

At a Term of the Appellate Division of the Supreme Court in and for the Third Judicial Department, held in the City of Albany, State of New York, commencing on the 8th day of February, 2016.

PRESENT:

HON. KAREN K. PETERS,
Presiding Justice,
HON. WILLIAM E. McCARTHY,
HON. ELIZABETH A. GARRY,
HON. JOHN C. EGAN JR.,
HON. ROBERT S. ROSE,
HON. MICHAEL C. LYNCH,
HON. EUGENE P. DEVINE,
HON. CHRISTINE M. CLARK,
Associate Justices.

In the Matter of the Amendment of the Rules Governing the Admission of Attorneys of the Supreme Court, Appellate Division, Third Judicial Department.

ORDER

Pursuant to the authority conferred upon this Court by law, it is

ORDERED that, effective June 30, 2016, subdivision (b) of the Rules of the Appellate Division, Third Department (22 NYCRR) § 805.5 is hereby amended to read as follows:

(b) **Authorized activities.** Law students who have completed at least two semesters of law school and law school graduates appointed as law interns are authorized to engage in the following activities:

(1) in the Appellate Division, Third Department, to prepare briefs and memoranda of law and, upon prior approval of the court and when under immediate supervision of a supervising attorney, to argue appeals and motions in both civil and criminal actions and proceedings;

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(2) in criminal matters, in superior courts, when under ~~general~~ immediate supervision ~~of a supervising attorney~~, to render legal services at arraignments, bail applications, pleas, sentencings, preliminary hearings and post-conviction proceedings, including appeals;

(3) in criminal matters, in ~~inferior~~ local criminal courts, when under ~~general~~ immediate supervision, to render legal services at arraignments, bail applications, pleas, sentencings, preliminary hearings, post-conviction proceedings ~~and at nonjury trials in cases involving misdemeanors and lesser offenses; and, when under immediate supervision of a supervising attorney, at~~ and jury trials in cases involving misdemeanors;

(4) in noncriminal vehicle and traffic matters, in local criminal and justice courts, when under general supervision of a supervising attorney, to render legal services at arraignments, conferences, appearances, pleas and trials;

~~(4)~~ (5) in family court, when under ~~general~~ immediate supervision, to render legal services on motions and in ~~uncontested matters proceedings~~, and, when under general supervision of a supervising attorney, in uncontested matters ~~when under immediate supervision of a supervising attorney;~~

~~(5)~~ (6) in other civil actions and proceedings in or before any court or administrative agency, when under ~~general~~ immediate supervision, to render legal services ~~in on~~ motions and ~~in~~ uncontested matters, and, when under ~~immediate~~ general supervision ~~of a supervising attorney, in uncontested civil matters.~~ Appearances before Federal courts and State and Federal administrative agencies shall be subject to the rules and regulations of the particular court or agency involved.

DATED AND ENTERED: February 10, 2016



Hon. Karen K. Peters
Presiding Justice

APPELLATE DIVISION SUPREME COURT - THIRD DEPARTMENT
STATE OF NEW YORK

I, ROBERT D. MAYBERGER, Clerk of the Appellate Division of the Supreme Court
Third Judicial Department, do hereby certify that I have compared this copy
with the original thereof filed in said office on *2/11/2016* and
that the same is a correct transcript thereof and of the whole said original.
IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal
of this Court on *2/11/2016*

