PRO BONO REQUIREMENT: FREQUENTLY ASKED QUESTIONS

The New York Law School Pro Bono Initiatives Program distributes these FAQs as a quick-reference guide only. You should not rely on them as an authoritative interpretation of the Court rules. Additional information may be found online at www.nyls.edu/probono.

Please be aware that the ultimate decision about whether the Pro Bono Requirement is satisfied will be made by the Character and Fitness Committee of the Appellate Division Department to which your application to the New York Bar is submitted. Additional questions may be sent to ProBonoRule@nycourts.gov.

Does this apply to me?
You must fulfill this requirement if:
- You are applying to the New York State bar
- On or after January 1, 2015

Does my work count?
Work must be:
- Legal work (not non-legal community service)
- Supervised by an attorney
- Generally speaking, on behalf of low-income people who cannot otherwise afford representation, OR work at a government agency or court

Q: I received a public interest fellowship from the school. Does my work still count?
A: If your work otherwise counts, receipt of a grant or stipend from the school does not disqualify the work.

Q: Does clinical work apply?
A: Most likely yes. Check out our most recent list of New York Law School clinics and whether they qualify. The list is available at www.nyls.edu/probono.

Q: Does a judicial externship satisfy the requirement?
A: Yes.
Q: *I did some pro bono work at my firm last summer. Does that count?*
A: Possibly. Pro bono work at a law firm may count if the work is performed for a pro bono matter being handled by that firm and the pro bono client is not paying a fee, and the work otherwise meets the requirements listed above (e.g., supervised by an attorney, for low-income individuals, etc.). Only the hours spent on the pro bono case would qualify.

Q: *I’m doing research for a professor. Does that count?*
A: Only if it was legal research for low-income individuals on a pro bono project by the professor. (If it was part of an academic research project that did not service clients, it most likely will not count.)

*When and where do I have to complete the requirement?*

Work must be completed:

- After you started law school
- Before you apply for admission to the bar

Q: *I did volunteer work before law school. Does that count?*
A: No. You can only count hours completed after you began law school.

Q: *Do I have to complete the requirement before I graduate?*
A: No. You can complete the requirement after you graduate, so long as you complete it before applying for admission to the bar.

Q: *Do I have to complete the work in New York?*
A: No. Work in other states or even foreign countries may satisfy the requirement, so long as it meets the other requirements (e.g., serves low-income individuals) and is supervised by an attorney.

Q: *I worked at two different places. Can I combine the hours to satisfy the requirement?*
A: Yes. So long as the work at each location would count toward the requirement, you can combine the hours, BUT you must submit a separate affidavit for each place you have worked that you are counting toward the requirement.
Okay, I’m done with my hours. Now how and where do I report all this?

You demonstrate compliance with the requirement by:

- Submitting affidavits for your work
- Signed by the attorney who supervised you
- For a total of 50 hours

Q: **What records do I keep?**
A: With your application for admission to the bar, which you will submit to the appropriate Appellate Division of the New York State Supreme Court, you must include an “Affidavit of Compliance” for each institution at which you performed qualifying pro bono work.

Q: **Where do I get this form?**

Q: **Do I turn this in at the law school?**
A: No. This is a requirement of the New York State courts, not a requirement of New York Law School, so New York Law School does not collect or maintain this documentation. You must submit your documentation along with your application for admission to the New York State bar.

Q: **I am filling out my affidavit and was wondering if I should have the current lawyer at the office where I worked sign it, or the lawyer that was there when I interned.**
A: The form affidavit provides for the attorney who actually supervised the work to sign the affidavit.

I still have questions. Where do I get more information?

The rule itself, can be accessed here: [http://www.nycourts.gov/attorneys/probono/baradmissionreqs.shtml](http://www.nycourts.gov/attorneys/probono/baradmissionreqs.shtml)

The Court has also posted an extensive set of FAQs, and they can be found here: [http://www.nycourts.gov/attorneys/probono/FAQsBarAdmission.pdf](http://www.nycourts.gov/attorneys/probono/FAQsBarAdmission.pdf)

You can also find more information, including volunteer opportunities, at the law school’s Pro Bono Initiatives webpage: [www.nyls.edu/probono](http://www.nyls.edu/probono) and portal page, which can be found at Student Resources > Academics > Bar Exam > Pro Bono Initiatives.

If you still cannot find the answer to your question, contact Swati Parikh, Senior Director of Public Service and Pro Bono Initiatives at swati.parikh@nyls.edu.