

**SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
THIRD DEPARTMENT**

In re Douvres

148 A.D.3d 1453 (3d Dep't 2017) · Decided March 23, 2017

SUMMARY

The New York Appellate Division, Third Department, considers Amanda L. Douvres's application to resign from the New York bar for nondisciplinary reasons. After she cured her attorney registration delinquency, the court granted the application, accepted her resignation, struck her name from the roll of attorneys, and ordered her to surrender her Attorney Secure Pass.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Third Department
WRITING FOR THE COURT	Per Curiam; Peters, P.J.; Garry, J.; Devine, J.; Clark, J.; Aarons, J.
JURISDICTION	New York
DECIDED	March 23, 2017
DISPOSITION	other
PROCEDURAL POSTURE	Amanda L. Douvres applied for permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee opposed the application based on alleged failures to satisfy attorney-registration requirements, but Douvres submitted supplemental proof that she had cured the delinquency.
PRECEDENTIAL VALUE	published and precedential

TOPICS

appellate procedure

PRACTICE AREAS

attorney discipline

bar admission and resignation

QUESTIONS PRESENTED

1. Whether Douvres was eligible to resign from the New York bar for nondisciplinary reasons after curing her attorney-registration delinquency.

2. Whether the court should grant the application, accept the nondisciplinary resignation, and strike Douvres's name from the roll of attorneys.

HOLDINGS

1. An attorney who has cured a preexisting attorney-registration delinquency may be eligible to resign from the New York bar for nondisciplinary reasons when the applicable requirements are otherwise satisfied.
2. The application for permission to resign is granted, the nondisciplinary resignation is accepted, and the attorney's name is stricken from the roll effective immediately until further order of the court.

FACTUAL BACKGROUND

Amanda L. Douvres was admitted to practice by the Third Department in 1996 and maintained a business address in New Jersey. She sought nondisciplinary resignation from the New York bar, but the Attorney Grievance Committee initially objected because she had not fulfilled attorney-registration requirements for the two most recent biennial periods beginning in 2014. Douvres later submitted a supplemental affidavit stating that she was current, and Office of Court Administration records confirmed that she had cured the registration delinquency.

PROCEDURAL HISTORY

Douvres filed an affidavit seeking nondisciplinary resignation. After the Attorney Grievance Committee opposed the application, she submitted a supplemental affidavit establishing that she was current on her registration obligations, and court records confirmed the cure. The Appellate Division determined that she was eligible and granted the application.

DISPOSITION

other

CASES CITED

- Matter of Lee, 148 A.D.3d 1350 (2017)
- Matter of Bomba, 146 A.D.3d 1226, 1226-1227 (2017)
- Matter of Tierney, 148 A.D.3d 1457 (2017)

OPINION

In re Douvres 148 A.D.3d 1453

PER CURIAM.

Per Curiam. Amanda L. Douvres was admitted to practice by this Court in 1996 and lists a business address in Norwood, New Jersey with the Office of Court Administration. Douvres has applied to this Court, by affidavit sworn to July 6, 2016, for leave to resign from the New York bar for nondisciplinary reasons (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22

[a]). The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) opposes the application, contending that she is ineligible for nondisciplinary resignation because she has failed to fulfill her attorney registration requirements for the two most recent biennial periods beginning in 2014 (see Judiciary Law § 468-a; Matter of Lee, 148 AD3d 1350 [2017]; Matter of Bomba, 146 AD3d 1226, 1226-1227 [2017]; Rules of Chief Admin of Cts [22 NYCRR] § 118.1). In reply to AGC's opposition, however, Douvres has submitted a supplemental affidavit, sworn to March 5, 2017, in which she attests that she is now current in her New York attorney registration requirements. Furthermore, Office of Court Administration records likewise establish that Douvres has duly registered and cured any preexisting registration delinquency. Accordingly, with AGC voicing no other substantive objection to her application, and having determined that Douvres is now eligible to resign for nondisciplinary reasons (compare Matter of Tierney, 148 AD3d 1457 [2017] [decided herewith]; Matter of Bomba, 146 AD3d at 1227), we grant the application and accept her resignation. Peters, P.J., Garry, Devine, Clark and Aarons, JJ., concur. Ordered that Amanda L. Douvres's application for permission to resign is granted and her nondisciplinary resignation is accepted; and it is further ordered that Amanda L. Douvres's name is hereby stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately, and until further order of this Court (see generally Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further ordered that Amanda L. Douvres shall, *1454within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to her.