

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

§ 691.11-a Reinstatement After Voluntary Resignation

(a) *Form and Notice of Application.* An application for reinstatement by a person who has voluntarily resigned from the bar of this state shall be made in the form of a motion in accordance with instructions specified by administrative order of the court. The instructions shall be available in the office of the clerk of the court and on the court's internet site. The motion for reinstatement shall be made upon notice to the grievance committee in the judicial district in which the applicant last maintained an office for the practice of law, or if none, to the grievance committee in the judicial district in which the applicant resided when admitted to practice, which may submit papers in opposition or in relation thereto.

(c) *Required Showing.* An application for reinstatement may be granted by the court only upon an affidavit or affirmation stating:

- (1) the circumstances of the applicant's resignation from the bar and the reason for applying for reinstatement;
- (2) whether the applicant has been the subject of a disciplinary complaint or proceeding in any other jurisdiction and the results thereof;
- (3) that the applicant is in good standing at the bar of any other jurisdiction in which he or she is admitted to practice; and,
- (4) that the applicant has successfully completed one credit hour of continuing legal education accredited in accordance with Part 1500 of this Title for each month since the date of the order of this court accepting the resignation and removing his or her name from the roll of attorneys, up to a maximum of twenty-four credits.

Attached to the moving papers shall be a current certificate of good standing from each jurisdiction in which the applicant is admitted to practice and certificates establishing compliance with the continuing legal education requirement of paragraph (4) of this subdivision.

(d) *Character and Fitness Review.* The court may refer an application for reinstatement after a voluntary resignation to a Committee on Character and Fitness in this judicial department or to a referee, justice, or judge for a report before granting that application.