

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

Matter of Kimberly Mary Sack, an Attorney

Matter of Sack, 2025 NY Slip Op 07368 (Appellate Division of the Supreme Court of the State of New York Third Department 2025) · No. PM-297-25 · Decided December 31, 2025

SUMMARY

The Appellate Division, Third Department granted Kimberly Mary Sack’s application to resign from the New York bar for nondisciplinary reasons. The court accepted her resignation, struck her name from the roll of New York attorneys effective immediately, prohibited her from practicing law in New York, and ordered her to surrender any Attorney Secure Pass within 30 days.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Garry, P.J.; Clark, J.; Reynolds Fitzgerald, J.; McShan, J.; Powers, J.
JURISDICTION	New York Appellate Division, Third Department
DECIDED	December 31, 2025
DOCKET	PM-297-25
DISPOSITION	other
PROCEDURAL POSTURE	An attorney admitted to practice in New York applied for permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee did not oppose the application.
PRECEDENTIAL VALUE	published
PARTIES	Kimberly Mary Sack v. Attorney Grievance Committee for the Third Judicial Department

TOPICS

- appellate procedure
- administrative law

PRACTICE AREAS

- attorney discipline
- legal ethics
- bar admission and resignation

QUESTIONS PRESENTED

1. Whether Kimberly Mary Sack was eligible to resign from the New York bar for nondisciplinary reasons.
2. What consequences follow from acceptance of an attorney's nondisciplinary resignation.

HOLDINGS

1. Sack was eligible to resign from the New York bar for nondisciplinary reasons, and her application was granted.
2. Upon acceptance of the resignation, Sack's name was stricken from the roll of attorneys and counselors-at-law, she was prohibited from practicing law or holding herself out as an attorney in New York, and she was required to surrender any Attorney Secure Pass within 30 days.

KEY QUOTATIONS

“ORDERED that Kimberly Mary Sack's application for permission to resign is granted and her nondisciplinary resignation is accepted” ([*1])

“Kimberly Mary Sack is commanded to desist and refrain from the practice of law in any form in the State of New York” ([*1])

FACTUAL BACKGROUND

Kimberly Mary Sack was admitted to practice by the New York Appellate Division, Third Department, in 1989 and maintained a business address in Glendale, Massachusetts with the Office of Court Administration. She sought to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee for the Third Judicial Department advised that it did not oppose the application, and the court determined that Sack was eligible to resign.

PROCEDURAL HISTORY

Kimberly Mary Sack submitted an affidavit sworn to November 12, 2025, filed November 17, 2025, seeking permission to resign for nondisciplinary reasons. After reviewing the affidavit and the Attorney Grievance Committee's December 23, 2025 response, the Appellate Division determined that Sack was eligible and granted the application.

DISPOSITION

other

OPINION

PER CURIAM.

Matter of Sack (2025 NY Slip Op 07368) Matter of Sack 2025 NY Slip Op 07368 Decided on December 31, 2025 Appellate Division, Third Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to

revision before publication in the Official Reports. Decided and Entered: December 31, 2025 PM-297-25 [*1] In the Matter of Kimberly Mary Sack, an Attorney.

(Attorney Registration No. 2280733.) Calendar Date: December 29, 2025 Before: Garry, P.J., Clark, Reynolds Fitzgerald, McShan and Powers, JJ. Kimberly Mary Sack, Glendale, Massachusetts, pro se. Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (Alison M. Coan of counsel), for Attorney Grievance Committee for the Third Judicial Department.

Per Curiam. Kimberly Mary Sack was admitted to practice by this Court in 1989 and lists a business address in Glendale, Massachusetts with the Office of Court Administration. Sack now seeks leave to resign from the New York bar for nondisciplinary reasons (see Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.22 [a]).

The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) advises that it does not oppose Sack's application. Upon reading Sack's affidavit sworn to November 12, 2025 and filed November 17, 2025, and upon reading the December 23, 2025 correspondence in response by the Deputy Chief Attorney for AGC, and having determined that Sack is eligible to resign for nondisciplinary reasons, we grant her application and accept her resignation.

Garry, P.J., Clark, Reynolds Fitzgerald, McShan and Powers, JJ., concur. ORDERED that Kimberly Mary Sack's application for permission to resign is granted and her nondisciplinary resignation is accepted; and it is further ORDERED that Kimberly Mary Sack'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 Atty Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further ORDERED that Kimberly Mary Sack is commanded to desist and refrain from the practice of law in any form in the State of New York, either as principal or as agent, clerk or employee of another; and Sack is hereby forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority, or to give to another an opinion as to the law or its application, or any advice in relation thereto, or to hold herself out in any way as an attorney and counselor-at-law in this State; and it is further ORDERED that Kimberly Mary Sack shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to her.

PER CURIAM.

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