



*State of New York
Court of Appeals*

*Lisa Le Cours
Chief Clerk and
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December 2, 2022

NOTICE TO THE BAR
RULES FOR THE TEMPORARY PRACTICE OF LAW (Part 523)

The Court has amended its Rules for the Temporary Practice of Law (Part 523), effective December 7, 2022. The amendment relates to lawyers who are not admitted in New York, but work remotely from their homes in New York State.

A copy of the order amending the Rules is attached.

Lisa LeCours
Chief Clerk and Legal Counsel to the Court

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 18th day of November, 2022.

Present, HON. ANTHONY CANNATARO, Acting Chief Judge presiding.

In the Matter

of

The Amendment of the Rules of Practice of the Court of Appeals
(22 NYCRR Part 523).

Pursuant to section 51 of the Judiciary Law, it is hereby

ORDERED that Part 523 of the Rules of the Court of Appeals for the Temporary Practice of Law in New York is amended (22 NYCRR Part 523), effective December 7, 2022, or as soon thereafter as section 52 of the Judiciary Law is complied with, by adding the underlying material to section 523.1 and by adding new section 523.5, to read as follows:

§ 523.1 General regulation as to lawyers admitted in another jurisdiction

A lawyer who is not admitted to practice in this State shall not:

(a) except as authorized by other rules or law such as section 523.5 below, establish an office or other systematic and continuous presence in this State for the practice of law; or

(b) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this State.

§ 523.5 Working from home

A lawyer who is not admitted to practice in this State but who is authorized to practice law in one or more other jurisdictions identified in section 523.2(a)(1), may practice law from a temporary or permanent residence or other temporary or permanent location in this State to the same extent that such lawyer is permitted to practice law in the jurisdiction(s) where the lawyer is duly admitted or authorized, provided:

(a) the lawyer does not practice the law of this State except to the extent permitted by this Part, by other laws of this State, and by the laws of jurisdictions in which the lawyer is authorized to practice;

(b) the lawyer does not use advertising, oral representations, business letterhead, websites, signage, business cards, email signature blocks or other communications to hold themselves out, publicly or privately, as authorized to practice law in this State or as having an office for the practice of law in this State;

(c) the lawyer does not solicit or accept residents or citizens of New York as clients on matters that the lawyer knows primarily require advice on the state or local law of New York, except as permitted by 22 NYCRR section 522.4 (the in-house registration rule) or by other New York or federal law;

(d) the lawyer does not regularly conduct in-person meetings with clients or third persons in New York except as would otherwise be permitted under section 523.2 of this Part;
and

(e) when the lawyer knows or reasonably should know that a person with whom the lawyer is dealing mistakenly believes that the lawyer is authorized to practice in this State, the lawyer shall make diligent efforts to correct the misunderstanding.