to the Appellate Division, Third Department include (1) applicants who reside in the Third Department, (2) applicants employed full time in the Third Department if they are not residents in New York State, and (3) applicants who do not reside and are not employed full time in New York State (i.e., applicants from other states and countries).

In 2017, the Appellate Division, Third Department admitted 3,162 applicants to the New York bar. The Third Department's highest number was 4,171 in 2014. Over the five-year period from 2013 through 2017, annual admissions averaged 3,677.

The number admitted on exam in 2017 was 2,728, or 86% of the total. The number admitted on motion was 434, or 14% of the total. These percentages have remained similar over the past several years. The number includes 21 pro bono scholars (see 22 NYCRR 520.17).

New Jersey continues to generate the most applicants admitted from any other jurisdiction. In 2017, the Third Department admitted 458 applicants listing New Jersey as their

¹ In 2016, the Court of Appeals adopted the Uniform Bar Examination (UBE), first administered in New York in July 2016. To be certified for admission on examination by the New York State Board of Law Examiners, an applicant must have passed the UBE and the Multistate Professional Responsibility Examination (MPRE), completed the online New York Law Course (NYLC), and passed the online New York Law Examination (NYLE).

² To be admitted on motion without examination in New York, an applicant must show, among other things, current admission in a reciprocal jurisdiction, i.e., a jurisdiction that would similarly admit a member of the New York bar to its bar on motion without examination (see Judiciary Law § 90 [1] [b]; Rules of Ct of Appeals [22 NYCRR] § 520.10 [a] [1] [iii]). There are 39 states and the District of Columbia on the list of reciprocal jurisdictions (a copy of the current list is available on the website of the New York State Board of Law Examiners, www.nybarexam.org).

current address (14% of total admissions). The all-time high for New Jersey was 712 in 2011.

Other jurisdictions boasting over 50 admissions in 2017 included the District of Columbia (232), California (148), Massachusetts (122), Florida (97), Pennsylvania (90), Connecticut (81), Virginia (77), Texas (63), Illinois (62) and Maryland (56). These are the jurisdictions that usually boast large numbers of applicants. Many of the jurisdictions either border New York or are part of the D.C./Maryland/Virginia area (365 admittees).

In 2017, 798 admittees gave current addresses in foreign countries. The all-time high was 1,084 in 2014. Ten years ago, in 2008, the number was 584. In 2017, foreign applicants represented 65 countries, including China/Hong Kong (249 [Hong Kong alone: 47]), the United Kingdom (91), South Korea (66), Japan (64), Canada (63) and France (50).

In 2017, 544 admittees gave current New York State addresses (17% of 2017 admissions).

The Third Department admitted 537 applicants at a ceremony in January 2017 (17% of the annual total) and 599 applicants at a ceremony in June 2017 (19%) (total percentage admitted at the two ceremonies was about 36%). The remaining 10 monthly admissions in 2017 averaged 202.

Pro Hac Vice and Law Interns

One person, not included in the above totals, was admitted pro hac vice in 2017 (see Rules of App Div, 3d Dept [22 NYCRR] § 805.3 [b]). Thus, total admissions in 2017, on exam, on motion and pro hac vice, equaled 3,163. The Third Department also issued 9 law intern program orders and 260 law intern orders in 2017 (see Rules of App Div, 3d Dept [22 NYCRR] § 805.5).

In-House Counsel Registration

In 2011, the Court of Appeals promulgated a rule authorizing in-house counsel registration (see Rules of Ct of Appeals [22 NYCRR] part 522). The registration applications are submitted to the Appellate Divisions according to the applicant's residence and/or employment. If approved, the in-house counsel registers with the Office of Court Administration. In 2017, the Third Department processed 16 such registrations.

Legal Consultants and Advance Rulings

The Third Department issued no legal consultant licenses (see Rules of App Div, 3d Dept [22 NYCRR] § 805.4) or advance rulings (see Rules of App Div, 3d Dept [22 NYCRR] § 805.1 [o]) in 2017.

January and June Ceremonies

As noted above, the Third Department presided over large admissions ceremonies in the Empire State Plaza Convention Center in January and June 2017. On January 19, 2017, the Third Department admitted 537 attorneys. The formal remarks were delivered by Hon. Jenny Rivera, Associate Judge, New York State Court of Appeals. On June 25, 2017, the Third Department admitted 599 applicants. The formal remarks were delivered by Hon. Michael J. Garcia, Associate Judge, New York State Court of Appeals.

Character and Fitness Committees

Membership of Committee on Character and Fitness

The Court appoints members to the Committees on Character and Fitness for five-year terms, renewable for one additional five-year term. A roster of the current members of the Committees is available on the Court's website.

Third Judicial District Committee

In 2017, the Court appointed Laura M. Jordan, Albany, as Chairperson of the Committee.

In 2017, the Court appointed the following attorneys to the Committee: Cara J. Brousseau, Slingerlands; Craig M. Crist, East Greenbush; April M. Dalbec, Albany; David Gandin, Poughkeepsie; Jacquelyn A. Hadam, Latham; Melissa A. Manna-Williams, Marlboro; Kelly J. Mikullitz, Albany; John A. Musacchio, Albany; Whitney M. Phelps, Albany; Carol Pressman, High Falls; Sandra D. Rivera, Albany; Tiffinay M. Rutnik, Voorheesville; and Philip C. Steck, Albany.

The membership of the following Committee members expired in 2017: David C. Brennan, Michael A. Costello (chairperson), Michelle A. Crew, Cynthia Feathers, George Stephen Hamilton, Matthew C. Hug, Michael L. Koenig, Lisa LeCours, Henry J. Nahal, Greg T. Rinckey, Peter J. Ryan, Mark D. Sanza, Eugene N. Sarfoh, Christopher M. Scaringe, Edward J.

Trombly, E. Gray Watkins and Lisa A. Wilkinson.

Fourth Judicial District Committee

In 2017, the Court appointed the following attorneys to the Committee: Zainab A. Chaudhry, Albany; Paul B. Harding, Albany; Jill E. O'Sullivan, Lake George; and Jorge A. Rodriguez, Clifton Park.

The membership of the following Committee members expired in 2017: Karen A. Heggen and Edward Kowalewski Jr.

Sixth Judicial District Committee

In 2017, the Court appointed the following attorneys to the Committee: Tahirah H. Clark, Hancock; and Sharon M. Sulimowicz, Ithaca.

The membership of the following Committee members expired in 2017: Weeden A. Wetmore and Mark B. Wheeler.

* * *

The Admissions Office provides an orientation package to newly-appointed members of the Character and Fitness Committees. In addition, the Admissions Office requests that new members audit an interview session before conducting interviews on their own.

Committee Procedures

Every applicant for admission must submit a written application and every applicant, prior to admission, is personally interviewed by a member of the Committees on Character and Fitness (see Rules of App Div, 3d Dept [22 NYCRR] § 805.1). In addition, as warranted, Committee members conduct subcommittee interviews of applicants and hold formal hearings on applications.

In 2017, the Court issued two decisions regarding applications for admission: Matter of Anonymous (152 AD3d 1046 [July 20, 2017]) and Matter of DeMaria (154 AD3d 1161 [October 19, 2017]).

Staff

The Admissions Office is staffed by Daniel C. Brennan, Esq., Michael Clarke, Esq., Chiara Contreras, Tim Carey, Laurel Kurashige and Lisa Chrysler.

Certificates of Good Standing

Each new attorney is provided a certificate of good standing when admitted at no cost. Admitted attorneys may request additional certificates of good standing (\$10 each) and fancy embossed certificates (\$25 each). In 2017, the Admissions Office processed requests for 8,934 additional certificates of good standing. Beginning in 2016, with the Court's approval, the Award Group in New York City now processes requests for and prepares embossed wall certificates of admission.

Website

The Admissions Office has a page on the Third Department's website. Applicants can view and download the Court's attorney admission rules and forms and link to other relevant sites, such as the Court of Appeals, the Unified Court System (including attorney registration), the New York State Bar Association and the New York State Board of Law Examiners.

Advisory Committee on Admission of Attorneys

The Advisory Committee on Admission of Attorneys is composed of Judges and relevant personnel from the Court of Appeals, the State Board of Law Examiners and the Appellate Divisions. It is chaired by Diane Bosse, Esq., Chair of the State Board of Law Examiners. Hon. Michael Lynch is the Third Department's representative to the Committee. The Clerk of the Court (or his designee) also usually attends meetings. The Committee last met in June 2017.

The Committee's agenda includes implementation of the new Court of Appeals rule on the skills competency requirement (see Rules of Ct of Appeals [22 NYCRR] § 520.18) and electronic filing.

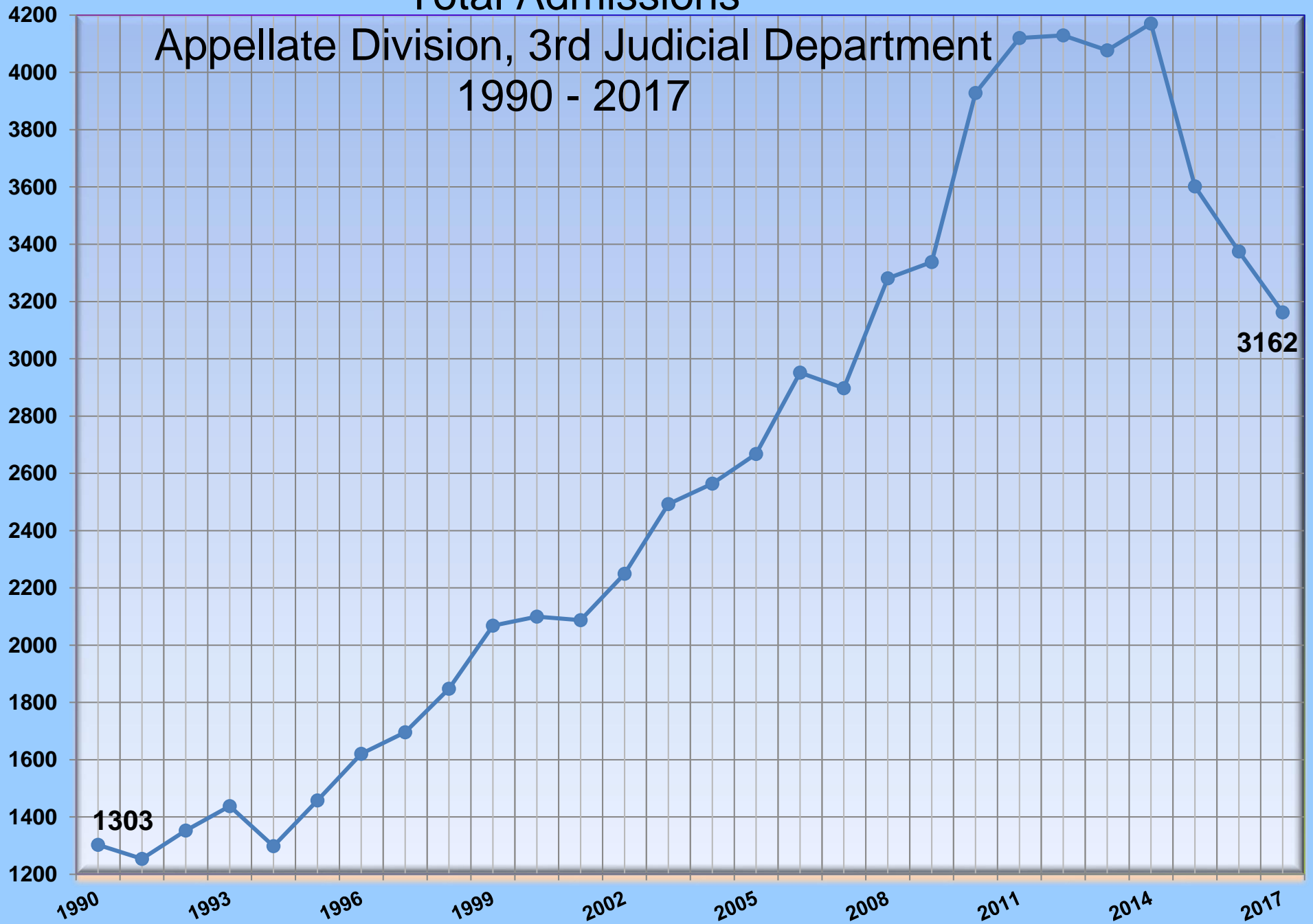
Several summary charts are attached.

Submitted by Daniel C. Brennan, Esq.
February 2018

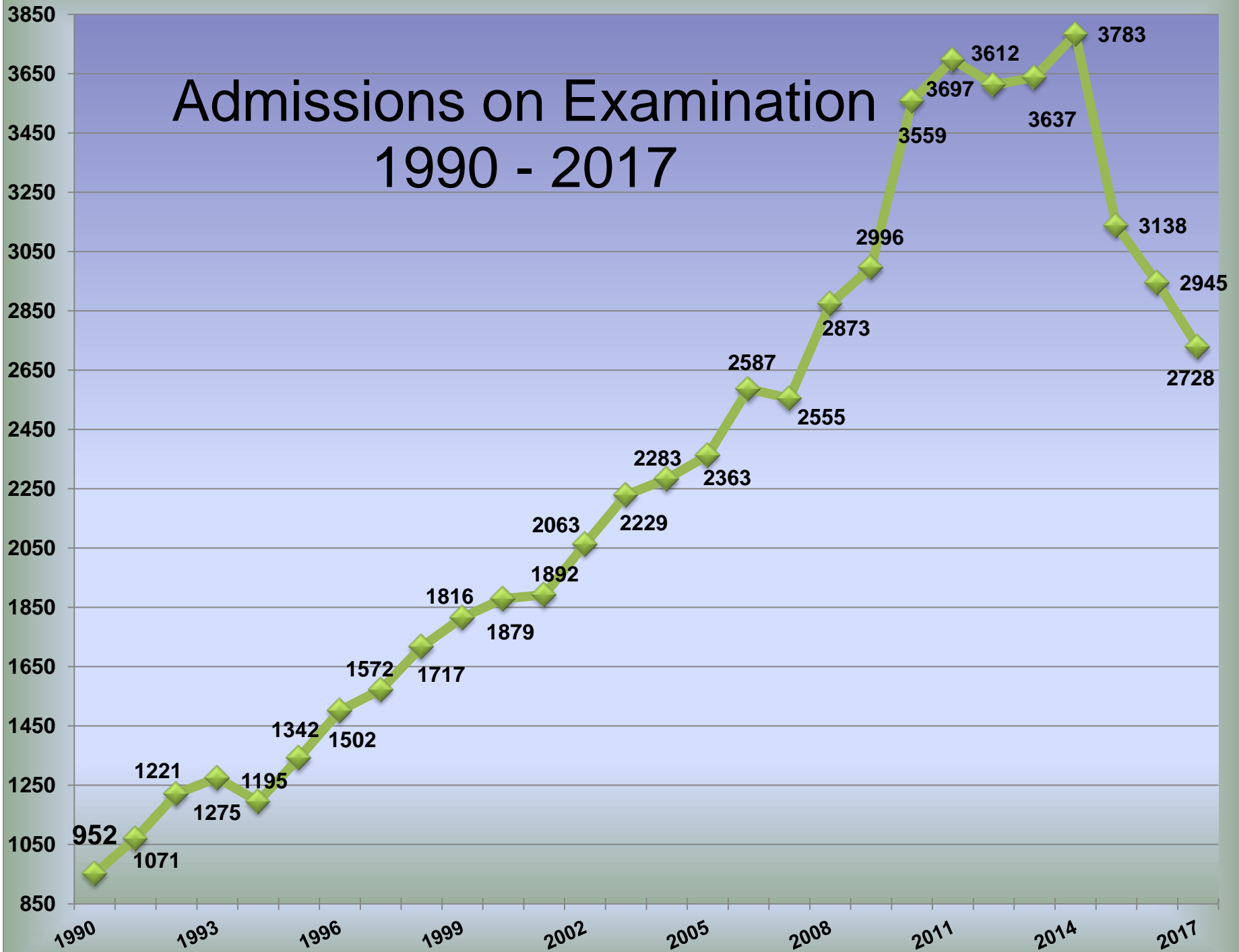
Total Admissions

Appellate Division, 3rd Judicial Department

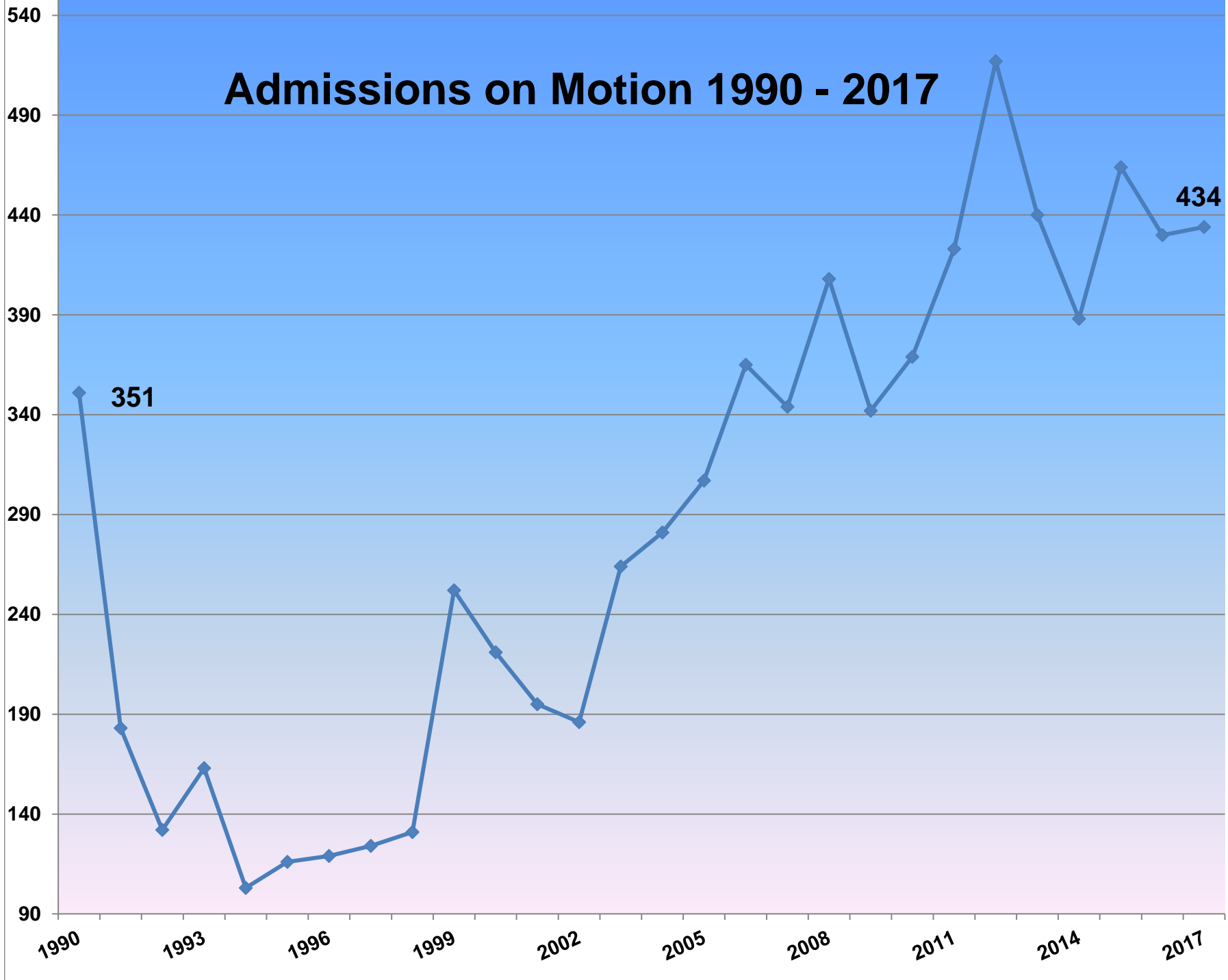
1990 - 2017



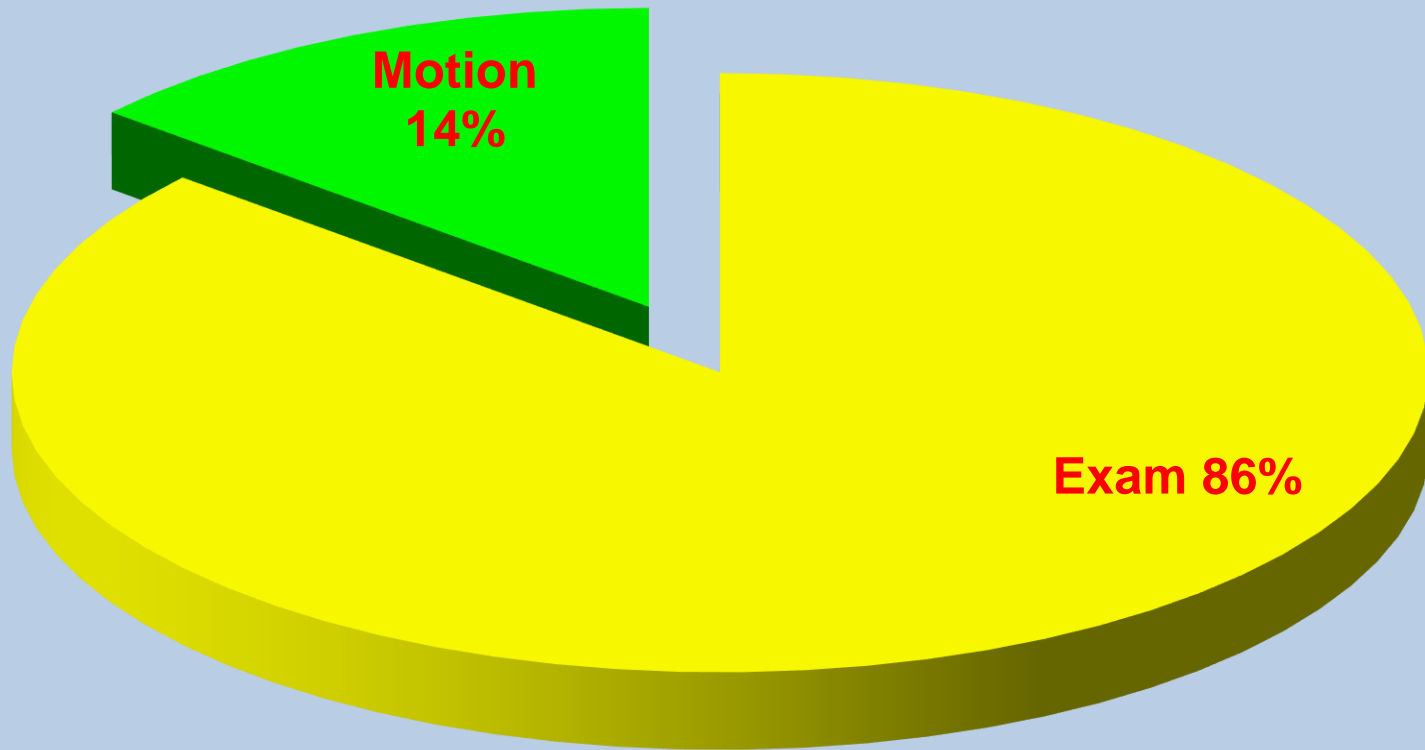
Admissions on Examination 1990 - 2017



Admissions on Motion 1990 - 2017



Admissions 2017



Admissions 2017

