

# Lawyer Discipline

## REPORT CARD



### NEW YORK

Overall Grade: **D**

**About New York's Lawyer Discipline System:**

Unlike every other state in the country, the State of New York is divided by county into several distinct lawyer discipline agencies. The First Department regulates attorneys working in Manhattan and the Bronx; the Second Department, Districts 2 and 11, governs lawyers with offices in Brooklyn, Queens and Staten Island; the Second Department, District 9 regulates attorneys working in the Hudson Valley; the Second Department, District 10 governs lawyers with offices on Long Island; the Third Department regulates attorneys working in the state's western counties; and the Fourth Department governs lawyers with offices in the state's northern counties. HALT has evaluated and assigned grades to each individual agency and has also averaged these grades to produce an overall grade for the State of New York.

Adequacy of Discipline Imposed	D
Publicity and Responsiveness	C-
Openness of the Process	D-
Fairness of Disciplinary Procedures	D+
Public Participation	D
Promptness	D+
<b>Overall Grade</b>	<b>D</b>

When the grades of the different New York agencies are averaged, New York is ranked 44th in the nation.

⬇ No lawyer discipline agency in New York allows non-lawyers to serve as more than 20% of its hearing panel membership. For this reason, the state receives a D for Public Participation.

⬇⬆ The Third Department, where 18% of investigated cases lead to public sanctions, is the only agency in the state that does not receive a failing grading for Adequacy of Discipline. On average, less than three percent of investigated complaints lead to public discipline (i.e., disbarment, suspension, and public censure) in the other New York agencies. \*

⬇ New York is one of only three states that does not give grievants the right to attend hearings. In addition, discipline hearings in New York are closed to the general public.

\* According to the most recent statistics from the American Bar Association, which derive from the 2000 ABA Survey on Lawyer Discipline Systems.