

ATTORNEY ADMISSIONS OFFICE
APPELLATE DIVISION, THIRD DEPARTMENT
ANNUAL REPORT FOR 2015

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 State Bar examination or who are qualified for admission on motion without examination 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, 3rd 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 2015, the Appellate Division, Third Department admitted 3,602 applicants to the New York State Bar. The Third Department's highest number was 4,171 in 2014. Over the five-year period from 2011 through 2015, annual admissions averaged 4,020. From 2006 to 2015 (a 10-year period), total admissions increased 22%, for an average increase of 2.2% per year.

The number admitted on exam in 2015 was 3,138, or 87% of the total. The number admitted on motion was 464, or 13% of the total.¹ These percentages have remained similar over the past several years. The percentages on exam and on motion in 2014 were 90.5% and 9.5%, respectively.

New Jersey continues to generate the most applicants admitted from any other

¹ 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 State 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 38 states and the District of Columbia on the list of reciprocal jurisdictions (copy of current list available on the website of the New York State Board of Law Examiners, www.nybarexam.org).

jurisdiction. In 2015, the Third Department admitted 587 applicants listing New Jersey as their current address (16.3% of total admissions). The all-time high for New Jersey was 712 in 2011.

Other jurisdictions boasting over 50 admissions in 2015 included Washington, D.C. (326), Massachusetts (179), California (140), Pennsylvania (130), Virginia (123), Connecticut (113), Florida (89), Maryland (87), Texas (68) and Illinois (64). 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 (536 admittees).

In 2014, 660 admittees gave current addresses in foreign countries. The all-time high was 1,084 in 2014. Ten years ago, in 2006, the number was 534. In 2015, foreign applicants represented 60 countries, including China/Hong Kong (138 [Hong Kong alone: 31]), United Kingdom (85), Canada (75), Japan (58), France (56) and South Korea (45). In 2014, 1,084 admittees gave current New York State addresses.

The Third Department admitted 742 applicants at a ceremony in January 2015 (20% of the annual total), 517 applicants at a ceremony in March 2015 (14.3% of the annual total), and 521 applicants at a ceremony in June 2015 (14.4%) (total percentage admitted at the three ceremonies was about 48.7%). The remaining seven monthly admissions in 2015 averaged 260.

Pro Hac Vice and Law Interns

One person, not included in the above totals, was admitted pro hac vice in 2015 (see Rules of App Div, 3rd Dept [22 NYCRR] § 805.3 [b]). Thus, total admissions in 2015, on exam, on motion and pro hac vice, equaled 3,603. The Third Department also issued 111 law intern orders in 2015 (see Rules of App Div, 3rd Dept [22 NYCRR] § 805.5).

Voluntary Nondisciplinary Resignations

One-hundred and twenty four (124) voluntary nondisciplinary resignations from the Bar were processed by the Third Department in 2015. The prior highest annual amount was 96 in 2013. Over the past 10 years (2006 through 2015), 80 such resignations have been processed on average per year. The 10-year average reported in 2014 was 75.

Three attorneys who voluntarily resigned were readmitted by the Third Department in 2015. All of the readmitted attorneys were interviewed and approved by a member of the

Committee on Character and Fitness prior to readmission.

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 2011, the first year, the Third Department approved 28 such applications. In 2015, there were six such registrations.

Legal Consultants and Advance Rulings

The Third Department issued no legal consultant licenses (see Rules of App Div, 3rd Dept [22 NYCRR] § 805.4) or advance rulings (see Rules of App Div, 3rd Dept [22 NYCRR] § 805.1 [o]) in 2015.

January, March and June Ceremonies

As noted above, the Third Department presided over large admissions ceremonies in the Empire State Plaza Convention Center in January, March and June 2015. On January 22, 2015, the Third Department admitted 742 attorneys. The formal remarks were delivered by A. Gail Prudenti, Chief Administrative Judge of the Courts. On March 12, 2015, the Third Department admitted 517 attorneys. The formal remarks were delivered by Hon. Leslie E. Stein, Associate Judge, Court of Appeals. On June 24, 2015, the Third Department admitted 521 applicants. The formal remarks were delivered by Glenn Lau-Kee, Esq., Immediate Past President, New York State Bar Association.

Character Committees

Membership of Committees on Character and Fitness

Attorneys are appointed 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 Third Department's website.

Third Judicial District Committee

In 2015, the Court appointed the following attorneys to the Committee: Anthony G. Buono, Valatie; Joseph K. Dier, Albany; Paul A. Feigenbaum, Albany; Michele McKay Gandy, Albany; and Donna L. Mackey, Slingerlands.

The Court reappointed the following Committee members to five-year terms in 2015: Bruce A. Bell, Albany; Shawn D. Flaherty, Albany; Michael L. Kinum, Albany; and Michael Philip Jr., West Sand Lake.

The membership of the following Committee members expired in 2015: Dianne C. Bresee, Christine M. Galvin, Majer H. Gold, Stehle Hetman, Leanora A. Kovacs, Edward D. Laird, Christopher R. Lyons, L. Michael Mackey, John T. Maloney and Eric H. Sills.

Fourth and Sixth Judicial District Committees

There were no changes in the membership of the Fourth and Sixth Judicial District Committees in 2015.

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The Admissions Office provides an orientation package to newly appointed members of the Character 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, 3rd Dept [22 NYCRR] § 805.1). In addition, as warranted, Committee members conduct subcommittee interviews of applicants and hold formal hearings on applications.

Staff

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

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 2015, the Admissions Office processed requests for 7,583 additional certificates of good standing (five-year average, 2011-2015: 7,951).

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. In 2015, it was chaired by Diane Bosse, Esq., Chair of the State Board of Law Examiners. Hon. Michael Lynch was the Third Department's representative to the Committee. The Clerk of the Court (or his designee) also usually attends meetings. It last met in July 2015. The Committee discussed the 50-hour pro bono requirement for admission on examination (see 22 NYCRR 520.16), the pro bono scholars program (this Court admitted 11 pro bono scholars in 2015, the first year for the program) (see 22 NYCRR 520.17), the three-year deadline for submission of applications for admission to the Appellate Division after passing the Bar exam (see 22 NYCRR 520.12), and electronic filing.

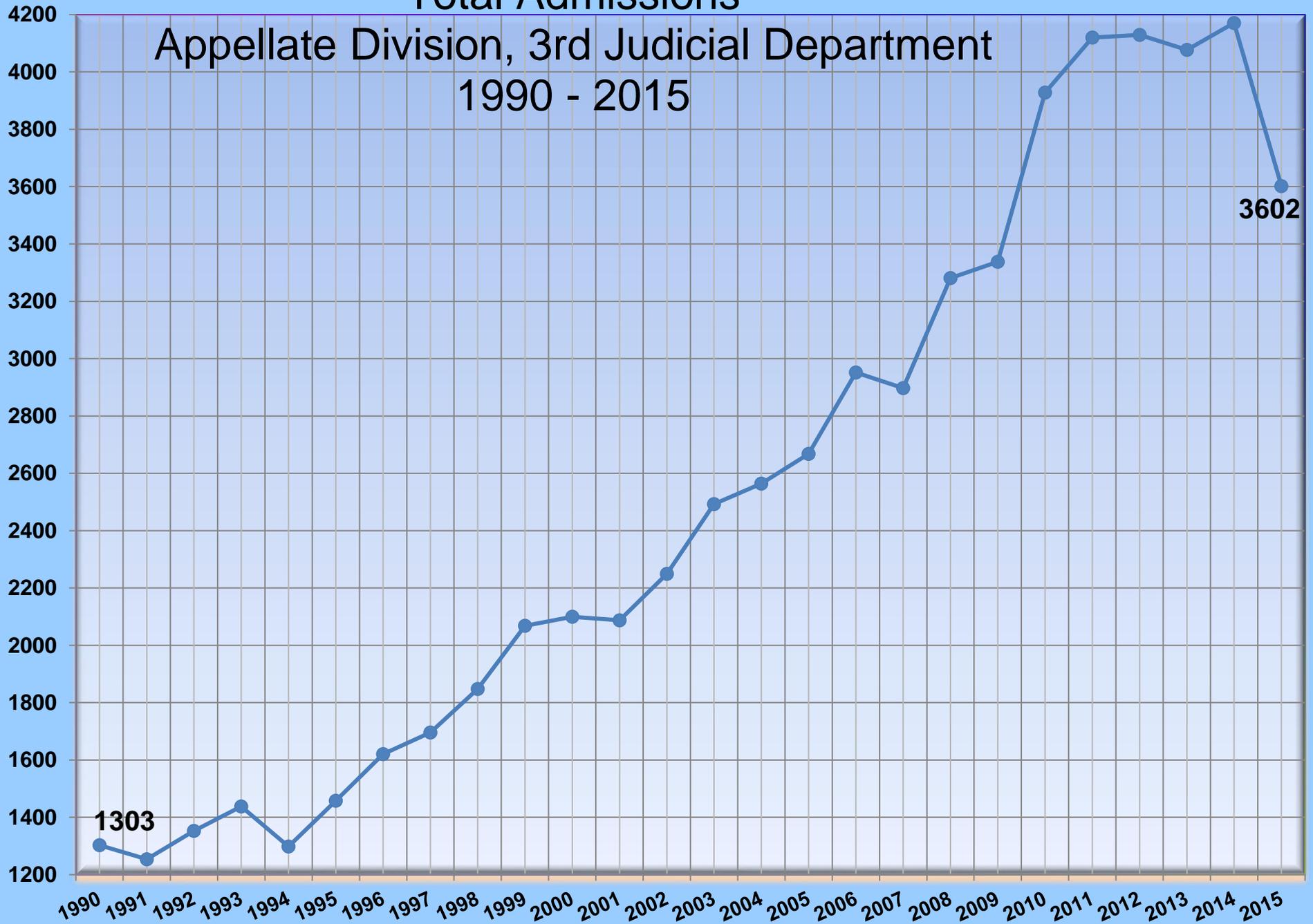
Several summary charts are attached.

Submitted by Daniel C. Brennan, Esq.
March 2016

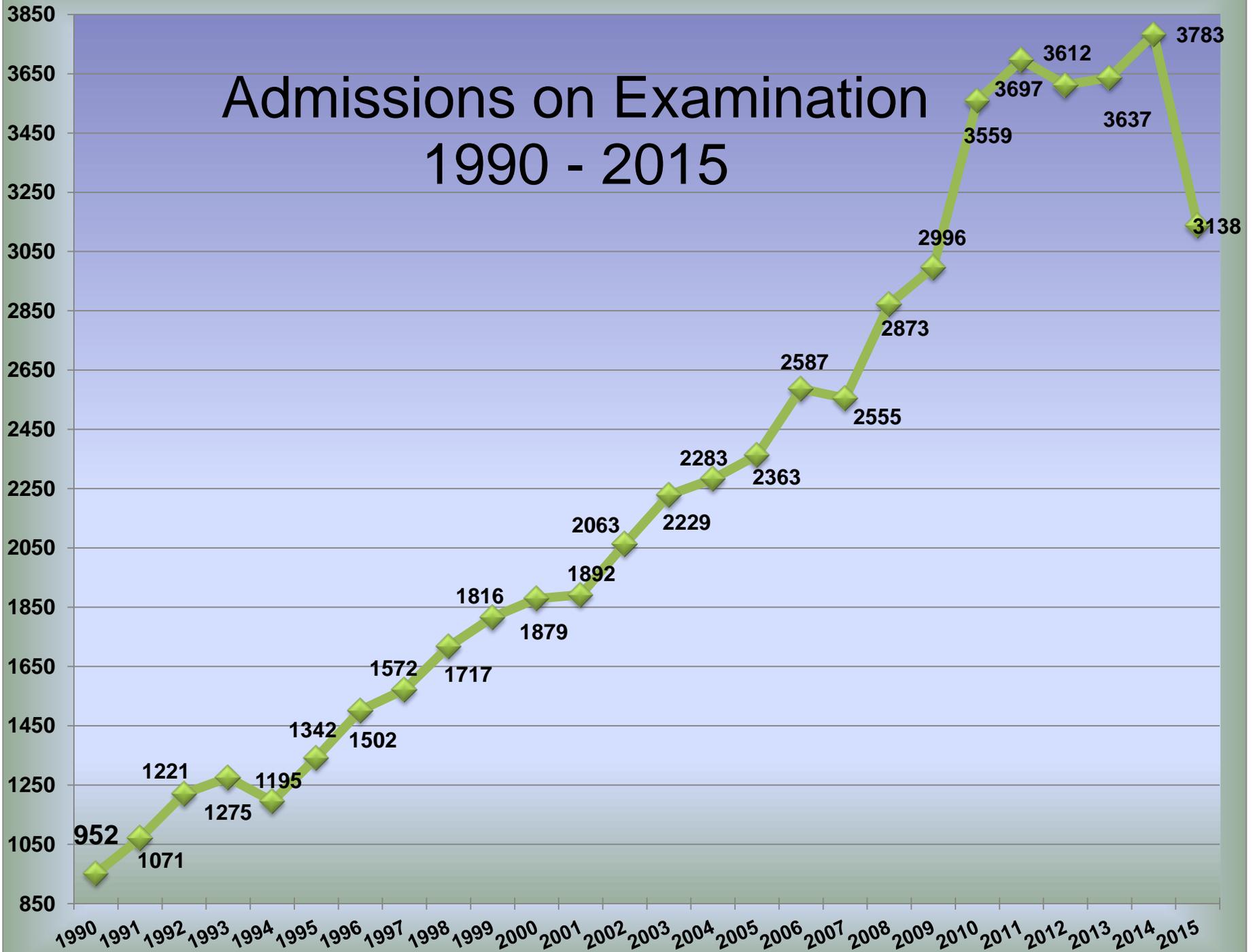
Total Admissions

Appellate Division, 3rd Judicial Department

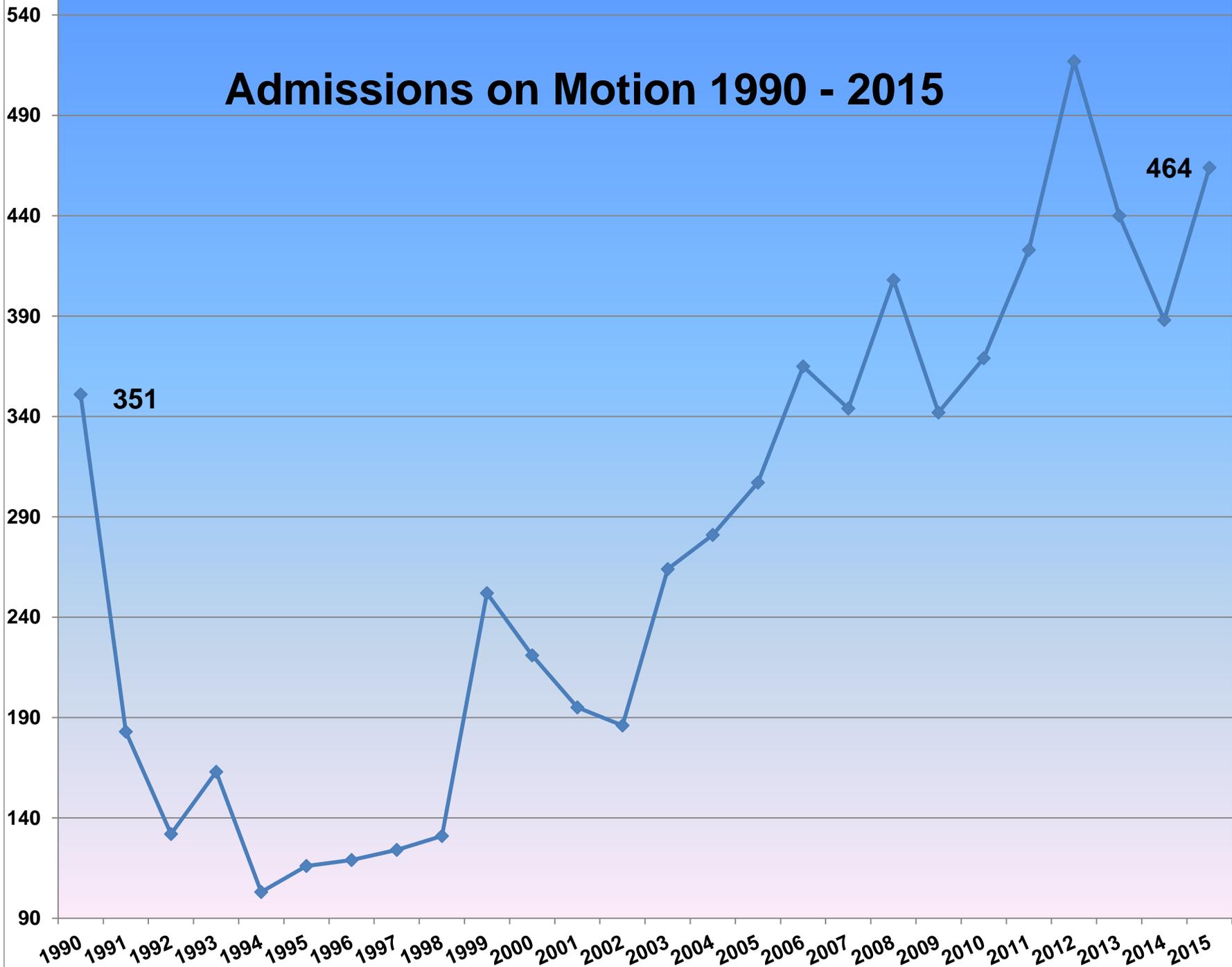
1990 - 2015



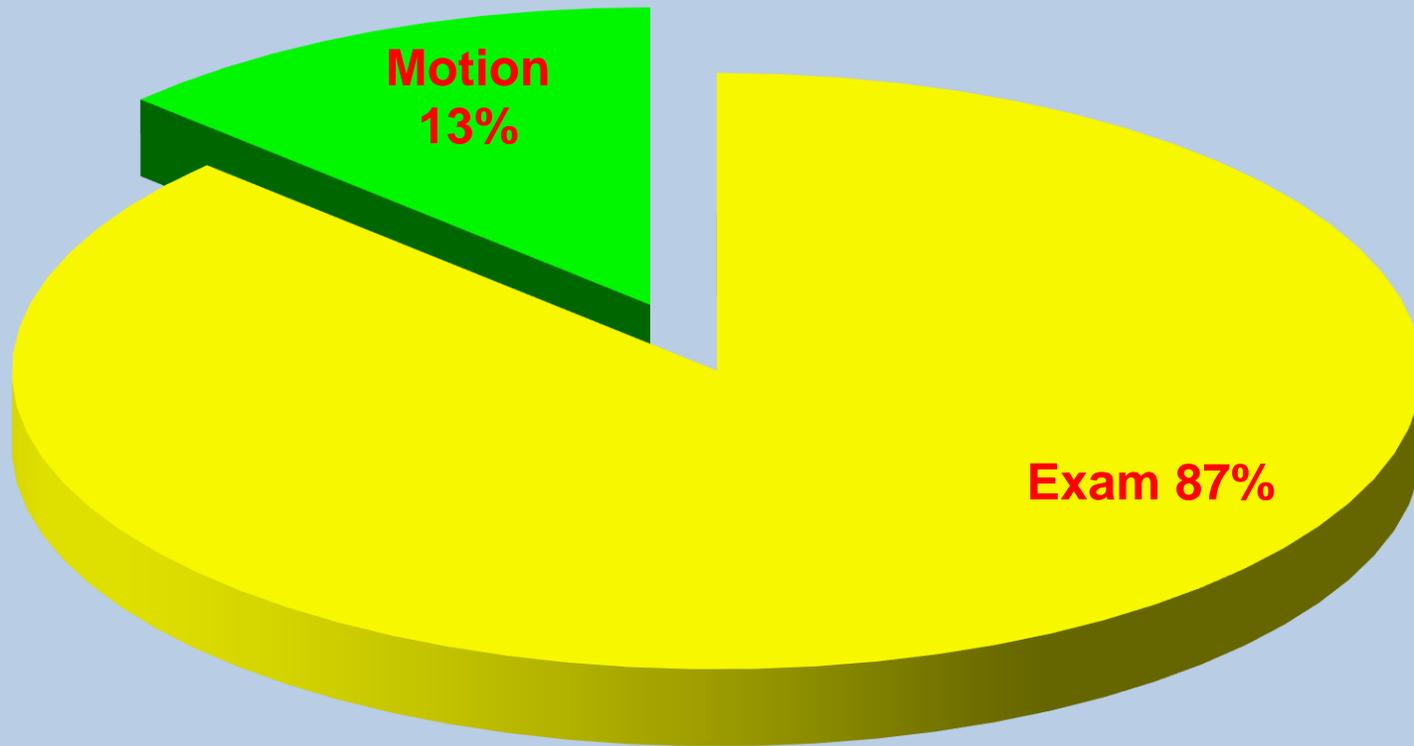
Admissions on Examination 1990 - 2015



Admissions on Motion 1990 - 2015



Admissions 2015



Admissions 2015

