

Proposed Rule 520.6

520.6 Study of law in foreign country; required legal education.

(a) General. An applicant who has studied in a foreign country may qualify to take the New York State bar examination by submitting to the New York State Board of Law Examiners satisfactory proof of the legal education required by this section.

(b) Legal education.

(1) The applicant shall show fulfillment of the educational requirements for admission to the practice of law in a country other than the United States by successful completion of a period of law study at least substantially equivalent in duration to that required under subdivisions (d) and (e) of section 520.3 of this Part, in a law school or schools each of which, throughout the period of the applicant's study therein, was recognized by the competent accrediting agency of the government of such other country, or of a political subdivision thereof, as qualified and approved; and

(i) that such other country is one whose jurisprudence is based upon the principles of the English Common Law, and that the program and course of law study successfully completed by the applicant were the substantial equivalent of the legal education provided by an approved law school in the United States; or

(ii) if applicant does not meet the durational equivalency requirements of subdivision (b)(1) of this section but has at least two years of substantively equivalent education, or if applicant does not meet the substantive equivalency requirements of subdivision (b)(1)(I) of this section, that applicant may cure either the durational or substantive deficiency, but not both, by satisfactory proof that the applicant has graduated from a full-time or part-time LL.M. (Master of Law) degree program at an American Bar Association approved law school in the United States meeting the requirements of subdivision (b)(3) of this section; or

(2) The applicant shall show admission to practice law in a country other than the United States whose jurisprudence is based upon principles of English Common Law, where admission was based upon a program of study in a law school and/or law office recognized by the competent accrediting agency of the government of such other country and which is durationally equivalent yet substantively deficient under subdivision (b)(1)(I) of this section, and that such applicant has graduated from a full-time or part-time LL.M. (Master of Law) degree program at an American Bar Association approved law school in the United States meeting the requirements of subdivision (b)(3) of this section.

(3) An LL.M. degree shall be satisfactory to qualify an applicant otherwise meeting the requirements of subsections (b)(1)(ii) or (b)(2) to sit for the New York bar examination provided the following requirements are met:

(i) The program shall consist of a minimum of 24 semester hours of credit, or the equivalent thereof, in professional law subjects, including basic courses in American law;

(ii) The program shall include a period of instruction consisting of no fewer than two semesters of at least 13 calendar weeks each, or the equivalent, exclusive of reading periods, examinations and breaks and shall not be completed exclusively during summer semesters;

(iii) The program shall be completed within 24 months of matriculation;

(iv) All coursework for the program shall be completed at the campus of an American Bar Association approved law school in the United States;

(v) The program completed by the applicant shall include: (a) a course in legal research, writing and analysis; (b) a course in American legal studies, American legal system or a similar course designed to introduce students to distinctive aspects and/or fundamental principles of American law; and (c) at least three other courses in subjects tested on the New York bar examination; and

(vi) No credit shall be allowed for correspondence courses, on-line courses, courses offered on DVD or other media, or other distance learning courses.

(c) Proof required. The applicant shall submit to the New York State Board of Law Examiners such proof of compliance with the provisions of this section as the board may require.