State of New York
Court of Appeals

Andrew W. Klein
Clerk of the Court

Clerk's Office
Albany, New York 12207-1095

November 14, 2012

NOTICE TO THE BAR

Determination of Major Disaster Pursuant to Rule 520.11(d) of the Rules of the Court of Appeals

As a result of Storm Sandy which occurred in October 2012, the New York Court of Appeals has determined that an emergency that affects the justice system exists and that certain New York residents affected by the storm may benefit from the provision of pro bono services by attorneys from outside New York. Accordingly, pursuant to the Court's Major Disaster Rule (22 NYCRR 520.11[d]), attorneys authorized to practice law in another United States jurisdiction may provide pro bono legal services to affected New Yorkers on a temporary basis. This determination only applies to residents of the counties listed in Governor Andrew M. Cuomo's Major Disaster Declaration (Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster and Westchester).

The pro bono legal services provided pursuant to the Major Disaster Rule must be assigned and supervised through an established not-for-profit bar association in New York or an organization described in subdivision 7 of section 495 of the Judiciary Law. An attorney who provides legal services under this emergency declaration must not receive any compensation or other direct or indirect pecuniary gain from any clients. The attorney also must notify clients that the attorney is admitted in another jurisdiction and that his or her authority to practice in New York is limited by the provisions of the Major Disaster Rule. The authority to provide legal services under the Major Disaster Rule will terminate when the Court determines that the emergency conditions in New York have ceased.

Bar associations or other eligible legal services providers should notify Chief Administrative Judge Gail Prudenti of their participation in the provision of pro bono legal services assigned and supervised under the Major Disaster Rule.