

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: March 25, 2021

PM-38-21

In the Matter of ATTORNEYS
IN VIOLATION OF JUDICIARY
LAW § 468-a.

COMMITTEE ON PROFESSIONAL
STANDARDS, Now Known as
ATTORNEY GRIEVANCE
COMMITTEE FOR THE THIRD
JUDICIAL DEPARTMENT,
Petitioner;

MEMORANDUM AND ORDER
ON MOTION

JAMIE LYNN HOPKINS, Also Known
as JAMIE LYNN CICERELLE,
Respondent.

(Attorney Registration No. 2839199)

Calendar Date: February 22, 2021

Before: Garry, P.J., Egan Jr., Lynch, Clark and Colangelo, JJ.

Monica A. Duffy, Attorney Grievance Committee for the
Third Judicial Department, Albany, for petitioner.

Jamie Lynn Cicerelle, Great Meadows, New Jersey,
respondent pro se.

Per Curiam.

Respondent was admitted to practice by this Court in 1997

and is also admitted in New Jersey, where she practices family law. By September 2009 order, this Court suspended respondent from the practice of law in New York for conduct prejudicial to the administration of justice arising from her noncompliance with the attorney registration requirements of Judiciary Law § 468-a and Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1 beginning in 1999 (Matter of Attorneys in Violation of Judiciary Law § 468, 65 AD3d 1447, 1461 [2009]; see Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]). Having cured her registration delinquency in February 2019, respondent now applies for her reinstatement pursuant to Rules for Attorney Disciplinary Matters (22 NYCRR) § 1240.16. Petitioner has opposed respondent's motion based upon certain identified deficiencies, and respondent has since submitted supplemental correspondence in an attempt to address petitioner's concerns.¹

Initially, we find that respondent has satisfied the procedural requirements for an attorney seeking reinstatement to the practice of law from a suspension of more than six months (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Nenninger], 180 AD3d 1317, 1318 [2020]). Given the length of her suspension, respondent properly submits a sworn affidavit in the proper form set forth in appendix C to the Rules for Attorney Disciplinary Matters (22 NYCRR) part 1240 (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]). She has also submitted sufficient threshold documentation in support of her application, including proof that she successfully completed the Multistate Professional Responsibility Examination within one year of her application (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]; compare Matter of Attorneys in Violation of Judiciary Law § 468-a [Castle], 161 AD3d 1443, 1444 [2018]).

We further determine that respondent has satisfied the three-part test applicable to all attorneys seeking

¹ The Lawyers' Fund for Client Protection advises that there are no open claims pertaining to respondent and that it therefore defers to the Court's discretion as to respondent's reinstatement.

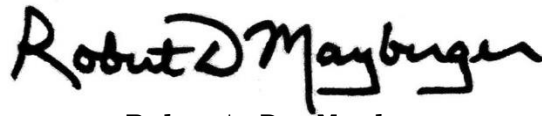
reinstatement from suspension or disbarment (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Gibson], 186 AD3d 961, 962 [2020]; Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [a]). The submitted materials establish respondent's compliance with the order of suspension and the Rules of this Court (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Wilson], 186 AD3d 1874, 1875 [2020]). Additionally, we find that respondent has clearly and convincingly demonstrated that she possesses the requisite character and fitness and that it would be in the public's interest to reinstate her to the practice of law in New York (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Mahoney], 179 AD3d 1352, 1353 [2020]; Matter of Attorneys in Violation of Judiciary Law § 468-a [Sauer], 178 AD3d 1191, 1193 [2019]; Matter of Attorneys in Violation of Judiciary Law § 468-a [Koschwitz], 176 AD3d 1300, 1301 [2019]). Accordingly, we grant respondent's motion and reinstate her to the practice of law in New York.

Garry, P.J., Egan Jr., Lynch, Clark and Colangelo, JJ.,
concur.

ORDERED that respondent's motion for reinstatement is granted; and it is further

ORDERED that respondent is reinstated as an attorney and counselor-at-law in the State of New York, effective immediately.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court