

Getting Admitted to the New York State Bar (2020)

If you have not started working on your application for admission to the Bar, we ask that you start working on it ASAP so that you submit it ideally before you start on January 4.

Why the Rush?

You are permitted to appear in court under student practice orders issued by the First and Second Departments of the Appellate Division. In return for this privilege, we have promised the Appellate Divisions that you will get admitted as quickly as possible. The Law Department must report twice each year to the Appellate Divisions about your bar admission status. We want to state in our December 15 report that all of your applications have been submitted. We want to state in our July 1 report that all of you have been admitted.

Note that the process takes longer than you think. If you have changed your name, if you want to be sworn-in in the City even though you took the exam in the Third Department, if you cannot find one of your past employers, if you can't find your arrest records in three different States, if you're on probation, if you have to pay off \$1,000 worth of parking tickets, etc., the process will take longer than you would think. And even if none of these things apply to you, the process will take longer than you think.

Where to Find the Application For New York State Bar Admission

You should refer to the Board of Law Examiners website to find instructions for admission to the New York State Bar, available at:

<http://www.nybarexam.org/Admission/AdmissionMultiDeptPacket.htm>.

Does my former unpaid internship at the Law Department or my former paid employment as a former summer intern, paralegal, student legal specialist at the Law Department count towards NY's 50 Hour Pro Bono Requirement?

Yes. <http://www.nycourts.gov/attorneys/probono/baradmissionreqs.shtml>

Completed Applications

A completed application packet includes your written questionnaire as well as character affidavits and affidavits completed by past and current legal employers. You must submit the character and employment affidavits with your written questionnaire to the Character and Fitness committee. Waiting for the completed affidavits usually holds people back from being able to submit their paperwork. Therefore, **you should ask that prior employers and character references to complete affidavits for you as early as possible.** But note that in the Second Department character references can get stale if you get them too early. If you are having a problem getting an affidavit (e.g., a former legal employer no longer exists) keep a record of your efforts to obtain the affidavit, in case you have to apply without it.

You should also review your character affidavits and employment affidavits as soon as you get them. There's always a chance that the person filling out the affidavit made a mistake and you want to give yourself time to redo the affidavit if necessary.

Law Department Employment Affidavits

You will need an employer affidavit from the Law Department for your application if you volunteered or worked for us in the past. You should send your affidavit to your division's representative in Personnel to complete (usually the person you are already corresponding with for your Personnel documents). When you submit your affidavit requests to Personnel, let the rep know who your former supervisor was. If you previously worked here in multiple capacities at different times (paid or unpaid), please tell your rep who your supervisor was and the approximate dates of your prior positions. For those who were in the summer program, your supervisor would be your division/unit summer coordinator. If you don't remember who that person is or that person has left the Law Department, you can use your division, unit or borough chief. Also, let Personnel know which Appellate Division you are seeking admission in.

When completed, Personnel will send the forms to the most recent address they have for you. If you have moved, make sure they have your current address.

Expediting Letters

You should attach to your completed bar application a letter from our Managing Attorney, Muriel Goode-Trufant, requesting expedited consideration of the application. This letter should go on the top of the application. If it is buried in the middle, the court won't find it. **You should ask for this letter only when your application packet is complete and ready to submit. Please email Lillian Evans (lievans@law.nyc.gov) to request this letter and let her know which Appellate Division you are applying to.**

Orientation to the Profession Program

The First and Second Department require all applicants to view an on-line presentation, Orientation to the Profession Program.

- In the First Judicial Department, every applicant seeking admission must complete the two-hour program before being admitted. The instructions and the online-presentation can be found here:
<https://www.nycourts.gov/courts/ad1/Committees&Programs/CFC/Instructions%20for%20Completing%20the%20Orientation%20to%20the%20Profession%20Program.html>
- In the Second Judicial Department, every applicant seeking admission must complete a three-hour online orientation program that must be taken within one year prior to the date of admission. The instructions and the online-presentation can be found here:
http://www.courts.state.ny.us/courts/ad2/orientation_instructions.shtml.

Please note that neither Department requires you to submit your admission papers before you view the orientation program.

Special Rules for the Second Department:

In addition to the Online Orientation Program, the Second Department has special rules that are not easy to find. For instance, you must pay your bar registration fee to the Office of Court Administration prior to submitting your application. You must also attach a certificate stating that you have paid the fee for your admission papers. See:

<http://nycourts.gov/courts/ad2/pdf/How%20to%20Apply%20for%20Admission%20on%20Examination.pdf>.

As noted above, the Second Department also has special rules about the timeliness of your supporting affidavits. Affidavits from your current employer (us) and affidavits of moral character must be dated no more than 60 days before you submit your admission papers. For more information see:

http://www.courts.state.ny.us/courts/ad2/pdf/Revised_Supplemental_Instructions.pdf.

What to call yourself prior to Admission:

For those of you in the Second Department, we have permission from the court for you to use the title "Assistant Corporation Counsel" in your bar application as well as the employer affidavit provided to the Court by the Law Department. For the First Department, you can use that title with the parenthetical "(not yet admitted)" afterwards to be safe.

For all court documents and appearances, non-admitted attorneys should use the following titles:

- a. for the period prior to the results of the bar being announced: "Assistant Corporation Counsel (bar results pending)";
- b. for the period after the results of the bar are announced but before you've submitted your application papers: "Assistant Corporation Counsel (passed October 2020 bar examination)";
- c. for the period prior to admission but after you have received notice that you passed the bar: "Assistant Corporation Counsel (application for admission pending)";
- d. for those who did not pass the bar and are scheduled to take the next bar exam: "Assistant Corporation Counsel (sitting for the February 2021 Bar)."

When mentioning your title in social media, (e.g. Facebook or LinkedIn, etc.) or anywhere else, you must qualify your title with the immediate statement that you are "not yet admitted."

Non-admitted post-graduate volunteers should use the title "Special Assistant Corporation Counsel" followed by the parentheticals described above.

Communication About Your Bar Application Status

You must communicate with Recruitment about the status of your bar admission at the following stages of the process:

- (1) In your first week at the Law Department, please email Lillian Evans and Jessica Ellias to let us know whether you have already submitted your application for admission or not. If you have not submitted your application, please let us know what you are still waiting to do or receive before you submit.
- (2) When you mail your application for admission.

- (3) If you hear from the Appellate Division or Character and Fitness Committee requesting additional documentation.
- (4) When you hear from the Character and Fitness Committee on your interview date.
- (5) When you receive your bar admission date. If that date is delayed for any reason, please let us know that too.
- (6) When you are actually admitted.

Problems?

If you are having problems getting admitted, after you start, please let Lillian Evans and your supervisor know. If you have told us that you have submitted your papers and they are returned because of some flaw, you must tell us. If you have told us you are going to be sworn-in on a certain date, and that does not happen for whatever reason, you must tell us. It is a serious disciplinary issue for you to not tell us that your scheduled admission date was cancelled or postponed.

Bar Registration Reimbursement

Unfortunately, the Law Department does not reimburse for bar or admission-related expenses. While we do not reimburse the initial \$375 bar registration fee, we do reimburse subsequent registration renewal fees every two years. To be reimbursed, you must re-register on time and you must submit proof of payment to payroll.

Timekeeping for Bar Admission Requirements

After you start, anything that you need to do during office hours for New York State bar admission (or admission to the Southern or Eastern District) counts as work time. This includes the character and fitness interview and the orientation course. For time-keeping purposes, treat these like any other court appearance. For the swearing-in ceremony, you get a 1/2 day of "excused absence" for a First or Second Department Admission and a full-day for the Third or Fourth Department. You'll need to submit documentation to timekeeping to show that you were admitted on the day claimed. **You must also tell us ahead of time the day on which your admission is scheduled. If your admission is postponed for any reason, you must tell us.** For any missed work time related to admission to another State's bar, you need to take annual leave.

I'm Admitted, Now What?

You should send your division's Personnel rep and Tiffany Charles a screenshot of the NYS Attorney Directory site showing that you are listed as admitted - <https://iapps.courts.state.ny.us/attorney/captcha>. Please note that you still need an original certificate of good standing if you are getting admitted to the Southern District of New York or the Eastern District of New York. You must also notify Lillian Evans and Jessica Ellias of your bar admission date so we report your admission date accurately to the Appellate Division.

When do I get my Bar Raise?

Actually, there is no "bar raise." Instead, we anticipate that you will receive a first anniversary raise (known bureaucratically as the "maturation raise") which is conditioned on your showing

Personnel that you are admitted in New York. Attorneys who start working here after the normal entry class start dates should get their raises with the rest of the class – even if you haven't worked here a full year. If you are late in getting proof of admission to Personnel, your raise will be delayed.

Wow, that's a lot of information to absorb

Yes it is. And the rules change all the time. So if you have any updated information that you would like to share with your colleagues, please let us know so we can make this guide more accurate next year.