

Law Firm Partner Denied Bar Admission for Lacking Law License: A Case of Unconventional Career Growth



In a recent decision by the Appellate Division's Third Judicial Department of the New York State Supreme Court, bar admission has been denied to a 47-year-old law graduate who had been practicing law without a license for nearly 10 years. The court found that the applicant had failed to provide sufficient evidence of rehabilitation to warrant conditional admission to the bar.

The law graduate, whose identity remains anonymous in the court opinion titled *In Re Anonymous*, passed the bar exam in 2018. However, his journey in the legal profession started much earlier, as he began practicing law in 2001 and even achieved partnership at one of the firms he worked for. The opinion does not disclose the names of the firms involved.

The issues surrounding the applicant's lack of a law license came to light when one of the firms discovered his unauthorized practice of law. This discovery occurred when the applicant misrepresented the status of a pending matter and was subsequently asked to resign. Furthermore, the appeals court revealed that the law graduate had gone as far as fabricating a court order to deceive his employer and client regarding the status of another pending matter. Astonishingly, this information was not disclosed in his bar application.

As a result of the firm's discoveries, the law graduate faced serious legal consequences. He was indicted on various charges, including grand larceny in the second degree, practicing law without being admitted to practice, and offering a false instrument for filing in the second degree. The grand larceny charge was based on his receipt of an attorney's salary despite lacking a valid license. Ultimately, he pleaded guilty to grand larceny in the second degree and received a five-year probation sentence.

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The appeals court expressed significant concern over the applicant's lack of candor throughout the proceedings. Although he disclosed his employment at the second firm in his bar application, he omitted any mention of his earlier practice at the first firm. Only during questioning at the hearing did he acknowledge his prior association with the first firm. The court found this lack of transparency troubling.

Furthermore, the appeals court noted that the law graduate's misconduct could be partially attributed to his struggles with depression and alcohol abuse. However, the applicant had not sought any mental health or substance abuse treatment since his illegal practice of law.

The court also raised concerns regarding the applicant's current employer and his representation as "senior counsel" on his bio page. This title suggested that the applicant still failed to grasp the seriousness of misrepresenting his attorney licensure status.

Ultimately, based on the lack of sufficient evidence of rehabilitation and the troubling nature of the applicant's conduct, the appeals court denied his bar admission. This case serves as a reminder of the importance of honesty, integrity, and adherence to professional standards within the legal profession.

It also underscores the potential consequences that can arise from unauthorized practice of law, including criminal charges and professional repercussions. The decision serves as a cautionary tale for both aspiring lawyers and established legal professionals, highlighting the need for ethical conduct and compliance with licensing requirements at all times.