



The Association of the Bar of the City of New York

OFFICE OF THE PRESIDENT

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VIA FACSIMILE
AND REGULAR MAIL

A. Vincent Buzard, Esq.
Secretary of the Association
New York State Bar Association
One Elk Street
Albany, New York 12207

Re: ***Report of Special Committee on Multi-Jurisdictional Practice***

Dear Vince:

The Association of the Bar, through its Committees on professional Discipline, Professional Responsibility and Professional and Judicial Ethics, has reviewed and considered the Further Report of the New York State Bar Association's Special Committee on Multi-Jurisdictional Practice dated April 2, 2003, including the proposed amendments to DR 3-101 and DR 1-105, with accompanying Ethical Considerations contained therein. As part of this process, we have also reviewed the Report of the American Bar Association's Commission on Multi-Jurisdictional Practice which was approved by the ABA House of Delegates in August 2002. The Association concludes that the State Bar House of Delegates should adopt the proposed amendments to DR 3-101 and DR 1-105 and the accompanying Ethical Considerations (the "Proposed Rules").

As the Special Committee's Report states, New York, as the nation's premiere commercial and legal center, must be in the forefront of addressing the realities of multi-jurisdictional practice and it should foster such practice. Given the need of many New York attorneys to practice in more than one jurisdiction, there are obvious benefits in promoting a uniform standard governing multi-jurisdictional practice. Moreover, the Proposed Rules strike a proper balance in protecting clients and the public at large and, at the same time, not overly restricting the out-of-state lawyer's ability to practice his or her profession in New York. Adoption of the proposed Rules in New York will be an important step in encouraging other jurisdictions to adopt similar rules based on the ABA Report. Accordingly, we recommend that the House of Delegates adopt the Proposed Rules. In making this recommendation, we recognize that additional consideration will need to be given to disciplinary authorities adopting rules implementing these amendments.

Very truly yours,

E. Leo Milonas