



New York State Unified Court System

Office of the Administrative Judge • 3rd Judicial District

Hon. James P. Murphy
Deputy Chief Administrative Judge
for Courts Outside New York City

Hon. Gerald W. Connolly
Administrative Judge

Amelia Lepore Sessions
District Executive

Matt Schaefer
Deputy District Executive

April 1, 2024

Restructuring of the Pro Bono Assigned Counsel Program

Dear Counselors:

This letter serves to inform you that the Court system has worked to restructure the Pro Bono Assigned Counsel Program in Albany and Rensselaer Counties and write to ask for your support. It is the sincere belief of all involved in the operation of the Court system that the inability to afford private counsel should not impede one's access to justice. Your continued support will help to bridge the gap between the legal needs of the disadvantaged in our community and their ability to find counsel.

Going forward, the Program will operate on a voluntary basis, by allowing members of the matrimonial bar the ability to 'opt-in' to a pro bono case. A list will be curated and comprised of those attorneys within each County who are willing to volunteer and accept pro bono divorce cases on a revolving basis. The Court Clerks will update the list every year so that attorneys can be added or removed as requested.

Under the restructured Program, a financially eligible litigant in a contested matrimonial matter will simultaneously submit their Motion to Proceed as a Poor Person with a request for a pro bono counsel. The Court Clerk's Office in each County will together maintain the list of attorneys who have agreed to accept cases through the Program. For each new case, the Court Clerk's Office will contact the next attorney on the list to confirm his or her willingness to accept the assignment.

Please note that, despite agreeing to participate in this program, attorneys will have the option to decline a case when contacted and such decision will not be communicated to the Judge. Furthermore, you will have the opportunity to have a preliminary interview with the litigant before taking the assignment.

The Court system is dedicated to ensuring that those attorneys who 'opt-in' to accepting pro bono matrimonial cases through the Program are not at risk of an overly burdensome pro bono caseload. No attorney who has agreed to accept pro bono cases will be asked to receive more than two (2) cases in a given calendar year unless he or she consents to take additional cases.

Finally, it should be noted that the provisions of the Judiciary Law §35 still apply and may permit the assigned attorney to apply for fees related to the issues of custody, etc. In addition, the volunteer attorneys who are not newly admitted attorneys will be eligible to receive CLE credit in accordance with the NYS CLE Board Regulations and Guidelines.

If you have any questions about the restructuring of our Pro Bono Counsel Program or how to sign up, please contact David Cardona, Chief Clerk, Albany County Supreme Court for Albany County cases or Beth Muller, Chief Clerk, Rensselaer County Supreme Court for Rensselaer County cases. If you do wish to participate, please EMAIL David Cardona dcardona@nycourts.gov and/or Beth Muller bmuller@nycourts.gov , informing them that you are willing to accept assignments; or use the following sign-up link: <https://nycourts.questionpro.com/t/AOa50Z1wKu>

Thank you all for your consideration and commitment to providing pro bono assistance. We look forward to working with each of you going forward.

Sincerely,

Hon. Gerald W. Connolly
Administrative Judge, Third Judicial District

Hon. Christina Ryba
Supervising Judge of the Supreme Courts, Third Judicial District

Hon. Kimberly O'Connor
Acting Supreme Court Justice, Albany Supreme Court

