

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

Matter of Resnick

2026 NY Slip Op 02605 · No. Motion No. 2025-06352; Case No. 2025-07546 · Decided April 28, 2026

SUMMARY

The Appellate Division, First Department granted the Attorney Grievance Committee's motion for reciprocal discipline against Barbara Jayne Resnick. Based on her Connecticut public reprimand for holding herself out as an attorney while administratively suspended, the court publicly censured her in New York.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Troy K. Webber; Saliann Scarpulla; Martin Shulman; Julio Rodriguez III; Marsha D. Michael
JURISDICTION	Supreme Court, Appellate Division, First Department, New York
DECIDED	April 28, 2026
DOCKET	Motion No. 2025-06352; Case No. 2025-07546
DISPOSITION	other
PROCEDURAL POSTURE	Reciprocal attorney-discipline proceeding initiated by the Attorney Grievance Committee for the First Judicial Department based on a public reprimand imposed on respondent by Connecticut's Statewide Grievance Committee.
STANDARD OF REVIEW	In reciprocal discipline proceedings, the court determines whether one of the defenses authorized by 22 NYCRR 1240.13(b) applies and generally defers to the foreign jurisdiction's sanction absent unusual circumstances.
PRECEDENTIAL VALUE	published

TOPICS

- appellate procedure
- administrative law
- agency adjudication
- judicial review of agency action

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether respondent was subject to reciprocal discipline in New York based on Connecticut's public reprimand.
2. Whether any of the defenses under 22 NYCRR 1240.13(b)—lack of due process, infirmity of proof, or conduct not constituting misconduct in New York—was available.
3. What sanction should be imposed in New York.

HOLDINGS

1. None of the defenses authorized by 22 NYCRR 1240.13(b) was available because respondent received notice and an opportunity to be heard, the Connecticut determination was supported by her own admission, and the misconduct would constitute professional misconduct in New York.
2. Public censure was the appropriate New York sanction because it was commensurate with Connecticut's public reprimand and consistent with First Department precedent addressing comparable misconduct.

KEY QUOTATIONS

“With respect to the sanction, as a general rule this Court defers to the sanction imposed by the jurisdiction in which the charges were originally brought because the foreign jurisdiction has the greatest interest in fashioning sanctions for misconduct” (at 2)

FACTUAL BACKGROUND

Respondent was admitted to practice law in New York and Connecticut and remained suspended in New York for failure to file attorney registration statements and pay biennial registration fees. Connecticut's Statewide Grievance Committee found that she held herself out as an attorney while administratively suspended for failing to pay Client Security Fund fees, including while representing the Shelton Police Union before the Connecticut State Labor Board. On consent, Connecticut publicly reprimanded her and required three continuing legal education credits in legal ethics.

PROCEDURAL HISTORY

Connecticut's Statewide Grievance Committee publicly reprimanded respondent, on consent, for holding herself out as an attorney while administratively suspended in Connecticut. The Attorney Grievance Committee then moved in the First Department for reciprocal discipline and sought a public censure or other appropriate sanction. The court granted the motion and publicly censured respondent.

DISPOSITION

other

CASES CITED

- Matter of Milara, 194 AD3d 108, 110-111 [1st Dept 2021]
- Matter of Tabacco, 171 AD3d 163 [1st Dept 2019]
- Matter of Blumenthal, 165 AD3d 85 [1st Dept 2018]
- Matter of Karambelas, 203 AD3d 75 [1st Dept 2022]
- Matter of McHallam, 160 AD3d 89 [1st Dept 2018]
- Matter of Valvano, 186 AD3d 1 [1st Dept 2020]
- Matter of Block, 116 AD3d 163 [1st Dept 2014]

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/supreme-court-appellate-division-first-department-new-york-supreme-court-of-the-state-of-new-york-ap/2026/matter-of-resnick-5oxd39u7>