State of New York
Court of Appeals

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April 23, 2024

NOTICE TO THE BAR

AMENDMENTS TO RULES FOR THE ADMISSION OF ATTORNEYS AND COUNSELORS AT LAW

The Court has amended its Rules for the Admission of Attorneys and Counselors at Law (Part 520), effective May 8, 2024, to more closely align with the American Bar Association's Standards for the Approval of Law Schools. Among other changes, the Court amended the definition of distance learning and added a provision to this definition indicating that the remote participation in a non-distance education course by a student as an accommodation under the Americans with Disabilities Act or any other law requiring an accommodation will not cause the course to count toward the distance education credit limits for the accommodated student.

Lisa LeCours
Chief Clerk and Legal Counsel to the Court

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 19th day of April, 2024.

HON. ROWAN D. WILSON, Chief Judge presiding.

In the Matter

of

The Amendment of the Rules of the Court of Appeals
for the Admission of Attorneys and Counselors at Law (22 NYCRR Part 520).

Pursuant to section 53 of the Judiciary Law, it is hereby

ORDERED that Part 520 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR Part 520) is amended, effective May 8, 2024, or as soon thereafter as section 52 of the Judiciary Law is complied with, by repealing subsections 520.3(c), (d) and (e) and adding new subsections 520.3(c), (d) and (e); and by deleting the bracketed material and adding the underlined material to subsections 520.5(a), 520.5(a)(2), 520.6(b)(1)(i)(a), 520.6(b)(3)(ii); 520.17(b)(2)(i) and 520.17(f), to read as follows:

Section 520.3 Study of law in law school.

(c) The academic program, calendar and instructional requirements contained in the American Bar Association Standards and Rules of Procedure for the Approval of Law Schools shall apply with the exception of distance education provisions, which are as follows:

(1) Distance education course. A distance education course is a course in which students are separated from all faculty members for more than one-third of the course instruction and the instruction involves the use of technology to support regular and substantive interaction between the students and all the faculty members, either synchronously or asynchronously; and

(2) Up to 15 credit hours for distance education courses may be counted toward both the credit hours required for graduation and the classroom credit hours required; and

(3) No credit shall be allowed for distance education courses until the student has completed the equivalent of 28 credit hours toward the first degree in law; and

(4) Remote participation in a non-distance education course by a student as an accommodation under the Americans with Disabilities Act or any other law requiring accommodation will not cause the course to count toward the distance education credit limits in this section for the accommodated student. The law school must document all instances in which it permits a student's remote participation in a non-distance education course for which credits will not be counted toward distance education credit limits in this section.

(d) Law school certificate of attendance. The applicant shall file a law school certificate of attendance with the State Board of Law Examiners that must include:

(1) a certification that the applicant has successfully completed the prescribed course of instruction for the J.D. degree at a law school approved by the ABA at all times during the period of the applicant's attendance;

(2) the date of graduation or the date on which the J.D. degree will be conferred;

(3) the number of credits completed in distance education courses under section 520.3(c)(1) of this Part; and;

(4) a certification that the applicant did not complete any credits in distance education courses during the first 28 credit hours toward the first degree in law.

(e) Credit for law study in foreign country. An approved law school may, in its discretion, grant such credit as it may deem appropriate toward the total credits required for a first degree in law, but not exceeding one-third of the total credits required for the degree, to an applicant who has studied law in a law school in a foreign country. No such credit shall be allowed for law study in a foreign country that was undertaken in a distance education course as defined in section 520.3(c)(1) of this Part, nor shall any credit be allowed for correspondence courses.

Section 520.5 Study of law in law school and actual practice.

(a) General.

An applicant who has studied law in any law school in any other state or territory of the United States or in the District of Columbia, other than an approved law school as defined in section 520.3(b) of this Part[that grants credit for correspondence courses], and has received a degree from such law school that qualifies the applicant to practice law in such state, territory or in the District of Columbia, may qualify to take the New York State bar examination by submitting to the New York State Board of Law Examiners satisfactory proof that:

(2) the applicant's course of study complies with the instructional[, course of study, and academic calendar] requirements of section 520.3(c) through (e) of this Part and with the curriculum, academic program and academic calendar requirements for an approved law school; and

520.6 Study of law in foreign country; required legal education.

(b) Legal education. The applicant must satisfy the educational requirements of either paragraph (1) or (2) of this subdivision.

(1) The applicant shall show fulfillment of the educational requirements for admission to the practice of law in a country other than the United States by successful completion of a period of law study in a law school or schools each of which, throughout the period of the applicant's study therein, was approved by the government or an authorized accrediting body in such country, or of a political subdivision thereof, to award a first degree in law, and satisfaction of the following requirements:

(i)(a) Durational requirements. The program and course of law study successfully completed by the applicant was substantially equivalent in duration to the legal education provided by an American Bar Association approved law school in the United States, and in substantial compliance with the [instructional and academic calendar]following requirements: [of section 520.3(c)(1)(i) and (ii) and (d)(1) of this Part]83 credit hours must be required for graduation, 64 of which must be earned by attendance in regularly scheduled classroom courses at the law school, a minimum of 700 minutes in instruction time, exclusive of examination time, must be required for the granting of one credit hour, and no credit shall be allowed for correspondence courses, on-line courses, courses offered on DVD or other media, or distance education courses; and

(3) An LL.M. degree shall be satisfactory to qualify an applicant otherwise meeting the requirements of subparagraph (1)(ii) or paragraph (2) of this subdivision to take the New York State bar examination provided the following requirements are met:

(ii) [a minimum of 700 minutes of instruction time, exclusive of examination time, must be required for the granting of one credit hour]the number of credit hours awarded for coursework shall be determined as required for an approved law school as defined in section 520.3(b) of this Part;

Section 520.17 Pro Bono Scholars Program

(b) Eligibility. A student may participate in the Pro Bono Scholars Program upon proof that:

(2) upon successful completion of the Pro Bono Scholars Program the student will have satisfied

(i) the instructional [and academic calendar] requirements of section 520.3(c) and (d) of this Part; and

(f) Bar examination and accelerated admission to the bar.

A student who participates in the Pro Bono Scholars Program must complete the New York State bar examination during the student's final semester of law study, provided the student's law school submits certification to the New York State Board of Law Examiners that the student, upon successful completion of the Pro Bono Scholars Program, will meet the requirements of section 520.3[(c) and (d)] of this Part and will be awarded a first degree in law. The State Board of Law Examiners shall not certify the student for admission to the bar pursuant to section 520.7(a) of this Part until the student has presented proof that the student has successfully completed the Pro Bono Scholars Program and has been awarded a first degree in law.