

Admission To The New York Bar Just Got Harder

By Aebra Coe

Law360, New York (December 16, 2015, 5:27 PM ET) -- A new change to the New York State Bar admissions rules requires prospective attorneys to demonstrate that they have acquired the real-life skills necessary to be competent at practicing law, New York Court of Appeals Chief Judge Jonathan Lippman said Wednesday.

Bar applicants will be required to complete a skills competency component of the exam beginning with J.D. students who start law school after Aug. 1, 2016.

The rule change will allow applicants five different ways to prove that their legal skills are up to snuff: by showing completion of an apprenticeship or time spent doing pro bono work, providing certification from their school or proof of practice-based coursework, or showing a certain amount of experience practicing in another jurisdiction.

"The new skills competency requirement for bar admission in New York will go a long way toward ensuring that newly minted attorneys are practice-ready and prepared to meet the myriad — and emerging — demands of the legal profession in the 21st century," Chief Judge Lippman said Wednesday.

The new measures are outlined in a report to Judge Lippman and the Court of Appeals issued by the Task Force on Experiential Learning and Admission to the Bar.

Led by Court of Appeals Associate Judge Jenny Rivera and made up of legal educators and practitioners, the task force was formed in June 2015 at the suggestion of the Advisory Committee on the Uniform Bar Examination.

Along with its recommendation that New York adopt the UBE, the advisory committee, in a report released this past spring, proposed exploring whether New York's admission requirements should be amended to include, among other things, an experiential learning component. That suggestion ultimately led to the rule amendment unveiled Wednesday that creates the skills competency requirement for bar applicants.

The skills competency requirement will apply to all new applicants for admission, whether educated in the United States or abroad, according to the rule change.

Applicants can submit a certification from their law school confirming that the school's curriculum teaches the skills and professional values needed in the legal profession, and that the applicant has acquired sufficient competency in those skills and familiarity with those values.

Alternatively, applicants can offer up proof from their law school that they completed 15 credits of practice-based experiential coursework designed to foster professional competency training. As many as six of the 15 credits can be made up of certified, non-credit bearing summer employment programs, with 50 hours of full-time employment required for each substituted credit.

Another avenue for filling the requirement is to complete the Pro Bono Scholars program, a program implemented in New York in 2014 that gives law students the option to take the bar exam early and spend their final semester of study doing pro bono work.

Applicants also have the option of completing a post-graduation, six-month apprenticeship under the supervision of a qualified attorney in order to meet the new requirements. The apprenticeship can be paid or unpaid.

Finally, bar applicants who have been admitted to practice law in another state, or outside the U.S., can meet the skills competency requirement by establishing that they have been in good standing and have practiced law full-time for one year, or part-time for two years.

--Editing by Mark Lebetkin.

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