



PRESS RELEASE

**New York State
Unified Court System**

**Hon. Lawrence K. Marks
Chief Administrative Judge**

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Date: December 29, 2015

Chief Judge Announces New Rules to Ensure A More Efficient and Consistent Attorney Discipline Process in New York State

NEW YORK — Chief Judge Jonathan Lippman today announced the adoption by the four Departments of the New York State Supreme Court, Appellate Division, of new uniform statewide rules to govern New York’s attorney disciplinary process. The new rules, which provide for a harmonized approach to the investigation, adjudication and post-proceeding administration of attorney disciplinary matters were approved following public comment and upon recommendation of the Administrative Board of the Courts. They will be promulgated as Part 1240 of the Rules of the Appellate Division (22 NYCRR Part 1240) and will take effect in July 2016.

The rules announced today are comprehensive in scope, and set forth a uniform approach to the full panoply of issues in attorney discipline, including: standards of jurisdiction and venue; appointment of disciplinary committees and staff; screening and investigation of complaints; proceedings before the Appellate Division; rules of discovery; the name and nature of available disciplinary sanctions and procedural remedies for further review; expanded options for diversion to monitoring programs; reinstatement; and confidentiality.

The adoption of uniform rules was among the foremost recommendations of the final report of the Commission on Statewide Attorney Discipline, formed by Judge Lippman in March

2015 to conduct a rigorous study of disciplinary practice in New York. That report, issued in September, called for statewide uniform rules and procedures “that strike the necessary balance between facilitating prompt resolution of complaints and affording the attorney an opportunity to fairly defend the allegations.”

Hailing the new rules as historic, Chief Judge Lippman said, “I could not be more pleased at the outstanding work of our four Appellate Division Departments, with their exceptional Presiding Justices, in enacting these unprecedented measures. I would also like to take this opportunity to thank Hon. A Gail Prudenti and Hon. Barry Cozier for their stellar leadership of the Commission on Statewide Attorney Discipline, and all the commission members for their extraordinary efforts in helping lay the foundation for these important reforms. Working to eliminate regional variations and leading to a more effective attorney discipline system over all, the new rules are a vital contribution to the fair administration of justice and the integrity of the legal profession throughout our state.”

Chief Administrative Judge Lawrence Marks, praising the work of the organized bar in its review of the proposal, said, “This is an extremely important step in attorney discipline in our state, and the bar was terrific in its response to the proposal the court system put out for public comment. Various associations — the New York State Bar, the New York City Bar, a number of county bar associations and others — provided useful, detailed comments, and we are deeply grateful for that effort. Many of the comments were adopted. Others will be considered going forward, now that the Appellate Division speaks with a uniform voice on this vital topic.”

The new rules are available at <http://www.nycourts.gov/rules/comments/index.shtml>.

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