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CT and NY Recognize Each Other As Reciprocal For Bar Admission Without Examination

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UPDATE: "Border War Cease Fire" - Connecticut And New York Recognize Each Other As Reciprocal For Purposes of Bar Admission Without Examination

New York

Effective on January 1, 2012, the State of New York will add Connecticut to the list of jurisdictions it designates as "reciprocal" for purposes of its rules permitting admission to the New York Bar without examination. To qualify for admission on motion in New York, an applicant must have practiced for five of the preceding seven years in at least one of the reciprocal jurisdictions designated by the New York State Board of Law Examiners and graduated from an American Bar Association-approved law school. The New York State Board has begun to accept the initial application fee of \$400 from Connecticut licensed attorneys.

Additional information about applying for admission to the New York Bar without examination can be found at: www.nybarexam.org/AOM//AdmissiononMotion

Connecticut

In the wake of New York's decision to bless Connecticut as a reciprocal jurisdiction, Connecticut announced that, also effective on January 1, 2012, New York will be on the list of jurisdictions that Connecticut considers "reciprocal" for purposes of *its* rules on admission to the Bar on motion. In addition, Connecticut's rule makers have revised certain features of the general

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requirements governing admission to the Connecticut Bar without examination, also to take effect on January 1. As of that date, an attorney currently licensed to practice in *at least one jurisdiction* that Connecticut has designated as reciprocal, qualifies for admission to the Connecticut Bar on motion if the applicant has: (1) "lawfully engaged in the practice of law as the applicant's principal means of livelihood in [one or more] reciprocal jurisdictions for at least *five of the ten years immediately preceding* the date of application;" (2) remains in good standing in each reciprocal jurisdiction; (3) graduated from a law school approved, or provisionally approved, by the American Bar Association or otherwise approved by the Connecticut Bar Examining Committee (CBEC); and (4) "intends, upon a continuing basis, to practice law actively in Connecticut . . ."

In determining whether an applicant's activities in one or more reciprocal jurisdictions amount to the "practice of law" within the meaning of the five year durational requirement of the Connecticut rules, the authors of the new Connecticut rule have expressly provided that the activities on which the applicant relies must have been "*performed in a reciprocal jurisdiction . . .*" Connecticut Practice Book §2-13(b) (effective Jan. 1, 2012).

Accordingly, it is the position of the CBEC that the period in which a Connecticut based in-house attorney acted as a certified Connecticut Authorized House Counsel will *not* be included in calculating the five-out-of-the-prior-10-years of practice requirement.

Unlike the New York State Bar admission authorities, the CBEC is not, prior to January 1, 2012, accepting applications for admission without examination. However, the CBEC staff has indicated it will accept, and will hold on file, completed versions of the various supporting documents required for admission on motion. Applicants for admission on motion in Connecticut should submit their applications (together with the required \$1,800 fee) after January 1. The application should be directed to the "Motion Department" at the CBEC in Hartford.

Additional information about applying for admission to the Connecticut Bar without examination can be found at: www.jud.ct.gov/cbec/AdwoexamRequire

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