

APPENDIX F

Affidavit in Support of Application for Reinstatement to the Bar After Non-Disciplinary Resignation

INSTRUCTIONS

An affidavit submitted in support of an application pursuant to section 1240.22 (b) of these Rules for reinstatement to the bar after a non-disciplinary resignation shall comply with the following requirements:

- (1) The affidavit shall bear the caption and the docket number, if any, of the prior order granting the attorney leave to resign from the bar and removing the attorney's name from the roll of attorneys.
- (2) The motion shall be submitted on notice to the Committee in the judicial district in which the attorney last maintained an office for the practice of law, or if none, to the Committee in the judicial district in which the attorney resided when admitted to practice.
- (3) The affidavit shall be subscribed and sworn to, and shall be worded and numbered as set forth below.
- (4) In completing the affidavit, the attorney should not omit inapplicable passages.
- (5) The application may be supplemented by the affidavits or affirmations of counsel and character witnesses, and with additional appropriate exhibits.
- (6) Place the application papers in the following order:
 - a. The affidavit;
 - b. The exhibits supporting that form affidavit;
 - c. Any additional supporting affidavits or affirmations and exhibits thereto; and
 - d. An affidavit reflecting service upon the Chief Attorney of the appropriate Committee.

FORM OF AFFIDAVIT

Supreme Court of the State of New York
Appellate Division: _____ Judicial Department

**AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
REINSTATEMENT TO
THE BAR AFTER
NON-DISCIPLINARY
RESIGNATION**

State of _____)
)ss.:
County of _____)

_____, being duly sworn, deposes and says that:

1. I hereby apply, pursuant to section 1240.22 (b) of the Uniform Rules for Attorney Disciplinary Matters, for reinstatement as an attorney and counselor-at-law licensed to practice in the State of New York.
2. My full name is _____. The name under which I was admitted to the practice of law is _____. My name was changed on the Roll of Attorneys and Counselors-at-Law to _____ by reason of (marriage, divorce or annulment, or a court order legally changing the respondent's name). I have also been known by the following names: _____.
[Copies of all court orders changing my name are attached as exhibit ___ hereto.]
3. I was born on [date] in [city, state, country].
4. I currently reside at [street, town or city, state, and zip code].
5. The telephone numbers at which I can be contacted are:
Home _____
Work _____
Mobile _____.
6. The email address at which I can be contacted is _____.
7. All communications may be addressed to me at the office of my attorney, [name], at

[address], and I hereby authorize my attorney to accept and acknowledge receipt of any and all legal documents or other notices on my behalf.

- OR -

All communications may be addressed to me personally at the following address:

_____.

8. I was admitted to the New York State Bar on [date] by the _____ Judicial Department and my attorney registration number is _____.

9. By order of this Court entered [date], my voluntary resignation from the Bar of this State was accepted by the Court and my name was removed from the roll of attorneys. A copy of said order is attached as exhibit ___ hereto.

10. I seek reinstatement to the New York State Bar for the following reasons:

11. I have also been admitted to practice in the following courts or jurisdictions:

_____.
[Certificates of Good Standing, issued within the 30 days preceding the execution of this affidavit by all such courts or jurisdictions in which I am currently admitted to practice, except those in which I have not been reinstated as set forth in paragraph 12 hereof, are attached as exhibit ___ hereto.]

- OR -

I attest that I have not been admitted to practice in any other courts or jurisdictions.

12. Since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have been the subject of complaints of professional misconduct or of professional discipline in the following other courts or jurisdictions: [state the court or jurisdiction, the date, the nature of the complaint or the discipline imposed, and whether or not you are now in good standing in such court or jurisdiction].

- OR -

I attest that, since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have not been the subject of complaints of professional misconduct or of professional discipline in this or any other court or jurisdiction.

13. Since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have been arrested, charged with, indicted, convicted, tried, and/or entered a plea of guilty to the following felonies, misdemeanors, violations, and/or traffic infractions: [state the court, the offense charged, and date and nature of disposition].

[Certificates of conviction pertaining to the above are attached as exhibit ___ hereto.]

- OR -

I attest that, since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have not been arrested, charged with, indicted, convicted, tried, and/or entered a plea of guilty to any felonies, misdemeanors, violations, and/or traffic infractions.

14. Since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have suffered from or have been treated for the following condition or impairment which in any way impairs or limits my ability to practice law: [state the date or dates of each instance, including, but not limited to any mental, emotional, psychiatric, nervous or behavioral disorder or condition, or any alcohol, drug or other substance abuse condition or impairment or gambling addiction, and the date(s) of treatment, if any].

- OR -

I attest that, since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have not suffered from or been treated for any condition or impairment which in any way impairs or limits my ability to practice law.

15. Within the 30 days preceding the execution of this affidavit, I have read the Rules of Professional Conduct (22 NYCRR 1200.0). If reinstated to the practice of law, I will conform my conduct to those rules.

16. Since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have completed ____ credit hours of continuing legal education in the following programs and other educational classes, in order to remain current with developments in the law:

[Certificates attesting to my completion of the aforementioned programs or classes are attached as exhibit ____ hereto.]

- OR -

Since the entry of the order accepting my resignation and removing my name from the roll of attorneys, I have not completed any credit hours of continuing legal education.

17. I understand that the Court and the Committee may take such investigative steps as are deemed appropriate to evaluate my character and fitness for reinstatement to the Bar. I will fully cooperate with any request for additional information and make myself available to answer questions under oath or affirmation, as required.

WHEREFORE, I request that the Court grant this application for my reinstatement as an attorney and counselor-at-law licensed to practice in the State of New York.

Dated: [city or town, state]

_____, 20____

Subscribed to and sworn to before me
this ____ day of _____, 20____

Notary Public