

**United States District Courts
for the Eastern & Southern Districts of New York**

Douglas C. Palmer
Clerk of Court

Edward A. Friedland
District Court Executive

**COURT NOTICE TO THE BAR
AUGUST 20, 2021**

**CONTACT
(212) 805-0500**

**The United States District Courts for the Eastern and Southern Districts of New York
Invite Public Comment for Proposed Revisions to
Local Civil Rule 1.5, Rule for Discipline of Attorneys.**

The New York State Courts have recently amended Part 1240, Rules for Attorney Disciplinary Matters and the Eastern and Southern Districts of New York have proposed amending their local civil rule to entertain reciprocal requests. The proposed changes are below.

Local Civil Rule 1.5 Discipline of Attorneys

Local Civil Rule 1.5(d)(3) shall be amended as follows:

(3) Complaints in writing alleging any ground for discipline or other relief set forth in paragraph (b) above shall be directed to the Chief Judge, who shall refer such complaints to the Committee on Grievances. The Committee on Grievances, by its chair, may designate an attorney, who may be selected from the panel of attorneys established pursuant to paragraph (a) above, to investigate the complaint, if it deems investigation necessary or warranted, and to prepare a statement of charges, if the Committee deems that necessary or warranted. Complaints, and any files based on them, shall be treated as confidential unless otherwise ordered by the Chief Judge for good cause shown **or in accordance with paragraph (d)(5) below.**

Local Civil Rule 1.5(d) shall be amended to add a new paragraph (d) (5) as follows:

(5) A duly constituted disciplinary authority of a New York State Court may request expedited disclosure of records or documents that are confidential for use in an investigation or proceeding pending before the disciplinary authority. The request shall be made in writing and submitted to the Chair of the Grievance Committee. The request should, to the extent practicable, identify the nature of the pending investigation or proceeding and the specific records or documents sought. The request may also seek deferral of notice of the request for so long as the matter is in the investigative stage before the disciplinary authority. Upon receipt of the request, the Chair of the Grievance Committee may take any appropriate action and may refer the request to the full Committee. Confidential records and documents disclosed to the disciplinary authority in response to the request shall not be used for any purpose other than the investigation or proceeding pending before the disciplinary authority.

Prior to the revised rules taking effect, the public is invited to comment. Comments are to be submitted in writing by the close of business on September 20, 2021 to:

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or

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