

**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 3<sup>rd</sup> day of November, 2021*

**Present**, HON. JANET DIFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain  
provisions of Sections 520.3 and 520.6 of the  
Rules for the Admission of Attorneys and Counselors at Law  
(22 NYCRR 520.3 and 520.6).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the continuing challenges and uncertainties facing law schools and law students as a result of the ongoing coronavirus pandemic, including those related to social distancing requirements, travel restrictions, and individual health concerns; and

WHEREAS, despite these challenges, the Court of Appeals remains committed to ensuring compliance with the limitations on distance learning contained in sections 520.3(c)(6)(i), 520.3(c)(6)(iii), 520.6(b)(3)(v), and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6][i], 520.3[c][6][iii], 520.6[b][3][v], and 520.6[b][3][viii]); and

WHEREAS, the Court of Appeals expects that law schools will make all reasonable and practicable efforts consistent with the challenges noted above to comply with the distance learning limitations contained in sections 520.3(c)(6)(i), 520.3(c)(6)(iii), 520.6(b)(3)(v), and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6][i], 520.3[c][6][iii], 520.6[b][3][v], and 520.6[b][3][viii]); it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Spring 2022 semester, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet

completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Spring 2022 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.

**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 22<sup>nd</sup> day of April, 2021*

**Present**, HON. JANET DiFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain provisions of Sections 520.3 and 520.6 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3 and 520.6).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the continuing challenges and uncertainties facing law schools and law students as a result of the ongoing coronavirus pandemic, including those related to social distancing requirements, travel restrictions, and individual health concerns; and

WHEREAS, despite these challenges, the Court of Appeals remains committed to ensuring compliance with the limitations on distance learning contained in sections 520.3(c)(6)(i), 520.3(c)(6)(iii), 520.6(b)(3)(v), and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6], 520.6[b][3][v], and 520.6[b][3][viii]); and

WHEREAS, the Court of Appeals expects that law schools will make all reasonable and practicable efforts consistent with the challenges noted above to comply with the distance learning limitations contained in sections 520.3(c)(6)(i), 520.3(c)(6)(iii), 520.6(b)(3)(v), and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6][i], 520.3[c][6][iii], 520.6[b][3][v], and 520.6[b][3][viii]); it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Fall 2021 semester, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet

completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Fall 2021 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.

# 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 17th<sup>th</sup> day of February, 2021*

**Present**, HON. JANET DIFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain provisions of Sections 520.3 and 520.6 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3 and 520.6).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the substantial challenges facing law schools and law students as a result of the coronavirus health emergency; and

WHEREAS, the Court of Appeals seeks to alleviate those hardships, it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Summer 2021 semester, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Summer 2021 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

**ORDERED**, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.

**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 15<sup>th</sup>  
day of September, 2020.*

**Present**, HON. JANET DiFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain  
provisions of Sections 520.3 and 520.6 of the  
Rules for the Admission of Attorneys and Counselors at Law  
(22 NYCRR 520.3 and 520.6).

---

**ORDER**

**WHEREAS**, the Court of Appeals recognizes the continuing substantial challenges facing law schools and law students as a result of the ongoing coronavirus health emergency; and

**WHEREAS**, the Court of Appeals seeks to alleviate those hardships, it is

**ORDERED**, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Spring 2021 semester, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

**ORDERED**, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Spring 2021 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

**ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.**



**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 28<sup>th</sup> day of August, 2020.*

**Present,** HON. JANET DIFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain provisions of Section 520.6 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the substantial challenges facing law schools and law students as a result of the coronavirus health emergency;

WHEREAS, the Court of Appeals seeks to alleviate those hardships; and

WHEREAS, an applicant for the New York State Bar Exam who obtained an LL.M. degree at a law school approved by the American Bar Association but whose LL.M. program did not satisfy the LL.M. cure program requirements contained in section 520.6(b)(3)(vi)(a)-(d) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][vi][a]-[d]), may complete such program requirements on a non-degree basis, it is

ORDERED, that, for any applicant completing such program requirements on a non-degree basis during the Spring, Summer, or Fall 2020 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that upon satisfying the Rules of this Court in all other respects, such applicants will be eligible to sit for the New York bar examination and to be admitted to the New York bar.

**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 29th  
day of July, 2020.*

**Present,** HON. JANET DiFIORE, Chief Judge presiding.

---

Temporary Waiver of Strict Compliance with certain  
provisions of Sections 520.8 and 520.12 of the  
Rules for the Admission of Attorneys and Counselors at Law  
(22 NYCRR 520.8 and 520.12).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes that ongoing public health and safety concerns resulting from the coronavirus health emergency preclude the in-person administration of the New York State Bar Examination originally scheduled for July 2020; and

WHEREAS, the Court of Appeals seeks to provide an expeditious pathway to licensure for law graduates while ensuring public protection and preserving the integrity of the legal profession, it is

ORDERED, that strict compliance with the requirements of section 520.8 and 520.12 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.8 and 520.12) is hereby waived to the extent that the New York State Board of Law Examiners shall be permitted to replace the Uniform Bar Examination with the Emergency Remote Testing Option to be offered by the National Conference of Bar Examiners on October 5-6, 2020; and it is further

ORDERED, that the Time to File Admission Application requirements of section 520.12 are hereby waived to the extent that an applicant who passes the Emergency Remote Testing Option must file a complete application for admission within one year from the date when such applicant sits for the second day of the Emergency Remote Testing Option; and it is further

ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above referenced provisions shall not bar any such applicant from being admitted to the New York bar.

**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 4<sup>th</sup> day of June, 2020*

**Present**, HON. JANET DiFIORE, *Chief Judge, presiding*

---

Temporary Waiver of Strict Compliance with certain provisions of Sections 520.3 and 520.6 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3 and 520.6).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the substantial challenges facing law schools and law students as a result of the coronavirus health emergency; and

WHEREAS, the Court of Appeals seeks to alleviate those hardships, it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Fall 2020 semester, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][6]), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Fall 2020 semester, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that, for any LL.M. student enrolled in an LL.M. program at a law school approved by the American Bar Association during the Summer 2021 semester, strict compliance

with the provision contained in section 520.b(3)(iii) of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.6[b][3][iii]), limiting the number of credit hours that may be earned in courses completed during summer semesters to four, be and the same hereby is waived; and it is further

**ORDERED**, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.

# 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 21st day of April, 2020.*

**Present,** HON. JANET DiFIORE, Chief Judge presiding.

---

Temporary Waiver of Strict Compliance with certain provisions of Sections 520.3, 520.6, 520.9, 520.16, 520.17, and 520.18 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3, 520.6, 520.9, 520.16, 520.17, and 520.18).

---

**ORDER**

WHEREAS, the Court of Appeals recognizes the substantial challenges facing law schools, law students, and recent law graduates as a result of the coronavirus health emergency; and

WHEREAS, the Court of Appeals seeks to alleviate those hardships, it is

ORDERED, that, for any J.D. student enrolled in any classroom-based course at a law school approved by the American Bar Association during the Spring 2020 and/or Summer 2020 semesters, which course was converted to a distance education course as a result of the coronavirus health emergency, strict compliance with the distance education provision contained in section 520.3(c)(6) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.3[c](6)), defining distance education, be and the same hereby is waived, such that any converted course need not be counted towards the 15-credit hour limitation on distance education courses contained in section 520.3(c)(6)(i), and that any converted course need not be considered a distance education course for purposes of the prohibition on distance learning courses for students who have not yet completed the equivalent of 28 credit hours toward the first degree in law contained in section 520.3(c)(6)(iii); and it is further

ORDERED, that, for any LL.M. student enrolled in any course at a law school approved by the American Bar Association during the Spring 2020 and/or Summer 2020 semesters, strict compliance with the provisions contained in section 520.6(b)(3)(v) and 520.6(b)(3)(viii) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.6[b](3)[v], [viii]), requiring that all coursework for LL.M. cure programs be completed at the campus of an American Bar Association approved law school in the United States and prohibiting credit for distance learning courses, be and the same hereby is waived; and it is further

ORDERED, that, for any applicant who successfully completed the New York Law Course and passed the New York Law Exam after July 2019 and who first sits for the Uniform Bar Examination no later than 2021, strict compliance with the timing limitation of section

**520.9(a)(2)(ii) of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.9[a][2][ii]), providing that an applicant must demonstrate to the State Board of Law Examiners that the applicant has completed the New York Law Course no earlier than one year before the date on which the applicant first sits for the Uniform Bar Examination, be and the same hereby is waived; and it is further**

**ORDERED, that, for any applicant who successfully completed the New York Law Course and passed the New York Law Exam after July 2019 and who first sits for the Uniform Bar Examination no later than 2021, strict compliance with the timing limitation of section 520.9(a)(3)(ii) of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.9[a][3][ii]), providing that an applicant must demonstrate to the State Board of Law Examiners that the applicant has taken the New York Law Examination no earlier than one year before the date on which the applicant first sits for the Uniform Bar Examination, be and the same hereby is waived; and it is further**

**ORDERED that, for any Spring 2020 J.D. or LL.M. graduate, strict compliance with the requirements of section 520.16 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.16), requiring the completion of at least 50 hours of qualifying pro bono service prior to filing an application for bar admission, and requiring the filing of proof of compliance, be and the same hereby is waived; and it is further**

**ORDERED, that, for any Spring 2020 graduate enrolled in the Pro Bono Scholars Program, strict compliance with the Program requirements contained in section 520.17(c)(2), section 520.17(c)(3), and section 520.17(d) of the Rules for the Admission of Attorneys and Counselor at Law (22 NYCRR 520.17[c][2], [c][3], [d]), requiring that participants in the Program complete at least 12 weeks of full-time pro bono work, complete a concomitant academic component at an approved law school, and earn at least 12 academic credits for participation in the program, be and the same hereby is waived; and it is further**

**ORDERED, that for any Spring 2020 J.D. or LL.M. graduate, strict compliance with the requirements of section 520.18 of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.18), mandating proof of compliance with the skills competency requirement for admission, be and the same hereby is waived; and it is further**

**ORDERED, that upon satisfying the Rules of this Court in all other respects, failure to comply with the above-referenced provisions shall not bar any applicant from sitting for the New York bar examination or from being admitted to the New York bar.**

**ANNOUNCEMENT REGARDING PROGRAMMATIC WAIVERS FROM  
DISTANCE LEARNING LIMITATIONS (RULES 520.3 & 520.6)  
DUE TO THE CORONAVIRUS  
(Updated March 31, 2020)**

The Court is aware of the evolving challenges that law schools and law students are confronting during the coronavirus health emergency. In an effort to accommodate the many law schools that have now gone to a distance-learning model during this health crisis, the Court announces that, to the extent law schools comply with American Bar Association (ABA) Standard 306 regarding distance education and comport with the ABA Council on Legal Education and Admission to the Bar's February 2020 guidance memorandum with respect to distance education, the limitations contained in Rules 520.3(c)(6)(i), 520.3(c)(6)(iii), and 520.6(b)(3)(viii) (22 NYCRR 520.3[c][6][i], 520.3[c][6][iii], and 520.6[b][3][viii]), will be waived for J.D. and LL.M. students enrolled in law courses at ABA-approved law schools during the Spring 2020 and Summer 2020 terms.



**ANNOUNCEMENT REGARDING POTENTIAL DEPARTURES FROM  
DISTANCE LEARNING LIMITATIONS (RULES 520.3 & 520.6)  
DUE TO THE CORONAVIRUS  
(Updated March 19, 2020)**

Cognizant of the challenges and uncertainties that law schools face in developing responses to the coronavirus, the Court announces that it is in accord with the ABA Council on Legal Education and Admissions to the Bar's February 2020 guidance memorandum with respect to distance education during emergencies and disasters ([see https://www.americanbar.org/content/dam/aba/administrative/news/2020/03/legal-ed-emergencies-disasters-memo.pdf](https://www.americanbar.org/content/dam/aba/administrative/news/2020/03/legal-ed-emergencies-disasters-memo.pdf)). The Court will consider potential departures from the rules in the future in the context of individual or programmatic waivers, as necessary to address institutional responses to the coronavirus. Information about the waiver petition process is available on the Court's website ([see http://www.nycourts.gov/ctapps/admattnyfaq.htm#Section2](http://www.nycourts.gov/ctapps/admattnyfaq.htm#Section2)). During this period of emergency, notarization/verification will not be required if the circumstances do not permit it. **Requests for programmatic waivers by reason of the coronavirus may be submitted in letter form, should be requested by the dean of the law school or an official designated by the dean to act on the dean's behalf, and should be e-mailed to: [pwp@nycourts.gov](mailto:pwp@nycourts.gov).**

It is important to note that the definition of "distance education" in Rule 520.3(c)(6) applies to all students enrolled in J.D. programs at American Bar Association-approved law schools in the United States, including first-year J.D. students. Specifically, Rule 520.3(c)(6) provides that "[d]istance education is an educational process in which more than one-third of the course instruction is characterized by the separation, in time or place, or both, between instructor and student, and the instruction involves the use of technology to support regular and substantive interaction among students and between students and the faculty member, either synchronously or asynchronously" ([see https://www.nycourts.gov/ctapps/520rules10.htm#3](https://www.nycourts.gov/ctapps/520rules10.htm#3)). Accordingly, a waiver of strict compliance will only be necessary with respect to J.D. courses if the distance instruction exceeds the one-third limitation.

In contrast, pursuant to the Court's rules, foreign-educated students seeking to qualify for the New York bar examination by completing a qualifying LL.M. pursuant to Rule 520.6(b)(3) will not be credited with coursework that has any distance education component ([see](#) Rule 520.6[b][3][viii] ["No credit shall be allowed for correspondence courses, on-line courses, courses offered on DVD or other media, or other distance learning courses.]; [see https://www.nycourts.gov/ctapps/520rules10.htm#6](https://www.nycourts.gov/ctapps/520rules10.htm#6)). To the extent that law schools must address the situation presented by the coronavirus by converting LL.M. courses to distance education, a waiver of strict compliance will be required.

To expedite the waiver petition process, to the extent possible, provide the following information in the petition for a programmatic waiver of strict compliance:



An estimate of the portion/percentage of the semester's instruction that will be completed by distance learning;

Whether the course was designed for or can be easily adapted to distance learning;

Whether affected faculty members have the experience and training needed to deliver a distance education course meeting the requirements of the ABA Standards for distance education;

Whether the school has the technological capacity (in general and in the context of a disaster or emergency) to support that form of instruction and whether students and faculty have or can be provided with the technology needed for the course;

A description of the technology that will be used to deliver the distance learning;

Will the distance learning be synchronous or asynchronous;

How will the school confirm that students have completed the distance learning requirements;

Will the manner in which the course is graded change due to the transition to distance learning (e.g., if class participation was a component of the grade in an in-person course will it remain so when the course is delivered via distance learning);

Will course requirements be changed to accommodate the transition to distance learning (e.g., will written coursework replace classroom-based coursework).

The petition need not specifically address every course that will be transitioning to distance education, but may address generally how the school plans to handle the transition for traditional in-person courses as compared to experiential courses or internships and the like. In deciding whether a waiver of strict compliance is appropriate, the Court will take into consideration the challenges faced by law schools during this health emergency and their available resources, as well as the fact that the majority of law students have completed approximately half of the semester via existing learning methods. Questions about the waiver petition process may be directed to Lisa Drury, Court Attorney for Professional Matters, at (518) 455-7760.