State of New York
Court of Appeals

At a session of the Court, held at Court of Appeals Hall in the City of Albany, on the 21st day of April, 2020.

Present, HON. JANET DiFIORE, Chief Judge presiding.

Temporary Waiver of Strict Compliance with certain provisions of Sections 520.3, 520.6, 520.9, 520.16, 520.17, and 520.18 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3, 520.6, 520.9, 520.16, 520.17, and 520.18).

ORDER

WHEREAS, the Court of Appeals recognizes the substantial challenges facing law schools, law students, and recent law graduates as a result of the coronavirus health emergency; and

WHEREAS, the Court of Appeals seeks to alleviate those hardships, it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Spring 2020 and/or Summer 2020 semesters, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Spring 2020 and/or Summer 2020 semesters, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that, for any applicant who successfully completed the New York Law Course and passed the New York Law Exam after July 2019 and who first sits for the Uniform Bar Examination no later than 2021, strict compliance with the timing limitation of section

520.9(a)(2)(ii) of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.9[a][2][ii]), providing that an applicant must demonstrate to the State Board of Law Examiners that the applicant has completed the New York Law Course no earlier than one year before the date on which the applicant first sits for the Uniform Bar Examination, be and the same hereby is waived; and it is further

ORDERED, that, for any applicant who successfully completed the New York Law Course and passed the New York Law Exam after July 2019 and who first sits for the Uniform Bar Examination no later than 2021, strict compliance with the timing limitation of section 520.9(a)(3)(ii) of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.9[a][3][ii]), providing that an applicant must demonstrate to the State Board of Law Examiners that the applicant has taken the New York Law Examination no earlier than one year before the date on which the applicant first sits for the Uniform Bar Examination, be and the same hereby is waived; and it is further

ORDERED that, for any Spring 2020 J.D. or LL.M. graduate, strict compliance with the requirements of section 520.16 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.16), requiring the completion of at least 50 hours of qualifying pro bono service prior to filing an application for bar admission, and requiring the filing of proof of compliance, be and the same hereby is waived; and it is further

ORDERED, that, for any Spring 2020 graduate enrolled in the Pro Bono Scholars Program, strict compliance with the Program requirements contained in section 520.17(c)(2), section 520.17(c)(3), and section 520.17(d) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.17[c][2], [c][3], [d]), requiring that participants in the Program complete at least 12 weeks of full-time pro bono work, complete a concomitant academic component at an approved law school, and earn at least 12 academic credits for participation in the program, be and the same hereby is waived; and it is further

ORDERED, that for any Spring 2020 J.D. or LL.M. graduate, strict compliance with the requirements of section 520.18 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.18), mandating proof of compliance with the skills competency requirement for admission, be and the same hereby is waived; and it is further

ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.

Janet DiFiore
Chief Judge
Court of Appeals

John P. Asiello
Clerk of the Court