



**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF NEW YORK**



GENERAL ORDER #57

**Amendment to Local Rule 83.1(a)(1) and (j):
Admission to the Bar and
Local Rule 83.4(b) and (m):
Discipline of Attorneys**

It is hereby ORDERED that Local Rule of Civil Procedure 83.1(a)(1) is AMENDED to read as follows:

1. A verified petition for admission stating the following:
 - place of residence and office address;
 - the date(s) when and court(s) where previously admitted;
 - whether the applicant has ever been held in contempt of court, censured, suspended or disbarred by any court and, if so, the facts and circumstances connected therewith;
 - whether the applicant has ever been convicted of a crime, either a felony or misdemeanor, and, if so, the facts and circumstances connected therewith; and
 - that the applicant is familiar with the provisions of the Judicial Code (Title 28 U.S.C.), which pertain to the jurisdiction of, and practice in, the United States District Courts; the Federal Rules of Civil Procedure and the Federal Rules of Evidence for the District Courts; the Federal Rules of Criminal Procedure for the District Courts; the Local Rules of the District Court for the Northern District of New York; and the New York Rules of Professional Conduct. The applicant shall further affirm faithful adherence to these Rules and responsibilities.

The applicant is not required to notarize the petition if it is executed in accordance with 28 U.S.C. § 1746.

It is further ORDERED that paragraph (j) has been added to Local Rule 83.1 as follows:

- (j) **Felony or Misdemeanor Conviction.** An attorney convicted of a felony or misdemeanor shall advise this Court of such conviction within 14 days thereof. Failure to do so may result in removal from the roll of the Court in accordance with Local Rule 83.4.

It is further ORDERED that Local Rule of Civil Procedure 83.4(b) is AMENDED to read as follows:

- (b) Any member of the bar of this Court who has been convicted of a felony in any State, Territory, other District, Commonwealth, or Possession shall be suspended from practice before this Court, upon presentation of a copy of the judgment of conviction, and shall cease to be a member of the bar of this Court. The Court will immediately serve a copy of the suspension order on the attorney, with notice that he/she has been suspended in accord with General Order #57 and Local Rule 83.4.

An application to set aside an order of suspension, an order of disbarment or any other disciplinary order must be filed with the Clerk of Court within twenty (20) days from issuance of the order. The Court, in its discretion, may consider the application on the papers submitted, schedule oral argument, or hold an evidentiary hearing. Upon good cause shown, a majority of the active and senior District Judges may set aside the suspension when it is in the interest of justice to do so.

It is further ORDERED that paragraph (m) has been added to Local Rule 83.4 as follows:

- (m) **Application for Reinstatement:** Any attorney who has been suspended or precluded from appearing in this Court or whose name has been struck from the roll of the members of the bar of this Court may apply in writing to the Chief Judge, for good cause shown, for the lifting of the suspension or preclusion or for reinstatement to the rolls no earlier than one (1) year from the date the disbarment order, suspension order or disciplinary order was issued. The attorney has the burden of demonstrating by clear and convincing evidence that he/she has the moral qualifications, competency and learning in the law required for admission to practice law before this Court and that his/her resumption of the practice of law will not be detrimental to the integrity and standing of the bar or to the administration of justice, or injurious to the public interest.

The application shall attach all orders from any court regarding disbarment, suspension or other disciplinary action of the attorney and any order reinstating the attorney to the practice of law. The Chief Judge may appoint one or more judges to review the application and make findings and recommendations, or may act upon the application without making such a referral. Absent extraordinary circumstances, no such application will be granted unless the attorney seeking reinstatement meets the requirements for admission set forth in Local Civil Rule 83.1. Upon good cause shown, a majority vote of the active and senior District Judges may vacate the disciplinary order and reinstate the attorney when it is in the interest of justice to do so. A copy of the order on the application to for reinstatement shall be served upon the attorney by regular mail.

IT IS SO ORDERED.

This 4th day of February 2020
at Syracuse, New York



Hon. Glenn T. Suddaby
Chief U.S. District Judge