

## APPENDIX E

### Affidavit in Support of Application to Resign For Non-Disciplinary Reasons

#### INSTRUCTIONS

An application pursuant to section 1240.22 (a) of these Rules to resign as an attorney and counselor-at-law for non-disciplinary reasons shall comply with the following requirements:

- (1) The application shall be submitted in affidavit form, subscribed and sworn to before a notary public or other person authorized to administer an oath, and shall be worded and numbered as set forth below.
- (2) In completing the affidavit, the respondent should not omit inapplicable passages.
- (3) Place the moving papers in the following order:
  - a. The attorney's form affidavit;
  - b. The exhibits supporting that form affidavit; and
  - c. Affidavits reflecting service of the application upon the Chief Attorney of the appropriate Committee and the Lawyers' Fund for Client Protection.



6. I was admitted to the New York State Bar on [date] by the \_\_\_\_\_ Judicial Department, and my attorney registration number is \_\_\_\_\_.

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

\_\_\_\_\_.

**- OR -**

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

8. I have been the subject of professional discipline in the following other courts or jurisdictions: [state the court or jurisdiction, the date, the nature of the discipline imposed, whether such discipline was public or private, and whether or not you have been reinstated to practice and are now in good standing in such court or jurisdiction].

[A copy of each order or judgment imposing such discipline is attached as exhibit \_\_\_\_ hereto. A copy of each order or judgment reinstating me to practice is attached as exhibit \_\_\_\_ hereto.]

**- OR -**

I attest that I have not been the subject of professional discipline in this or any other court or jurisdiction.

9. I am currently the subject of an attorney disciplinary complaint or proceeding in the following courts or jurisdictions: [state the nature of the complaint or proceeding, the disciplinary authority before which it is pending, and the status thereof].

**- OR -**

I attest that I am not currently the subject of an attorney disciplinary complaint in this or any other court or jurisdiction.

10. Since the date of my admission to the New York State Bar, 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 date of my admission to the New York State Bar, 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.

11. I am current in my attorney registration and in payment of attorney registration fees pursuant to Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1 [or, if not current, state the length of any delinquency and the amount of arrears].

12. The specific reasons for this application to resign from the Bar of the State of New York are as follows: \_\_\_\_\_.

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

Dated: [city or town, state]

\_\_\_\_\_, 20\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Phone Number

Subscribed to and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public