

**TADC ETHICS & PROFESSIONALISM
NEWSLETTER**

Fall 2007 Edition Supplement

Editors

George B. Butts, DLA Piper US LLP; Austin

Kathy J. Owen, DLA Piper US LLP; Dallas

www.dlapiper.com

Survey of Multijurisdictional Practice Requirements

TABLE OF CONTENTS

State	Page No.
Alabama.....	1
Alaska	2
Arizona	3
Arkansas.....	4
California.....	5
Colorado	7
Connecticut.....	8
Delaware.....	9
District of Columbia.....	10
Florida	12
Georgia	13
Hawaii.....	15
Idaho.....	16
Illinois	17
Indiana.....	19
Iowa	21
Kansas	22
Kentucky	23
Louisiana	24
Maine.....	25
Maryland	26
Massachusetts.....	28
Michigan.....	30
Minnesota	31
Mississippi	33
Missouri.....	35
Montana.....	37
Nebraska.....	39

Nevada	40
New Hampshire	42
New Jersey	44
New Mexico	46
New York	48
North Carolina	50
North Dakota	52
Ohio	54
Oklahoma	56
Oregon	57
Pennsylvania	59
Rhode Island	62
South Carolina	63
South Dakota	65
Tennessee	67
Texas	69
Utah	71
Vermont	73
Virginia	74
Washington	75
West Virginia	77
Wisconsin	79
Wyoming	80

Alabama

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Yes. Absent special circumstances, repeated pro hac vice appearances by any person or firm of attorneys shall be cause for denial of an application for pro hac vice admission. In any case where the foreign attorney has entered an appearance pro hac vice in five cases within the preceding 12 months, the court or administrative agency shall examine the foreign attorney to establish good cause for according such privilege, including facts or circumstances affecting the personal or financial welfare of the client and not the attorney.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. Authorized house counsel may provide legal services to the business organization, but such services shall be limited to (a) giving legal advice to the directors, officers, employees and agents with respect to the business and affairs of the business organization; (b) negotiating and documenting matters for the business organization; and (c) representing the business organization in its dealings with any administrative agency or commission having jurisdiction over the business organization. In-house counsel may not make court appearances unless admitted pro hac vice.

Requirements for pro hac vice admission:

The attorney must be of good moral character and familiar with the ethics, principles, practices, customs, and usages of the legal profession in the State of Alabama. No foreign attorney is eligible to appear pro hac vice if that attorney (a) is a resident of the State of Alabama, (b) is regularly employed in the State of Alabama, or (c) is regularly engaged in substantial business, professional or other activities in the State of Alabama. No foreign attorney may appear pro hac vice unless the attorney has associated local counsel in that cause and local counsel must personally appear and participate in proceedings.

Procedure for pro hac vice admission:

A foreign attorney must file with the court or agency where the cause is pending a verified application for admission to practice, together with proof of service by mail of a copy of the application and of the notice of hearing upon the Alabama State Bar at its Montgomery Alabama office. Upon receipt, the Alabama State Bar shall file with the court or agency and serve upon all counsel of record and parties a statement indicating whether the applicant or other members of that firm have previously made any application for admission, the date of such application and whether it was granted. Once this statement is received, the court or agency shall issue an order granting or denying application. Before any application is granted, local counsel must appear as attorney of record in the particular cause or must consent in writing to the association.

Are there fees for pro hac vice admission? If so, who are they payable to:

The application must be accompanied by a non-refundable \$100 filing fee payable to the Alabama State Bar.

Important website links relating to practice by out-of-state attorneys:

www.alabar.org/members/vice.cfm

Alaska

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

A member in good standing of the bar of a court of the United States and not otherwise disqualified from engaging in the practice of law in Alaska, may be permitted, upon motion to appear pro hac vice. The foreign attorney must be associated with a member of the Alaska Bar Association, who provides his or her written consent. Local counsel shall be primarily responsible to the court for the conduct of all stages of the proceedings, and their authority shall be superior to that of the attorney permitted pro hac vice.

Procedure for pro hac vice admission:

The motion, and the notice of hearing, if any, shall be served on the executive director of the Alaska Bar Association and, unless the court directs otherwise, on each of the parties to the action or proceeding. With the motion, the applicant must file with the court the following: (a) the name, address and telephone number of a member of the Alaska Bar Association with whom the applicant will be associated, who is authorized to practice in the courts of this state; (b) a written consent to the motion, signed by such member of the Alaska Bar Association; (c) a certificate from the presiding judge or clerk of the court where the applicant has been admitted to practice, executed not earlier than 60 days prior to the filing of the motion, showing that the applicant has been so admitted in such court, that he is in good standing therein and that the applicant's professional character appears to be good; and (d) proof of payment of the required fee.

Are there fees for pro hac vice admission? If so, who are they payable to:

Attorneys filing motions to participate must pay an annual administrative fee of \$550 to the Alaska Bar Association. The fee is \$550 per attorney, per case, per year.

Important website links relating to practice by out-of-state attorneys:

www.state.ak.us/courts./civ2.htm#81

<http://www.alaskabar.org/INDEX.CFM?ID=5794&makeback=true>

Miscellaneous important information to know about the state and/or its requirements:

Attorneys will be invoiced for the fee annually until the attorney notifies the Bar Association that the case in which the attorney is participating is closed or the attorney has withdrawn.

Arizona

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

1. Must be a member in good standing of the bar of another state or eligible to practice before the highest court in any state, territory, or insular possession of the United States.
2. Of good moral character and is familiar with ethics, professionalism and practices of the legal profession in Arizona.
3. Association with local counsel.

Procedure for pro hac vice admission:

1. File a verified application with the State Bar of Arizona along with a certificate of good standing from the state bar or from the clerk of the highest admitting court of each state, territory or insular possession of the United States in which the nonresident attorney is admitted to practice law.
2. The State Bar of Arizona will issue a Notice of Receipt of Complete Application to local counsel.
3. File Motion to associate counsel pro hac vice.
4. The Court will issue order granting application.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. A fee equal to 85% of the current dues paid by active members of the Arizona State Bar (currently \$391.00) payable to the State Bar of Arizona.

Important website links relating to practice by out-of-state attorneys:

www.azbar.org

Miscellaneous important information to know about the state and/or its requirements:

On or before each anniversary date of the filing of the verified application with the State Bar of Arizona, local counsel must certify whether or not the non-resident attorney continues to act as counsel in the cause or if the matter has been concluded. If the non-resident continues to represent a party in the action he or shall remit a fee equal to 85% of the current dues paid by active members of the State Bar of Arizona.

Arkansas

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Attorney must be admitted in state of residence and in good standing.

The nonresident attorney should associate a lawyer residing and admitted to practice in the State of Arkansas upon whom notices may be served and will be responsible to the court in which the case is pending for the progress of the case.

Procedure for pro hac vice admission:

A written statement must be filed with the court in which the nonresident lawyer submits to all disciplinary procedures applicable to Arkansas lawyers.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://courts.state.ar.us/rules/barrule.html#XIV>

Miscellaneous important information to know about the state and/or its requirements:

Arkansas has adopted a rule identical to ABA Model Rule 5.5.

California

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

It is unclear whether pro hac vice admission is required to participate in mediations in California. But, given that (1) California has rules governing out-of-state attorneys engaging in arbitration and other forms of practice outside the court room (see Cal. R. Ct. 9.43-9.48), (2) the rules classify mediation as “a formal legal proceeding” along with litigation, arbitration, and administrative hearings (Cal. Ct. R. 9.47), and (3) mediation is often ordered by a court during the course of litigation, it is likely that out-of-state attorneys wishing to represent a client at mediation are meant to apply for admission pro hac vice just as they would to participate in any other proceeding in that case.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Pro hac vice admission is required for out-of-state attorneys to represent clients at deposition. *Ex Parte McCue*, 293 P. 47, 52 (Cal. 1930) (stating that even though a deposition is conducted outside of court, it is considered a court proceeding); Cal. R. Ct. 9.40 (pro hac vice admission required to appear as counsel before the court).

Is there a limit to number of admissions in state by attorney or firm:

There is no hard-and-fast rule as to the number of times an applicant may be admitted pro hac vice, although “repeated appearances by any person is a cause for denial of an application.” Cal. R. Ct. 9.40(b).

Does the state have special provisions for work done by in-house counsel in the state:

Yes. An attorney who resides in California but is licensed to practice in another United States jurisdiction may register with the State Bar as in-house counsel for a qualifying institution without becoming a member of the Bar. Cal. R. Ct. 9.46. The applicant must (1) register with the State Bar and file an Application for Determination of Moral Character; (2) meet all of the requirements for admission to the State Bar of California, except that the applicant need not take the bar exam or the MPRE, and may practice law while awaiting the results of his or her moral character application; (3) comply with the rules adopted by the Board of Governors relating to the State Bar Registered In-House Counsel Program; (4) practice law exclusively for a single qualifying institution (as defined by the rule), except that, if so qualified, may simultaneously practice law as a registered legal services attorney; (5) abide by all of the laws and rules that govern members of the State Bar of California, including the Minimum Continuing Legal Education (MCLE) requirements; and (6) satisfy in his or her first year of practice under this rule all of the MCLE requirements, including ethics education, that members of the State Bar of California must complete every three years and, thereafter, satisfy the MCLE requirements. *Id.* The State Bar’s registration form can be found at

http://www.calbar.ca.gov/calbar/pdfs/certification/2007_MJP_In-House_Appl.pdf.

Requirements for pro hac vice admission:

(1) The applicant must be admitted to practice before a United States court, or the highest court of any state, territory, or insular possession; (2) the applicant must not be a California resident, nor regularly employed in the State of California or otherwise engaged in “substantial business, professional, or other activities in the State of California;” and (3) a member of the California Bar must be associated as attorney of record in the particular case for which the applicant seeks admission. Cal. R. Ct. 9.40(a).

Procedure for pro hac vice admission:

Applications are generally filed and heard as law and motion matters in the case for which the applicant seeks pro hac vice admission. The verified application must state (1) The applicant’s residence and office addresses; (2) the court or courts to which the applicant has been admitted to practice and the dates of admission; (3) that the applicant is a member in good standing in such courts; (4) that the applicant is not currently suspended or disbarred in any court; (5) the title and case number of any California action in which the applicant has applied to appear pro hac vice during the preceding two years, the date of each application, and whether or not it was granted; and (6) the name,

address, and telephone number of the active member of the State Bar of California who is attorney of record. Cal. R. Ct. 9.40(d).

Copies of the application must be served by mail upon all parties who have appeared in the action, and also upon the California State Bar at its San Francisco office at least 16 court days before the hearing. Cal. R. Ct. 9.40(c)(1); Cal. Code Civ. Proc. §§ 1005, 1013a (governing service). The address for service on the State Bar is: The State Bar of California, Office of Special Admissions and Specialization, 180 Howard Street, San Francisco, CA 94105.

The State Bar's Pro Hac Vice Program can be contacted at: Pro Hac Vice Program, The State Bar of California, 180 Howard Street, San Francisco, CA 94105, email: ProHac@calbar.ca.gov, phone: 415-538-2111.

Are there fees for pro hac vice admission? If so, who are they payable to:

A \$50 fee payable to the State Bar of California must be included with the copy of the application and the notice of hearing that is served on the State Bar.

Important website links relating to practice by out-of-state attorneys:

www.calbar.ca.gov

Miscellaneous important information to know about the state and/or its requirements:

California has special requirements for out-of-state attorneys wishing to appear in arbitration proceedings. An "out-of-state attorney arbitration counsel" may participate if he or she (1) is not a member of the California State Bar but is a member of and eligible to practice before "any United States court or the highest court in any state, territory, or insular possession of the United States," (2) has served a certificate under California Code of Civil Procedure section 1282.4 on the arbitrator(s), the State Bar of California (see address above), and all other parties and counsel in the arbitration whose addresses are known to the attorney, and (3) has been approved by the arbitrator(s) to appear. Cal. R. Ct. 9.43(a). A form certificate including all of the information required by Code of Civil Procedure Section 1282.4 (nearly identical to what is required for pro hac vice admission) is available at <http://www.calbar.ca.gov/calbar/pdfs/certification/OSAAC-Certificate.pdf>.

California also has a special exemption for "Registered Legal Services Attorneys." Cal. R. Ct. 9.45. The rule allows an attorney who relocates to California and who is licensed to practice law in one or more jurisdictions of the United States other than California to practice law for up to three years under the supervision of an attorney employed by certain non-profit entities or law school programs that provide legal services to indigent persons. *Id.* The State Bar's registration form can be found at http://calbar.ca.gov/calbar/pdfs/certification/2007_MJP_Leg-Serv_Appl.pdf.

Colorado

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

- (1) The attorney must be licensed to practice law and is on active status in another jurisdiction in the United States;
- (2) The attorney must be a member in good standing of the bar of all courts and jurisdictions in which he or she is admitted to practice;
- (3) The attorney has not established domicile in Colorado; and
- (4) The attorney has not established a place for the regular practice of law in Colorado from which such attorney holds himself or herself out to the public as practicing Colorado law or solicits or accepts Colorado clients.

Procedure for pro hac vice admission:

- (1) File a verified motion requesting permission to appear with the trial court;
- (2) Designate an associate attorney who is admitted and licensed to practice law in this state;
- (3) File a copy of the verified motion with the Clerk of the Colorado Supreme Court at the Attorney Registration Office at the same time the verified motion is filed with the trial court;
- (4) Pay a \$250 fee to the Clerk of the Colorado Supreme Court collected by the Attorney Registration Office; and
- (5) Obtain permission from the trial court for such appearance.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$250 payable to Clerk of Colorado Supreme Court.

Important website links relating to practice by out-of-state attorneys:

<http://www.courts.state.co.us/supct/rules/2002ruleschng.htm>

Connecticut

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

None specified.

Requirements for pro hac vice admission:

- (1) The attorney must be in good standing at the bar of another state, the District of Columbia, or the Commonwealth of Puerto Rico;
- (2) A written application must be presented to the court;
- (3) The application must be presented by a member of the bar of Connecticut; and
- (4) A member of the bar of Connecticut must be present at all proceedings and must sign all pleadings, briefs, and other papers filed with the court and assume full responsibility for them and for the conduct of the attorney to whom such privilege is accorded.

Procedure for pro hac vice admission:

The application should be accompanied by an affidavit of the applicant and should:

- (1) certify whether the applicant has a grievance pending against him or her in any other jurisdiction, has ever been reprimanded, suspended, placed on inactive status, disbarred, or has ever resigned from the practice of law and, if so, setting forth the circumstances concerning such action;
- (2) designate the chief clerk of the superior court for the judicial district in which the attorney will be appearing as his or her agent upon whom process and service of notice may be served;
- (3) agree to register with the statewide grievance committee while appearing in the matter in this state and for two years after the completion of the matter in which the attorney appeared; and
- (4) identify the number of cases in which the attorney has appeared pro hac vice in the superior court of Connecticut.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$450 to Department of Revenue and \$110 to Client Security Fund.

Important website links relating to practice by out-of-state attorneys:

<http://www.jud.state.ct.us/CBEC/#Sec.%202-16>

Miscellaneous important information to know about the state and/or its requirements:

Where feasible, the application should be made to the judge before whom such cause is likely to be tried. If not feasible, the application shall be made to the administrative judge in the judicial district where the matter is to be tried.

Delaware

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Attorneys who are not members of the Delaware Bar or inactive members of the Delaware Bar may be admitted pro hac vice in the discretion of the Court and such admission shall be made only upon written motion by an active member of the Delaware Bar.

Procedure for pro hac vice admission:

Any attorney seeking admission pro hac vice shall certify the following in a statement attached to the motion: (i) Good standing. -- That the attorney is a member in good standing of the Bar of another state; (ii) Professional conduct and principles. -- That the attorney shall be bound by the Delaware Lawyers' Rules of Professional Conduct and has reviewed the Statement of Principles of Lawyer Conduct; (iii) Compliance with rules. -- That the attorney and all attorneys of the attorney's firm who directly or indirectly provide services to the party or cause at issue shall be bound by all rules of the practice in this State and of the agency; (iv) Consent to service. -- That the attorney has consented to the appointment of the Clerk of the Supreme Court as agent upon whom services of process may be made for all actions, including disciplinary actions, that may arise out of the practice of law under this Rule and any activities related thereto; (v) Prior appearances. -- The number of actions in any court of record of Delaware and matters before administrative agencies of this State in which the attorney has appeared in the preceding 12 months; (vi) Assessment. -- That a payment for the pro hac vice admission assessment in the amount of \$300 is attached to be deposited in the registration fund of the Delaware Supreme Court; (vii) Disciplinary proceedings. -- Whether the applying attorney has been disbarred or suspended or is the object of pending disciplinary proceedings in any jurisdiction where the applying attorney has been admitted generally, pro hac vice, or in any other way; and (viii) Other jurisdictions. -- The identification of all states or other jurisdictions in which the applying attorney has at any time been admitted generally.

Are there fees for pro hac vice admission? If so, who are they payable to:

A fee of \$300 per year payable to the Delaware Supreme Court.

Important website links relating to practice by out-of-state attorneys:

<http://courts.state.de.us/Rules/?supremerules.pdf>

District Columbia

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No. The Rule is not intended to cover the provision of mediation or alternative dispute resolution ("ADR") services. This intent is expressed in the first sentence of the definition of the "practice of law" which requires the presence of two essential factors: The provision of legal advice or services and a client relationship of trust or reliance. ADR services are not given in circumstances where there is a client relationship of trust or reliance; and it is common practice for providers of ADR services explicitly to advise participants that they are not providing the services of legal counsel. *DC Court of Appeals Rule 49 ("Rule 49"), Commentary.*

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. The rule does not prohibit the "incidental taking of a deposition" so long as the "person performing the legal services" is licensed in another state and the attorney's discloses her bar status. *Rule 49, Commentary.*

Is there a limit to number of admissions in state by attorney or firm:

Yes. The Attorney is limited to 5 applications per year unless he/she can show the court exceptional cause. *Rule 49(c)(7)(i).*

Does the state have special provisions for work done by in-house counsel in the state:

Yes. Rule 49(c)(6) of DC Court of Appeals:

(c) Exceptions. The following activity in the District of Columbia is excepted from the prohibitions of section (a) of this Rule, provided the person is not otherwise engaged in the practice of law or holding out as authorized or competent to practice law in the District of Columbia: (6) *Internal Counsel.* Providing legal advice only to one's regular employer, where the employer does not reasonably expect that it is receiving advice from a person authorized to practice law in the District of Columbia

Requirements for pro hac vice admission:

The Courts of the District of Columbia may admit attorneys admitted in any state pro hac to provide legal services so long as

- The attorneys limit 5 Applications per year.
- If the applicant attorney can show exceptional cause to the court, they may apply for more than five cases per calendar year.
- The attorney is a member in good standing of the highest court(s) of any state.
- The attorney has no disciplinary complaints pending against her.
- The attorney has not been suspended or disbarred for disciplinary reasons from practice in any court.
- The attorney is associated with a member in good standing of the DC Bar.
- The attorney does not practice or hold out to practice law in DC. *Rule 49(c)(7)(ii).*

Procedure for pro hac vice admission:

The applicant must submit a copy of the application to the offices of the Committee, and pay the application fee. At that point, the applicant attorney must file the application and receipt of payment with the Clerk of Court. *Rule 49(c)(7)(vi).*

Are there fees for pro hac vice admission? If so, who are they payable to:

The District of Columbia Bar requires a \$100.00 fee that out of state attorneys must pay to the Clerk of Court. The application fee shall be waived for a person whose conduct is covered by section (c)(9)(pro bono publico), or whose client's application to proceed in forma pauperis has been granted.

Important website links relating to practice by out-of-state attorneys:

<http://www.dcbbar.org/>

Miscellaneous important information to know about the state and/or its requirements:

The applicant attorney must document the name and number of the DC Bar member that supervises the applicant attorney's pro hac admittance pursuant to Superior Ct. Civ. R. 101.

Florida

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No. Subdivisions (c)(3) and (d)(3) permit a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in Florida if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services are performed for a client who resides in or has an office in the lawyer's home state, or if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require. *Comment on Rule 4-5.5(c)(3) and (d)(3) of the Rules Regulating the Florida Bar ("Rules")*.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. Subdivision (c)(2) also provides that a lawyer rendering services in Florida on a temporary basis does not violate this rule when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in Florida in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in Florida. *Comment on Rule 4-5.5 (c)(2)*.

Is there a limit to number of admissions in state by attorney or firm:

Yes. An applicant attorney may not gain pro hac admittance if he/she has appeared before a Florida court more than 3 times in the last 365 days. *Florida Rules of Judicial Administration ("RJA") 2.061(a)(4)*.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, Chapter 17 of the Rules Regulating the Florida Bar.

Requirements for pro hac vice admission:

The State of Florida may admit non-Florida Bar members to practice pro hac if:

- The applicant attorney is not a resident of Florida;
- The applicant attorney is an active member in good standing of the bar of another state;
- The applicant attorney has not been disciplined or held in contempt for misconduct;
- The applicant attorney is associated with a Florida Bar member in good standing;
- The applicant attorney has not appeared before Florida courts more than 3 times in the last 365-day period. *RJA 2.061(a)*.

Procedure for pro hac vice admission:

The applicant attorney must file a verified motion with the court in which the litigation is proceeding. The applicant attorney must file the application fee with the verified motion.

Are there fees for pro hac vice admission? If so, who are they payable to:

The State of Florida requires a \$250 filing fee made payable to the Florida Bar. *RJA 2.061(b)(7)*.

Important website links relating to practice by out-of-state attorneys:

<http://www.floridasupremecourt.org>
<http://www.floridasupremecourt.org/decisions/2005/sc04-135.pdf>

Georgia

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

An attorney who is not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in Georgia that are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the attorney's practice in a jurisdiction in which the attorney is admitted to practice and are not services for which the forum requires pro hac vice admission. *State Bar Rules and Regulations Rule ("Rule") 4-102, Rules of Professional Conduct ("RPC") Rule 5.5(c).*

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, so long as the applicant attorney "reasonably expects to be admitted pro hac vice." *Rule 4-102, RPC Rule 5.5, Comment 10.*

Is there a limit to number of admissions in state by attorney or firm:

No.

Does the state have special provisions for work done by in-house counsel in the state:

Georgia Rule of Professional Conduct 5.5(d)(1) provides that an attorney actively licensed in a United States jurisdiction other than Georgia may practice in the state to provide legal services to the his/her employer or its organizational affiliates provided they are not legal services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

The attorney must be admitted in another state or territory of the United States or of the District of Columbia. The attorney must not be disbarred or suspended from practice in any jurisdiction. *Rule 4.4(A)(1).*

The attorney must also meet one of three requirements:

- If the attorney lawfully practices solely on behalf of the attorney's employer and its commonly owned organizational affiliates, regardless of where such lawyer may reside or work, he/she may be eligible for pro hac admission.
- If the attorney neither resides nor is regularly employed at an office in Georgia, he/she may be eligible for pro hac admission.
- If he/she resides in Georgia but lawfully practices from offices in one or more other states and practices no more than temporarily in Georgia, whether pursuant to admission pro hac vice or in other lawful ways. *Rule 4.4(A)(2).*

Procedure for pro hac vice admission:

The attorney must file a verified application with the court where the litigation is filed. The application shall be served on all parties who have appeared in the case and the Office of General Counsel of the State Bar of Georgia. The application shall include proof of service. The court has the discretion to grant or deny the application summarily if there is no opposition. *Rule 4.4(D)(1).*

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, the State Bar of Georgia requires a non-refundable fee for pro hac vice admission as set out by its Investigative Panel. *Rule 4.4(E)(2).* Currently, the fee is \$200.

Important website links relating to practice by out-of-state attorneys:

http://www.gabar.org/news/admission_pro_hac_vice_new_uniform_rule_of_superior_court_44/

Miscellaneous important information to know about the state and/or its requirements:

A court may revoke pro hac vice admission in any proceeding (1) to protect the prompt, fair and efficient administration of justice; (2) to protect the legitimate interests of parties to the proceedings; or (3) the applicant has appeared frequently enough to constitute regular practice in Georgia; or the applicant failed to secure approval pursuant to Rule 4.4 in a prior proceeding. *Rule 4.4(D)(4)*.

Hawaii

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

1.9. *Pro hac vice* appearance of counsel.

“Any attorney actively licensed to practice law by the highest court of a state or territory of the United States or the District of Columbia who is not a resident of Hawaii may be permitted to associate himself or herself with a member or members of the Hawaii bar in the presentation of a specific case at the discretion of the presiding judge or judges.”

Procedure for pro hac vice admission:

See pro hac vice requirements.

Are there fees for pro hac vice admission? If so, who are they payable to:

For 2006, \$250 per year if admitted to first bar prior to 2003; \$150 if admitted to first bar in 2003 and later.

1.9. *Pro hac vice* appearance of counsel.

“An attorney allowed to appear *pro hac vice* shall, for each year the order is effective, pay to the Hawai‘i State Bar an annual Disciplinary Board fee authorized by the supreme court, provided that if the attorney is allowed to appear in more than one case, only one fee shall be paid. The Hawai‘i State Bar may assess a reasonable fee to register and collect this fee on an annual basis.

Failure to file proof of such payment in the record, within 10 days after entry of the order and in January of each subsequent year in which the case is pending, voids the order allowing the appearance pro hac vice.”

Important website links relating to practice by out-of-state attorneys:

<http://www.state.hi.us/jud/ctrules/rsch.htm>

Idaho

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

The general rule is no. However, if the active jurisdiction of the lawyer seeking admission limits the number of temporary admissions by an Idaho layers, then there is a reciprocal limitation on the number of admissions.

Does the state have special provisions for work done by in-house counsel in the state:

House counsel can obtain admission under a separate application process.

See http://www2.state.id.us/isb/adm/house_counsel.htm and Idaho Bar Commission Rule 220.

Requirements for pro hac vice admission:

Be an active member in good standing of the bar of the highest court of any State or Territory or Insular possession of the United States. Associate with local counsel and file an application in the trial court and the state bar, with the enclosed filing fee. Is subject to any limitations an out-of-state lawyer has in the applicant's jurisdiction.

Procedure for pro hac vice admission:

Submit an original written motion in the trial court, with copies to be served on all parties to the action. The motion shall designate an active member of the Idaho State Bar with whom the court and opposing counsel may readily communicate. Such motion shall also contain the address, telephone number, and written consent of such designee and shall include reference to the Bar of which he/she is a member. Such motion, and all filings with the court on which the lawyer's name appears, shall have his or her current address. A copy of the motion shall be submitted to the Idaho State Bar with the \$200 fee.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. The fee of \$200 is payable to the Idaho State Bar and applies in each case for which the lawyer seeks admission.

Important website links relating to practice by out-of-state attorneys:

<http://www2.state.id.us/isb/mem/PHV.htm>

Illinois

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Although there is a pro hac vice rule and procedure for out of state attorneys to attend court proceedings, no such corresponding rule or procedure exists with respect to out of court proceedings such as mediation, arbitration or some other form of alternative dispute resolution. Illinois courts have held that pro hac vice admission is not required for certain situations where an out of state attorney represents a client in arbitration. See *Colmar, Ltd. V. Fremantlemedia North America, Inc.*, 344 Ill.App.3d 977 (App. 1 Dist. 2003). In reaching their decision, the *Colmar* Court considered that (i) the out of state attorney's representation of his client in Illinois was related to his regular representation of that client in the state in which he is licensed; and (ii) the arbitrated claims were not specific to Illinois law.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

There is no clear rule with respect to pro hac vice requirements for attending depositions. However, if the depositions taken are for a court proceeding rather than an arbitration proceeding (or mediation or some other form of alternative dispute resolution), the out of state attorney should consider seeking pro hac vice admission. Compare *Colmar*, 344 Ill.App.3d 977 (App. 1 Dist. 2003)(pro hac admission was not required for an out of state attorney representing a client in certain arbitration proceedings, even when such representation included attending depositions).

Is there a limit to number of admissions in state by attorney or firm:

There is no limit to the number of admissions for an attorney or firm in Illinois. Instead, this is left to the court's discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. "A lawyer admitted to the practice of law in another state or the District of Columbia may receive a limited license to practice law in this state when the lawyer is employed in Illinois as house counsel exclusively for a single corporation, partnership, association or other legal entity (as well as any parent, subsidiary or affiliate thereof), whose lawful business consists of activities other than the practice of law or the provision of legal services." *Illinois Supreme Court Rule 716(a)*.

"To qualify for the license, the applicant must file with the Board of Admissions to the Bar the following: (1) A completed application for the limited license in the form prescribed by the Board. (2) A certificate of good standing from the highest court of each jurisdiction of admission. (3) A certificate from the disciplinary authority of each jurisdiction of admission which: (a) states that the applicant has not been suspended, disbarred or disciplined and that no charges of professional misconduct are pending; or (b) identifies any suspensions, disbarments, or disciplinary sanctions and any pending charges. (4) A duly authorized and executed certification by applicant's employer that: (a) it is not engaged in the practice of law or the rendering of legal services, whether for a fee or otherwise; (b) it is duly qualified to do business under the laws of its organization and the laws of Illinois; (c) the applicant works exclusively as an employee of said employer for the purpose of providing legal services to the employer at the date of his or her application for licensure; and (d) it will promptly notify the Clerk of the Supreme Court of the termination of the applicant's employment. (5) Such other affidavits, proofs and documentation as may be prescribed by the Board. (6) The requisite fees in accordance with [Illinois Supreme Court] Rule 706." *Illinois Supreme Court Rule 716(b)*.

Under Illinois Supreme Court Rule 706, "[e]ach applicant for limited admission to the bar as house counsel under Rule 716 shall pay a fee of \$400." *Illinois Supreme Court Rule 706(f)*.

Requirements for pro hac vice admission:

The requirements for pro hac admission in Illinois are grounded in Illinois Supreme Court Rule 707. Rule 707 provides: "Anything in these rules to the contrary notwithstanding, an attorney and counselor-at-law from any other

jurisdiction in the United States, or foreign country, may in the discretion of any court of this State be permitted to participate before the court in the trial or argument of any particular cause in which, for the time being, he or she is employed.” *Illinois Supreme Court Rule 707*.

Accordingly, an out of state attorney must satisfy the requirements of the particular court for which such attorney is seeking pro hac admission.

Procedure for pro hac vice admission:

As noted above, the requirements and procedures for seeking pro hac admission are largely dependent on the requirements and procedures of the applicable court. Generally, a motion/petition must be made to the applicable court and is often accompanied by an affidavit attesting to the attorney’s good standing in the state in which he/she has been admitted to practice.

Are there fees for pro hac vice admission? If so, who are they payable to:

The fees (if any) for pro hac admission are up to the applicable court’s discretion.

Important website links relating to practice by out-of-state attorneys:

<http://www.state.il.us/court/SupremeCourt/Rules/>

Miscellaneous important information to know about the state and/or its requirements:

- To obtain the applicable pro hac vice requirements and procedures, an out of state attorney should first contact the clerk of the court for which he/she is seeking pro hac admission.
- There are certain reciprocity arrangements between Illinois and other states that allow an out of state attorney to practice pursuant to the provisions of Illinois Supreme Court Rules 701 and 705.

Indiana

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

An out of state attorney will be admitted if:

- (1) A member of the bar of this state has appeared and agreed to act as co- counsel;
- (2) The attorney is not a resident of the state of Indiana, regularly employed in the state of Indiana, or regularly engaged in business or professional activities in the state of Indiana;
- (3) The attorney has made payment to the Clerk of the Supreme Court an annual registration fee in the amount set forth in Admission and Discipline Rule 2(b), accompanied by a copy of the Verified Petition for Temporary Admission that the attorney intends to file pursuant to subdivision (4) below. Upon receipt of the registration fee and petition, the Clerk of the Supreme Court will issue a temporary admission attorney number and payment receipt to the attorney seeking admission. If the attorney's verified petition for temporary admission is thereafter denied, the attorney shall provide a copy of the order denying temporary admission to the Clerk of the Supreme Court, and the Clerk shall issue a refund of the registration fee; and
- (4) The attorney files a verified petition, co-signed by co-counsel.

Procedure for pro hac vice admission:

The verified petition should set forth:

- (i) The attorney's residential address, office address, and the name and address of the attorney's law firm or employer, if applicable;
- (ii) The states or territories in which the attorney has ever been licensed to practice law, including the dates of admission to practice and any attorney registration numbers;
- (iii) That the attorney is currently a member in good standing in all jurisdictions admitted to;
- (iv) That the attorney has never been suspended, disbarred or resigned as a result of a disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction; or, if the attorney has been suspended, disbarred or resigned from the practice of law, the petition shall specify the jurisdiction, the charges, the address of the court and disciplinary authority which imposed the sanction, and the reasons why the court should grant temporary admission notwithstanding prior acts of misconduct;
- (v) That no disciplinary proceeding is presently pending against the attorney in any jurisdiction; or, if any proceeding is pending, the petition shall specify the jurisdiction, the charges and the address of the disciplinary authority investigating the charges. An attorney admitted under this rule shall

- have a continuing obligation during the period of such admission promptly to advise the court of a disposition made of pending charges or the institution of new disciplinary proceedings;
- (vi) A list of all proceedings, including caption and cause number, in which either the attorney, or any member of a firm with which the attorney is currently affiliated, has appeared in any of the courts of this state during the last five years. Absent special circumstances, repeated appearances by any person or by members of a single law firm pursuant to this rule shall be cause for denial of the petition;
 - (vii) A demonstration that good cause exists for the appearance. Good cause shall include at least one of the following:
 - (a) the cause in which the attorney seeks admission involves a complex field of law in which the attorney has special expertise,
 - (b) there has been an attorney-client relationship with the client for an extended period of time,
 - (c) there is a lack of local counsel with adequate expertise in the field involved,
 - (d) the cause presents questions of law involving the law of the foreign jurisdiction in which the applicant is licensed, or
 - (e) such other reason similar to those set forth in this subsection as would present good cause for the temporary admission;
 - (viii) A statement that the attorney has read and will be bound by the Rules of Professional Conduct adopted by the Supreme Court, and that the attorney consents to the jurisdiction of the State of Indiana, the Indiana Supreme Court, and the Indiana Supreme Court Disciplinary Commission to resolve any disciplinary matter that might arise as a result of the representation; and
 - (ix) A statement that the attorney has paid the registration fee to the Clerk of the Supreme Court in compliance with subdivision (a)(3) of this rule, together with a copy of the payment receipt and temporary admission attorney number issued by the Clerk of the Supreme Court pursuant to subdivision (3).

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$90 payable to Clerk of Supreme Court.

Important website links relating to practice by out-of-state attorneys:

http://www.ai.org/judiciary/rules/ad_dis/index.html#r3

Iowa

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

An out-of-state lawyer is "eligible" for admission pro hac vice if any of the following conditions are satisfied:

- (1) The lawyer lawfully practices solely on behalf of the lawyer's employer and its commonly owned organizational affiliates, regardless of where such lawyer may reside or work.
- (2) The lawyer neither resides nor is regularly employed at an office in this state.
- (3) The lawyer resides in this state but (i) lawfully practices from offices in one or more other states and (ii) practices no more than temporarily in this state, whether pursuant to admission pro hac vice or in other lawful ways.

Procedure for pro hac vice admission:

File application with the court. Application can be found online at:
http://www.judicial.state.ia.us/Court_Rules_and_Forms/Pro_Hac_Vice_Forms/

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

http://www.judicial.state.ia.us/Court_Rules_and_Forms/

Kansas

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

The out of state attorney must be in good standing in his jurisdiction, must submit motion to the court, and must associate an attorney of record who is in good standing in Kansas. The attorney of record must be actively engaged in the case and sign all pleadings and be present for all oral arguments.

Procedure for pro hac vice admission:

The out-of-state attorney's verified application must include:

- (1) a statement identifying the party or parties represented;
- (2) the name, business address, telephone number, and Kansas attorney registration number of local counsel;
- (3) the applicant's residence address, business address, and business telephone number;
- (4) the bar(s) to which the applicant is admitted, the date(s) of admission, and the applicable attorney registration number(s);
- (5) a statement that the applicant is a member in good standing of each bar;
- (6) a statement that the applicant has not been the subject of prior public discipline, including but not limited to suspension or disbarment, in any jurisdiction;
- (7) a statement that the applicant is not currently the subject of a disciplinary action or investigation in any jurisdiction or, if the applicant is currently the subject of a disciplinary action or investigation, the application shall provide a detailed description of the nature and status of the action or investigation as well as the address of the disciplinary authority in charge; and
- (8) the case name, case number, and the court in which the applicant has been granted permission to appear *pro hac vice* in Kansas within the preceding 12 months.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$100 payable to clerk of appellate courts.

Important website links relating to practice by out-of-state attorneys:

<http://www.kscourts.org/ctruls/2005SC25amended.pdf>

Kentucky

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. *See* SCR 2.111 Limited Certification of Admission to Practice Law at <http://www.kyoba.org/rules/scr/2111.html>

Requirements for pro hac vice admission:

- 1) Admitted to practice in another state and in good standing in that state.
- 2) Subject himself or herself to the jurisdiction and rules of the court governing professional conduct.
- 3) Pay a \$100 per case fee.
- 4) Engage local counsel as co-counsel, whose presence shall be necessary at all trials and when required by the court.
- 5) Submit certification from the Kentucky Bar Association that the fee has been paid.

Procedure for pro hac vice admission:

Complete the Out-of-state Certification Request Form and have it notarized. Return the original form with the fee to the Membership Department of the Kentucky Bar Association. Once you receive the letter/receipt certifying the request was made and the fee was paid, provide the letter/receipt to the trial court.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$100 per case payable to the Kentucky Bar Association.

Important website links relating to practice by out-of-state attorneys:

<http://www.kybar.org/Default.aspx?tabid=312>

Louisiana

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Pro hac vice admission may be denied if the applicant has engaged in frequent appearances as to constitute regular practice in the state; however, a specific limit to the number of admissions is not indicated.

Does the state have special provisions for work done by in-house counsel in the state:

A lawyer seeking limited admission for in-house counsel must, (1) file an application for a limited license with the Committee on Bar Admissions of the Supreme Court of Louisiana; (2) otherwise meet the character and fitness requirements by the Committee on Bar Admissions of the Supreme Court of Louisiana; and (3) receive the recommendation and approval of the Committee on Bar Admissions of the Supreme Court of Louisiana. The limited license is valid for four years, but can be renewed.

Requirements for pro hac vice admission:

An out-of-state attorney is eligible for admission pro hac vice if the attorney is a member in good standing of the bar of any United States District Court or of the highest court of any state, territory, or insular possession of the United States or of the District of Columbia; if the attorney acts in association with an attorney licensed by the State of Louisiana; if the attorney lawfully practices solely on behalf of the attorney's employer and its commonly owned organizational affiliates, regardless of where such attorney may reside or work; or if the attorney neither resides nor is regularly employed at an office in Louisiana; or if the attorney resides in Louisiana but (i) lawfully practices from offices in one or more other states and (ii) practices no more than temporarily in this state, whether pursuant to admission pro hac vice or in other lawful ways.

Procedure for pro hac vice admission:

Local counsel must file a written ex parte motion with the court or agency where the proceeding is pending, requesting that the out-of-state attorney be admitted *pro hac vice*. Absent extraordinary circumstances, courts and agencies will not entertain a motion for *pro hac vice* admission which is filed within 30 days of the scheduled trial or hearing date. Attached to the motion must be an application verified by both the out-of-state counsel and local counsel. The motion and application must be served on all parties who have appeared in the matter and the Louisiana Attorney Disciplinary Board. The motion and application must include proof of service, and shall include proof of payment of the required fee. The court or agency has the discretion to grant or deny the motion and application summarily.

Are there fees for pro hac vice admission? If so, who are they payable to:

The applicant must pay a non-refundable fee of \$250.00 to the Louisiana Attorney Disciplinary Board. This fee is separate and distinct from any fee which is assessed by the Court or agency in which the application is filed. This fee may not be required if the applicant is seeking pro hac vice status to handle a pro bono matter.

Important website links relating to practice by out-of-state attorneys:

<http://www.lasc.org/rules/supreme/RuleXVII.asp>

Maine

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Has not been addressed.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Has not been addressed.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

Section 802 of the Maine Revised Civil Statutes states that an attorney practicing law in other states, territories or foreign countries may be admitted on motion to try cases in any of the courts of State if Maine by those courts, but shall not be admitted to the general practice of law in this State.

In addition Rule 89(b) of the Maine Rules of Civil Procedure state that any member in good standing of the bar of any other state or of the District of Columbia may at the discretion of the court, on motion by a member of the bar of this state who is actively associated with the out-of-state attorney in a particular action, be permitted to practice in that action.

Procedure for pro hac vice admission:

An attorney licensed by the State of Maine must file a motion with the court in which the out-of-state attorney wishes to appear, requesting that the out-of-state attorney be admitted to practice in the particular action.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

www.mainebarexaminers.org

Maryland

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he or she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Although there is not a numerical limitation on the number of appearances pro hac vice to be allowed any attorney, pro hac vice admission may be denied if the applicant has engaged in frequent appearances as to constitute regular practice in the state.

Does the state have special provisions for work done by in-house counsel in the state:

An individual may give legal advice to a corporation in the State of Maryland if the individual is employed by the corporation and admitted to the bar of any other state. The individual is subject to disciplinary proceedings by the Maryland Bar and may not appear before a unit of the State government or of a political subdivision unless a court grants the individual admission pro hac vice through the procedure set forth below.

Requirements for pro hac vice admission:

A court may grant special admission to practice law in a particular case to an individual who is admitted to the bar of another state, in good standing of the Bar of that state, and employed by a party in the case before a court or other unit of the Maryland government or a unit of a political subdivision of Maryland. An individual granted special admission to practice law in Maryland may practice law only in connection with the case for which the special admission is granted. An individual who practices law under this section is subject to disciplinary proceedings by the Maryland Bar.

Procedure for pro hac vice admission:

An attorney licensed by the State of Maryland must move, in writing, that the out-of-state attorney be admitted to practice in Maryland for the limited purpose of appearing and participating in the action as co-counsel with the movant. If the action is pending in a court, the motion shall be filed in that court. If the action is pending before an administrative agency or arbitration panel, the motion shall be filed in the circuit court for the county in which the principal office of the agency is located or in which the arbitration hearing is located or in any other circuit to which the action may be appealed and shall include the movant's signed certification that copies of the motion have been furnished to the agency or arbitration panel, and to all parties of record.

The attorney whose special admission is moved shall certify in writing the number of times the attorney has been specially admitted during the twelve months immediately preceding the filing of the motion. The certification may be filed as a separate paper or may be included in the motion under an appropriate heading.

The court by order may admit specially or deny the special admission of an attorney. In either case, the clerk shall forward a copy of the order to the State Court Administrator, who shall maintain a docket of all attorneys granted or denied special admission. When the order grants or denies the special admission of an attorney in an action pending before an administrative agency, the clerk also shall forward a copy of the order to the agency.

The attorney specially admitted may act only as co-counsel for a party represented by an attorney of record in the action who is admitted to practice in Maryland. The specially admitted attorney may participate in the court or administrative proceedings only when accompanied by the Maryland attorney, unless the latter's presence are

waived by the judge or administrative hearing officer presiding over the action. Any out-of-state attorney so admitted is subject to the Maryland Lawyers' Rules of Professional Conduct

Are there fees for pro hac vice admission? If so, who are they payable to:

There is a filing fee of \$25.00 for docketing a motion for special admission of an out-of-state attorney under Maryland Admission Rule 14. This fee only applies to appearances in civil or criminal actions in Maryland Circuit Courts.

Important website links relating to practice by out-of-state attorneys:

www.dsd.state.md.us/comar/Annot_Code_Idx/BOIndex.htm
<http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp=>

Miscellaneous important information to know about the state and/or its requirements:

While there is a Patent and Trademark Office in the State of Maryland, an individual may practice patent law in the State if the individual is authorized to practice law in any other state and registered to practice patent law before the Patent and Trademark Office.

Massachusetts

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Maybe, if court-annexed mediation requires admission pro hac vice. See Supreme Judicial Court Rule 5.5(c)(3) and comment (12).

Rule 5.5 (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:

...

(3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission.

Comment [12] provides:

Paragraph (c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission pro hac vice in the case of a court annexed arbitration or mediation or otherwise if court rules or law so require.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. See Supreme Judicial Court Rule 5.5(c)(2) and (3).

Rule 5.5 (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:

...

(2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;

(3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Massachusetts in-house practice is governed by Supreme Judicial Court Rule 5.5(d)(1), which provides as follows:

5.5 (d) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services in this jurisdiction that:

(1) are provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Section 46A of Chapter 2221 of the General Laws of Massachusetts provides as follows:

No individual, other than a member, in good standing, of the bar of this commonwealth shall practice law, or, by word, sign, letter, advertisement or otherwise, hold himself out as authorized, entitled, competent, qualified or able to practice law; provided, that a member of the bar, in good standing, of any other state may appear, by permission of the court, as attorney or counselor, in any case pending therein, if such other state grants like privileges to members of the bar, in good standing, of this commonwealth.

Procedure for pro hac vice admission:

Admission on motion is governed by Massachusetts Supreme Judicial Court Rule 3:01 Section 6, which provides that, “A person who has been admitted as an attorney of the highest judicial court of any State, district or territory of the United States may apply to the Supreme Judicial Court for admission on motion as an attorney in this Commonwealth. The Board of Bar Examiners may, in its discretion, excuse the applicant from taking the regular law examination on the applicant's compliance with the following conditions...” (See Rule for conditions.)

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://www.massreports.com/courtrules/sjcrules.htm>

Michigan

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

No.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

Must be duly licensed in another state and when associated with and on motion of an active member of the State Bar of Michigan who appears of record in the case. Such temporary permission may be revoked by the court summarily at any time for misconduct.

Procedure for pro hac vice admission:

Associate with and have a member of the State Bar of Michigan file a motion for pro hac vice.

Are there fees for pro hac vice admission? If so, who are they payable to:

No fee is required.

Important website links relating to practice by out-of-state attorneys:

See Rules Concerning the State Bar of Michigan Rule 15, Section 2.

See also www.michbar.com

Minnesota

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Not necessarily. Minnesota permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis if those services are in or reasonably related to a pending mediation or other alternative dispute resolution proceeding. The services must arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. A lawyer must, however, obtain admission pro hac vice in the case of a court-annexed arbitration or mediation or if the court so requires.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Not necessarily. Minnesota permits a lawyer under certain limited circumstances to render legal services in the jurisdiction without being admitted pro hac vice. A lawyer admitted only in another jurisdiction may take depositions in Minnesota, so long as the conduct is only temporary and is in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear.

Is there a limit to number of admissions in state by attorney or firm:

No. But the court has discretion to grant or deny admission.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. A lawyer licensed in another jurisdiction may not practice law in Minnesota as house counsel unless he or she is admitted to Minnesota, either by passing the bar examination, waiving into Minnesota, or by obtaining a temporary house license. In addition, house counsel is not excluded from the provisions of Minnesota's pro hac vice rules.

Requirements for pro hac vice admission:

Lawyers who are admitted to practice in the trial courts of any other jurisdiction may appear in any Minnesota state court so long as their admission is in good standing and so long as the state in which the attorney is licensed to practice law likewise grants permission to members of the Minnesota bar to act as an attorney for a client in that state under the same terms.

Procedure for pro hac vice admission:

A motion for admission pro hac vice must be made by an active member of the Minnesota bar who is in good standing. The motion must identify the party who the proposed admittee will represent. The Minnesota lawyer must also state that the Minnesota lawyer will sign all pleadings in the case, be present in person or by telephone for the pro hac vice motion, and be present in person or by telephone at all subsequent proceedings before the court, unless the court decides, in its discretion, to conduct the proceedings without the presence of Minnesota counsel.

In addition to the motion, the proposed admittee must provide a sworn affidavit, which provides detailed information about jurisdiction where the attorney has been admitted to practice law, including the state, license number, admission date, and admittee's status. The affidavit must also state that the admittee understands that the Minnesota lawyer bringing the motion must sign all pleadings in the case, be present in person or by telephone for the pro hac vice motion, and be present in person or by telephone at all subsequent proceedings before the court, unless the court decides, in its discretion, to conduct the proceedings without the presence of Minnesota counsel. The admittee must also state he or she will be subject to the disciplinary rules and regulations governing Minnesota lawyers and the jurisdiction of the Minnesota courts.

The motion and affidavit are filed with the court where the action is pending and reviewed by the judge assigned to the case. The judge has discretion to grant or deny the motion for pro hac vice.

Are there fees for pro hac vice admission? If so, who are they payable to:

No, but there are fees associated with house counsel: House counsel's license is \$750, while a temporary house counsel license is \$500.

Important website links relating to practice by out-of-state attorneys:

The court forms for admission pro hac vice can be found at www.mncourts.gov/rules/general/GRformsindex.htm.

Mississippi

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

One cannot appear as counsel pro hac vice in more than five separate unrelated causes or other matters within the twelve months immediately preceding the appearance in question.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

- 1) Study and comply with the standards of professional conduct required of members of the Mississippi Bar.
- 2) Associate a local attorney who shall appear in all aspects of the case unless excused by the court.
- 3) File a verified application with the court or administrative agency and the Clerk of the Supreme Court containing the following information:
 - a) the name of the court before which the attorney seeks to appear as counsel pro hac vice;
 - b) the style of the cause;
 - c) the full name, residence address, office address, voice and facsimile telephone numbers, and e-mail address, if any, of the foreign attorney;
 - d) each jurisdiction in which the foreign attorney has been admitted and the date of admission;
 - e) statement that the foreign attorney: (i) does not maintain an office within the state, or that the foreign attorney is a member of a firm which maintains offices within the state and (ii) Has not engaged in the general practice of law in this state without being properly admitted;
 - f) statement that the foreign attorney is in good standing to practice law in each jurisdiction in which the foreign attorney has been admitted or if not in good standing, then an explanation of why;
 - g) statement that foreign attorney is not currently suspended or disbarred by any jurisdiction in which she is admitted;
 - h) statement of whether foreign attorney has been the subject of disciplinary action by any jurisdiction in the last five years, and if so, a full explanation;
 - i) statement that the foreign attorney is of good moral character and familiar with the ethics, principles, practices, customs, and usages of the legal profession in this state;
 - j) style and number of each cause in the state of Mississippi in which the foreign attorney has appeared in the last twelve months, is appearing currently or has requested permission to appear;
 - k) a statement that unless permitted to withdraw, the foreign attorney will continue to represent the client until the final determination of the case and that the foreign attorney consents to the jurisdiction of the courts and Bar of Mississippi as if the foreign attorney were a regularly admitted member of the Mississippi Bar;
 - l) name and office address of the local attorney in good standing who has been associated;
 - m) the verified application should also be signed by the local attorney.
- 4) File a statement obtained from the Clerk of the Supreme Court indicating all causes or other matters in which the foreign attorney previously requested leave to appear showing the date and disposition of each request.

Procedure for pro hac vice admission:

Submit a verified application as set forth above to both the court and the Clerk of the Supreme Court. File the Clerk's statement as discussed above. Pay both the \$200 fee and the miscellaneous docket fee. No hearing is required unless the application is opposed.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. \$200 per application paid to the Mississippi Bar along with a \$25 miscellaneous docket fee that must be paid to the Clerk of the Supreme Court.

Important website links relating to practice by out-of-state attorneys:

See <http://www.mssc.state.ms.us/rules>

Missouri

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Unclear. The Missouri Board of Law Examiners and administrative opinions analyzing the Missouri Supreme Court Rules governing the unauthorized practice of law have not analyzed whether participation in a mediation in Missouri requires pro hac vice admission. Permission to appear pro hac vice is required to participate in arbitration in Missouri.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Probably. Because the Missouri Supreme Court Rule governing admission pro hac vice states that an attorney must seek permission to make an appearance in a case, it is likely that Missouri would consider an appearance at a deposition the unauthorized practice of law where permission to appear pro hac vice had not been granted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. Missouri Supreme Court Rule 8.105 states that in-house counsel may be granted limited admission to practice in the State of Missouri as follows: (a) A lawyer admitted to the practice of law in another state or territory of the United States or the District of Columbia may receive a limited license to practice law in this state if the lawyer: (1) Is employed in Missouri as a lawyer exclusively for: a corporation, its subsidiaries or affiliates; an association; a business; or a governmental entity and the employer's lawful business consists of activities other than the practice of law or the provision of legal services; (2) Was conferred a first professional degree (J.D. or LL.B.) by a law school that at the time of the lawyer's graduation was approved by the American Bar Association; (3) Has filed such application forms as prescribed by the Board and paid the prescribed fee, which is non-refundable; and (4) Receives the approval of the Board of Law Examiners.

Requirements for pro hac vice admission:

An attorney seeking to appear pro hac vice in Missouri must: (1) be a licensed attorney, in good standing, of the bar of any court of record and not under suspension or disbarment by the highest court of any state; (2) pay a \$100 fee; (3) certify that neither the attorney nor any member of his or her firm is under suspension or disbarment by any such court; and (4) designate some member of the Missouri Bar having an office within the State of Missouri as associate counsel.

Procedure for pro hac vice admission:

Pursuant to Rule 9.03 of the Missouri Supreme Court Rules, an attorney seeking to appear in a particular case in Missouri must complete the following steps: (1) pay a \$100 fee for each case in which the attorney seeks to appear; (2) file an initial pleading (motion requesting permission to appear), accompanied by the letter acknowledging payment of the \$100 fee in which the attorney: (a) Identifies every court of which he or she is a member of the bar; (b) Certifies that neither the attorney nor any member of his or her firm is under suspension or disbarment by any such court; and (c) Designates some member of the Missouri Bar having an office within the State of Missouri as associate counsel.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. Missouri Supreme Court Rule 6.01(m) states that attorneys seeking to appear in a particular case shall pay a fee of \$100 for each case in each court or administrative tribunal in which the attorney seeks to appear. The fee shall be paid to the Clerk of the Court, Missouri Supreme Court.

Important website links relating to practice by out-of-state attorneys:

<http://www.courts.mo.gov/page.asp?id=27>

Miscellaneous important information to know about the state and/or its requirements:

While Rule 9.03 states that an attorney may satisfy the requirements of the Rule by filing an initial pleading that satisfies Rule 9.03, the cases and administrative opinions analyzing Rule 9.03 state that any pleadings filed by an attorney not licensed to practice in Missouri without first obtaining the court's permission to appear pro hac vice constitutes the unauthorized practice of law. Therefore, the better practice is to file a motion requesting permission to appear pro hac vice that complies with Missouri Supreme Court Rule 9.03.

Montana

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Except upon a showing of good cause, no attorney or firm may appear pro hac vice in more than two actions or proceedings in any state court or administrative agency (agency) in Montana. Upon an attorney or firm's second appearance pro hac vice, no further pro hac vice appearances are permitted except upon a showing of good cause. Findings of good cause to exceed the two-appearance limit are not to be routinely granted. For purposes of this rule "good cause" includes, by way of example only, a showing that the attorney or firm seeking to appear pro hac vice possesses experience or expertise not commonly available in the membership of the State Bar of Montana or where the attorney or firm is acting as counsel in a multi-state class action. For purposes of this rule, only those appearances made after November 17, 1998 shall be considered.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

Upon written application, an attorney who is not admitted to practice law in the state courts in Montana and who is at the time admitted and authorized to practice law in the highest court of another state may appear pro hac vice in any action or proceeding, if an attorney admitted to practice in the courts of Montana is associated as attorney of record.

Applications for pro hac vice must be obtained from the State Bar of Montana. The application form will require that the applicant provide the following information:

1. the applicant's residence and office addresses;
2. the state and federal courts to which the applicant has been admitted to practice and the dates of admission;
3. whether the applicant is a member in good standing in those courts;
4. whether the applicant is currently suspended or disbarred in any court, and if so, a description of the circumstances under which the suspension or disbarment occurred;
5. whether the applicant has been formally notified of any complaints pending before a disciplinary agency in any other jurisdiction and, if so, provide a description of the nature and status of any pending disciplinary complaints;
6. an identification of all law firms with whom the applicant is associated and a description of all pending pro hac vice appearances of the applicant's firm(s) in Montana;
7. the title of each state court and cause in which the applicant has filed an application to appear as counsel pro hac vice, the date of each application, and whether it was granted;
8. the name, address and telephone number of the active member of the State Bar of Montana who is the attorney of record;
9. an affirmation that the applicant will comply with the applicable statutes, law and procedural rules of the State of Montana; be familiar with and comply with the Montana Rules of Professional Conduct; and submit to the jurisdiction of the Montana courts, the Montana disciplinary process, and the State Bar of Montana with respect to acts and omissions occurring during appearance under this rule; and
10. whether payment has been made to the State Bar of Montana in accordance with the requirements of Section IV-D of these rules.

Procedure for pro hac vice admission:

The completed application, along with a fee of \$100 must be filed with the State Bar of Montana. The application will then be reviewed by the State Bar of Montana which shall certify the number of prior appearances the applicant has been granted under Section IV-C, whether or not the applicant has provided the requisite information, whether or not the applicant is in good standing in the other jurisdiction(s) where admitted, and whether or not Montana counsel is in good standing. Upon certification, the State Bar shall forward the application to the appropriate court or agency. The court or agency shall enter an order granting or refusing the application and, if the applicant is refused, the court or agency shall state its reasons. A copy of the court's order shall be mailed to the applicant, counsel of record and the State Bar of Montana. The State Bar of Montana shall maintain a record of all pro hac vice applications as a public record. Attorneys appearing pro hac vice shall notify the State Bar of Montana upon conclusion of the matter in which the attorney appeared.

An attorney appearing pro hac vice under this section is subject to the jurisdiction of the Montana courts with respect to Montana law governing the conduct of attorneys to the same extent as an attorney admitted to practice in the courts of this state. The attorney shall comply with the Montana Rules of Professional Conduct and is subject to the disciplinary jurisdiction of the Montana Supreme Court. The court or agency in which an attorney is appearing pro hac vice or the Montana Supreme Court may, for violations of Montana law, the Montana Rules of Professional Conduct, Rules for Admission to the Bar of Montana, or orders of the court, withdraw its permission for an attorney to appear pro hac vice.

Application is to be made to the judge of the court and admittance is left to judicial discretion.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$100 to the State Bar of Montana.

Important website links relating to practice by out-of-state attorneys:

<http://www.montanabar.org/displaycommon.cfm?an=1&subarticlenbr=7>

Nebraska

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he/she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which he/she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Out of state lawyer must be in good standing in his or her jurisdiction and associate a lawyer from the jurisdiction in good standing who actively participates in the matter.

Procedure for pro hac vice admission:

Attorney must file motion for admission with the court and take the same oath required to be taken by individuals regularly practicing before the Nebraska Supreme Court.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://www.supremecourt.ne.gov/rules/pdf/rulesprofconduct-34.pdf>

Nevada

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Admission *pro hac vice* is required if the mediation is “court annexed or court ordered” or if the mediation is “mandated by statute or administrative rule.” Supreme Court Rule 42(1)(a)(3). However, if the parties engage in mediation “voluntarily or by private agreement,” pro hac admission is not required. SCR 42(1)(b).

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes. All services incident to proceedings that require pro hac admission, including discovery, require pro hac admission. SCR 42(1)(a)(4).

Is there a limit to number of admissions in state by attorney or firm:

Yes. In state courts the presumptive limit is 5 appearances by attorneys from the same firm in a 3-year period. SCR 42(6)(a) provides that “[i]t shall be presumed, absent special circumstances, and only upon a showing of good cause, that more than 5 appearances by any person or firm of attorneys granted under this rule in a 3-year period is excessive use of this rule.” If the presumptive limit is exceeded, the application for pro hac admission must be accompanied by an affidavit of special circumstances.

Does the state have special provisions for work done by in-house counsel in the state:

Nevada Supreme Court Rule 49.10 has provisions for in state practice by in-house counsel.

Requirements for pro hac vice admission:

Under SCR 42(2), each of the following conditions must be met in order for an attorney to be eligible for pro hac admission:

- (1) The lawyer is not a member of the State Bar of Nevada;
- (2) The lawyer is not a resident of the State of Nevada;
- (3) The lawyer is not regularly employed in the State of Nevada;
- (4) The lawyer is not engaged in substantial business, professional, or other activities in the State of Nevada;
- (5) The lawyer is a member in good standing and eligible to practice before the bar of any jurisdiction of the United States; and
- (6) The lawyer associates an active member in good standing of the State Bar of Nevada as counsel of record in the action or proceeding.

Procedure for pro hac vice admission:

In state courts, the applicant must file the following with the State Bar of Nevada at 600 E. Charleston Blvd., Las Vegas, NV 89104-1563:

1. Original and 1 copy of the completed Verified Application for Association of Counsel Under Nevada Supreme Court Rule 42. The form for the Verified Application can be found at <http://www.nvbar.org/PDF/ProHacForm.doc>
2. Original and 1 copy of a current certificate of good standing from every jurisdiction in which the applicant is licensed.
3. A non-refundable fee of \$500.00 payable to the State Bar of Nevada.

Once the application is processed by the state bar, all original documents will be returned to local counsel, along with a State Bar Statement, which will indicate the number of previous applications filed in the preceding 3 years. Local counsel must then file with the court in which the action is pending a motion to associate, which must include as exhibits the original application, the original certificates of good standing, and the original State Bar Statement. The motion must also include a proof of service of the motion on all parties and be accompanied by a proposed

order granting or denying the motion. Once the order granting or denying the admission is entered, local counsel must serve a file-stamped copy of the order upon the State Bar of Nevada within 30 days.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. In state courts, the fee is \$500.00 and is payable to the State Bar of Nevada.

Important website links relating to practice by out-of-state attorneys:

<http://www.nvbar.org/PDF/ProHacForm.doc>

<http://www.leg.state.nv.us/CourtRules/SCR.html>

Miscellaneous important information to know about the state and/or its requirements:

In state courts the pro hac vice application must be renewed annually. On or before the anniversary of the date of the filing of the verified application with the State Bar of Nevada, local counsel must certify either that out-of-state counsel continues to act as counsel in the case or the case has been finally adjudicated. If the out-of-state counsel continues to act as counsel, an additional \$500.00 fee must be remitted to the State Bar of Nevada.

It takes 7 to 10 days for an application to be processed by the State Bar of Nevada. For an additional fee of \$100.00, the state bar can process the application in 24 hours.

In state courts, an out-of-state attorney may not appear in a proceeding until an order granting the motion to associate has been entered. SCR 42(5).

Out-of-state attorneys must always associate local counsel who is both licensed in Nevada and resident in Nevada. In state courts, local counsel must “be present at all motions, pre-trials, or any matters in open court unless otherwise ordered by the court.” SCR 42(14)(b).

New Hampshire

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Out of state attorney must file a verified application to appear pro hac vice and associate an in state attorney who actively participates in the matter.

Procedure for pro hac vice admission:

The verified application should include:

- (1) the applicant's residence and business address;
- (2) the name, address and phone number of each client sought to be represented;
- (3) the courts before which the applicant has been admitted to practice and the respective period(s) of admission;
- (4) whether the applicant: (i) has been denied admission *pro hac vice* in this State; (ii) had admission *pro hac vice* revoked in this State; or (iii) has otherwise formally been disciplined or sanctioned by any court in this State. If so, the applicant shall specify the nature of the allegations; the name of the authority bringing such proceedings; the caption of the proceedings, the date filed, and what findings were made and what action was taken in connection with those proceedings;
- (5) whether any formal, written disciplinary proceeding has ever been brought against the applicant by any disciplinary authority in any other jurisdiction within the last five years and, as to each such proceeding: the nature of the allegations; the name of the person or authority bringing such proceedings; the date the proceedings were initiated and finally concluded; the style of the proceedings; and the findings made and actions taken in connection with those proceedings;
- (6) whether the applicant has been formally held in contempt or otherwise sanctioned by any court in a written order in the last five years for disobedience to its rules or orders, and, if so: the nature of the allegations; the name of the court before which such proceedings were conducted; the date of the contempt order or sanction, the caption of the proceedings, and the substance of the court's rulings (a copy of the written order or transcript of the oral rulings shall be attached to the application);

- (7) the name and address of each court or agency and a full identification of each proceeding in which the applicant has filed an application to appear *pro hac vice* in this State within the preceding two years; the date of each application; and the outcome of the application; and
- (8) the verified application shall contain the name, address, telephone number and bar number of an active member in good standing of the Bar of this State who will be associated with the applicant and present at oral argument.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://www.courts.state.nh.us/rules/scr/scr-33.htm>

New Jersey

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No. According to § 2A:23C-10 of the New Jersey Mediation Act, “[a]n attorney or other individual designated by a party may accompany the party to and participate in a mediation.” Additionally, the New Jersey Supreme Court’s Professional Responsibility Rules Committee declared that an out-of-state attorney may participate in mediation and may prepare an order for the court reflecting a memorandum of understanding/agreement reached in mediation, provided that the out-of-state attorney satisfied the requirements of New Jersey Rules of Professional Conduct (“RPC”) 5.5. *Opinion 43, available at <http://www.judiciary.state.nj.us/notices/2007/n070308a.pdf>.*

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. A lawyer not admitted to the Bar of this State who is admitted to practice law before the highest court of any other state, territory of the United States, Puerto Rico, or the District of Columbia (hereinafter a United States jurisdiction) may engage in the lawful practice of law in New Jersey if the lawyer investigates, engages in discovery, interviews witnesses or deposes witnesses in this jurisdiction for a proceeding pending or anticipated to be instituted in a jurisdiction in which the lawyer is admitted to practice. *RPC 5.5 (b)(3)(iii)*. Also, pursuant to 4:11-4, taking a deposition does not constitute “making an appearance” before a New Jersey Court. *Rules Governing the Courts of New Jersey (“R.”) 1:21(b)*.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. A person admitted to practice law in another United States jurisdiction if the attorney is “an in-house counsel licensed and practicing within the limitation of R. 1:27-2.” *R. 1:21(a)(4)*.

Requirements for pro hac vice admission:

A member in good standing in any other United States jurisdiction may appear pro hac vice when:

- The attorney pays “annually to the Oversight Committee a sum that shall be determined each year by the Supreme Court” pursuant to R. 1:20-1(b).
- The attorney must be a member in good standing of the highest court of the state in which s/he principally practices law.
- The attorney is associated with a good standing member of the New Jersey Bar pursuant to R. 1:21-1.
- The client has requested said attorney.
- The attorney has no pending or otherwise disciplinary proceedings against the attorney. *R. 1:21(b)(1)*.

Procedure for pro hac vice admission:

An application for admission pro hac vice shall be made on motion to all parties to the matter. The applicant attorney must provide an affidavit or certification stating that the applicant attorney satisfies all the requirements for pro hac admission. *R. 1:21(b)*.

In criminal cases, the court shall grant the motion unless the court finds “supervening considerations of judicial administration.” *R. 1:21(b)(2)*.

In civil cases, the court shall only grant the motion if the court finds good cause for admission, including the following reasons:

- The applicant attorney is a specialist in a complex field of law involved in the case.
- An attorney-client relationship exists between client and applicant attorney for a long period of time.
- Lack of local counsel with adequate expertise exists.

- The cause presents questions of law involving the law of the foreign jurisdiction in which the applicant attorney is licensed.
- Need for extensive discovery in the applicant attorney's jurisdiction exists.
- Other similar reasons exist that present good cause. *R. 1:21(b)(3)*.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, there is a \$750 fee payable to the New Jersey Lawyers' Fund for Client Protection.

Important website links relating to practice by out-of-state attorneys:

<http://www.judiciary.state.nj.us/rules/>

Miscellaneous important information to know about the state and/or its requirements:

New Jersey has extensive provisions dealing with record keeping requirements for out of state attorneys. *See R. 1:21-6.*

New Mexico

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

New Mexico Rule of Professional Conduct 16.505. Unauthorized practice of law; multijurisdictional practice of law.

“E. A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that: . . .

(3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires pro hac vice admission; . . .”

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

New Mexico Rule of Professional Conduct 16.505. Unauthorized practice of law; multijurisdictional practice of law.

“E. A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that: . . .

(2) are in or reasonably related to a pending or potential proceeding before a court, legislative body, administrative agency or other tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized; . . .”

Comment 10: “[10] Subparagraph (2) of Paragraph E also provides that a lawyer rendering services in this jurisdiction on a temporary basis does not violate this rule when the lawyer engages in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted pro hac vice. Examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.”

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

New Mexico Rule of Professional Conduct 16-505(F) provides that a lawyer who has an active license in another state may provide legal services to his/her employer or its organizational affiliates as long as they are not services for which New Mexico requires pro hac vice admission.

Requirements for pro hac vice admission:

Rule 24-106(A) – Conditions of appearance.

“Upon compliance with the requirements of this rule, but only in association with an active member in good standing as a member of the State Bar of New Mexico, an attorney authorized to practice law before the highest court of record in any state or country (“nonadmitted attorney”) may appear on behalf of a party in any civil proceeding pending before a court of this state, even though the attorney is not licensed to practice law in this state. A non-admitted attorney shall comply separately for each civil action, suit or proceeding in which the attorney intends to appear. ”

Procedure for pro hac vice admission:

Rule 24-106(B) – Registration certificate.

“For each civil proceeding in which the attorney intends to appear, the nonadmitted attorney shall file a registration certificate with the State Bar of New Mexico in which the attorney shall identify the proceeding in which the attorney intends to appear and shall certify that:

- (1) the attorney is admitted or licensed as an attorney in good standing in another state or country;
- (2) the attorney will comply with applicable statutes, laws and procedural rules of the state of New Mexico; and
- (3) the attorney will comply with the Rules of Professional Conduct and the Rules Governing Discipline approved by the Supreme Court, and will submit to the jurisdiction of the New Mexico courts and the Disciplinary Board with respect to acts and omissions occurring during the attorney’s admission under this rule.”

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$250 per case payable to the State Bar of New Mexico.

Important website links relating to practice by out-of-state attorneys:

http://www.nmbar.org/content/NavigationMenu/Membership_About_SBNM/Pro_Hac_Vice/Pro_Hac_Vice.htm

New York

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

New York does not explicitly require pro hac vice for an out-of-state attorney to attend a mediation proceeding.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

For pre-trial proceedings, pro hac vice is required.¹

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

New York does not have a special provision for work performed by in-house counsel in the state.

Requirements for pro hac vice admission:

1. **General Requirements.** In general, an attorney and counselor-at-law or the equivalent who is a member in good standing of the bar of another state, territory, district or foreign country may be admitted pro hac vice:
 - a. in the discretion of any court of record, to participate in any matter in which the attorney is employed;² or
 - b. in the discretion of the Appellate Division, provided applicant is a graduate of an approved law school, to advise and represent clients and participate in any matter during the continuance of the applicant's employment or association with an organization described in subdivision 7 of section 495 of the Judiciary Law or during employment with a District Attorney, Corporation Counsel or the Attorney General, but in no event for longer than 18 months.³
2. **Professional Responsibility Requirements.** An attorney (a) shall be familiar with and shall comply with the standards of professional conduct imposed upon members of the New York bar, including the rules of court governing the conduct of attorneys and the Disciplinary Rules of the Code of Professional Responsibility; and (b) shall be subject to the jurisdiction of the courts of this State with respect to any acts occurring during the course of the attorney's participation in the matter.⁴

Procedure for pro hac vice admission:

1. **General Requirements.**
 - a. **Proof of Moral Character.** Every applicant for admission to practice must file with a committee on character and fitness appointed by the Appellate Division of the Supreme Court affidavits of reputable persons that applicant possesses the good moral character and general fitness requisite for an attorney and counselor-at-law as required by section 90 of the Judiciary Law. The number of such affidavits and the qualifications of persons acceptable as affiants shall be determined by the Appellate Division to which the applicant has been certified.⁶

¹ See §520.11(c)

² See 22 NYCRR § 520.11(a)(1)

³ See 22 NYCRR § 520.11(a)(2)

⁴ See 22 NYCRR § 520.11(d)

⁵ See 22 NYCRR § 520.12 and § 520.13 (<http://www.courts.state.ny.us/ctapps/520rules.htm#11>)

⁶ See 22 NYCRR § 520.12(a)

- b. **Affidavits.** The affidavits filed shall state that the applicant is, to the knowledge of the affiant, a person of good moral character and possesses the general fitness requisite for an attorney and counselor-at-law and shall set forth in detail the facts upon which such knowledge is based. Such affidavits shall not be conclusive proof as to character and fitness, and the Appellate Division to which the applicant has been certified may inquire further through its committee on character and fitness or otherwise.⁷
- c. **Designation of Agent for Service of Process.** Every applicant for admission to practice who does not reside and is not employed full-time in the State shall be required, as a condition of admission, to execute and file, with the Appellate Division of the department in which the applicant is being admitted, a duly acknowledged instrument in writing setting forth the applicant's residence or mailing address and designating the clerk of such Appellate Division as the applicant's agent upon whom process may be served, with like effect as if served personally upon the applicant, in any action or proceeding thereafter brought against the applicant and arising out of or based upon any legal services rendered or offered to be rendered by the applicant within the State.⁸

Are there fees for pro hac vice admission? If so, who are they payable to:

The only fees are for pro hac vice application to the appellate division.

Important website links relating to practice by out-of-state attorneys:

1. <http://www.courts.state.ny.us/ctapps/520rules.htm>
2. <http://www.courts.state.ny.us/courts/ad1/>
3. <http://www.courts.state.ny.us/courts/ad2/>
4. <http://www.courts.state.ny.us/ad3/>
5. <http://www.courts.state.ny.us/ad4/>

Miscellaneous important information to know about the state and/or its requirements:

There are specific pro hac vice requirements for the appellate divisions.

⁷ See 22 NYCRR § 520.12(b)

⁸ See 22 NYCRR § 520.13(a)

North Carolina

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Ambiguous. North Carolina State Bar Rule 5.5 (“Rule 5.5”) carves out an exception to the general rule that out of state attorneys may not practice law in its jurisdiction without obtaining pro hac admittance. Subsection (c)(2)(C) provides that “the lawyer acts with respect to a matter that is in or is reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction” so long as “the services arise out of or are reasonably related to the lawyer’s representation of a client in a jurisdiction in which the lawyer is admitted to practice and are not services for which pro hac vice admission is required.”

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. So long as the attorney’s presence is not systematic and continuous and the lawyer does not hold out to the public that s/he is admitted to practice in North Carolina, attending a deposition does not require pro hac admittance for out of state attorneys. *Rule 5.5(c), Comment 2.*

Is there a limit to number of admissions in state by attorney or firm:

No. However, a lawyer shall not “establish an office or other systematic and continuous presence” in North Carolina. *Rule 5.5(b)(1)*. Nor can the attorney hold out to the public that the lawyer is admitted to practice, *North Carolina General Statute §84-4.1 “§84-4.1,”* and the court retains discretionary powers to accept or reject any pro hac application. *§84-4.1; In re Cole, 175 N.C. App. 653 (2006).*

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

The applicant attorney must submit a motion to the court that contains the following information:

- The applicant attorney’s full name, address, bar membership number, and status;
- A statement signed by the client;
- A statement that the applicant attorney intends to represent the client until the matter’s final determination;
- A statement that the applicant attorney’s state grants North Carolina reciprocity;
- A statement describing a North Carolina bar member who will associate with the applicant attorney;
- A full disclosure of the applicant attorney’s disciplinary record, including public discipline by any court or lawyer regulatory organization; and any revocation of prior pro hac admittance; and
- An application fee. *§84-4.1.*

Procedure for pro hac vice admission:

The applicant attorney must file this motion with the court along with an application fee. The court has discretionary power to accept or reject the application. *§84-4.1.*

Are there fees for pro hac vice admission? If so, who are they payable to:

The State requires the applicant attorney pay a \$225 fee of which \$200 goes to the State Treasures and \$25 goes to the North Carolina State Bar. *§84-4.1(7), as amended by NC Legis S.L. 2007-323 (H.B. 1473).*

Important website links relating to practice by out-of-state attorneys:

North Carolina General Assembly: <http://www.ncleg.net/>
North Carolina State Bar: <http://www.ncbar.com/>

Miscellaneous important information to know about the state and/or its requirements:

A superior court judge may summarily revoke a grant of pro hac admission regardless of whether a change in circumstances or attorney misconduct occurs. *Smith v. Beaufort County Hosp. Ass'n*, 141 N.C. App. 203 (2000).

North Dakota

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes. Rule 3.B. of the North Dakota Supreme Court Rules states that an attorney who is not licensed in North Dakota that represents a client in an alternative dispute resolution proceeding in North Dakota must register with the North Dakota Board of Law Examiners. While the procedure is distinct from the process to appear pro hac vice, North Dakota does nevertheless require an attorney that is not licensed in North Dakota to submit an application and fee in order to represent a client in alternative dispute resolution proceeding in North Dakota.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes. Rule 3.A of the North Dakota Supreme Court Rules states that an attorney who engages in the practice of law in this state by appearing, either in person, by signing pleadings, or by being designated as counsel in actions filed in state courts, administrative agencies, or tribunals, must be admitted pro hac vice in order to conduct such representation in North Dakota.

Is there a limit to number of admissions in state by attorney or firm:

None stated.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. A nonresident attorney that is employed in North Dakota as in-house counsel exclusively for a corporation or its subsidiaries or affiliates, an association, or a business whose lawful activities are other than the practice of law or the provision of legal services must register with the North Dakota Board of Law Examiners.

The attorney must be admitted and licensed to practice law in another state or the District of Columbia, but not licensed in North Dakota, and, except for the time requirements in Rule 7A, must be otherwise qualified for admission to the practice of law in this state.

Registration Requirements. An attorney must file with the State Board of Law Examiners the following:

a. An affidavit requesting permission to render legal services in North Dakota for the calendar year as in-house counsel stating: (1) the jurisdictions in which the attorney is admitted to practice law and the number of years of admission; (2) whether the attorney is presently subject to a disciplinary proceeding in any jurisdiction; (3) whether the attorney is under any restriction or probation in the practice of law in any jurisdiction in which the attorney is licensed; (4) whether the attorney is now or has ever been suspended or disbarred in any jurisdiction; and (5) whether the attorney has appeared in any North Dakota actions based on pro hac vice admission during the past three years, and how many years the attorney previously registered under this rule.

An attorney registering as in-house counsel must submit an affidavit from an officer, director or general counsel of the attorney's employer attesting that the registrant is employed as an attorney exclusively for the employer, that the registrant is an individual of good moral character, and that the nature of the employment qualifies the attorney for registration under this rule. The non-resident attorney must also submit the fee required for an attorney who has been licensed in North Dakota for five years or more (\$380).

Requirements for pro hac vice admission:

See procedure for pro hac vice admission.

Procedure for pro hac vice admission:

A nonresident attorney seeking to appear as counsel in an action in a trial court in North Dakota or before an administrative agency or tribunal in North Dakota, prior to appearing must: (1) designate as an associate, an attorney admitted and licensed to practice law in this state; (2) file a motion requesting permission to appear and an

affidavit in support of the; (3) file a copy of the motion and affidavit with the State Board of Law Examiners at the same time they are filed with the appropriate individual identified in Section A(1)(a)(2); (4) remit to the State Board of Law Examiners the fee required for an attorney who has been licensed in this state for five years or more or certifies the attorney has paid the fee to the State Board of Law Examiners during that calendar year (\$380); and (5) obtain permission from the court, hearing officer, or presiding officer.

In the affidavit in support of the motion requesting permission to appear in a North Dakota action, the nonresident attorney must state: (1) the jurisdictions in which the attorney is admitted to practice law and the number of years admitted; (2) whether the attorney is presently subject to a disciplinary proceeding in any jurisdiction; (3) whether the attorney is under any restriction or probation in the practice of law in any jurisdiction in which the attorney is licensed; (4) whether the attorney is now or has ever been suspended or disbarred from a court in any jurisdiction; and (5) the number of North Dakota actions in which the nonresident attorney has appeared during the prior three years, and whether the attorney has ever registered under this rule.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. Currently, \$380 for each case or proceeding in which the attorney wishes to appear.

Important website links relating to practice by out-of-state attorneys:

<http://www.ndcourts.gov/court/committees/barbd/board.asp>

Ohio

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

An out-of-state attorney may provide “services are reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in Ohio or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires *pro hac vice* admission.”⁹ In addition, as set forth in the comment to this rule, “the out-of-state attorney, however, must obtain admission *pro hac vice* in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.”¹⁰

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

An out-of-state attorney may provide “services are reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized.”¹¹ As explained by the comment to this rule, this allows an out-of-state attorney to engage in conduct in anticipation of a proceeding or hearing in a jurisdiction in which the lawyer is authorized to practice law or in which the lawyer reasonably expects to be admitted *pro hac vice*. As set forth in the comment, “examples of such conduct include meetings with the client, interviews of potential witnesses, and the review of documents. Similarly, a lawyer admitted only in another jurisdiction may engage in conduct temporarily in Ohio in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.”¹²

Is there a limit to number of admissions in state by attorney or firm:

Ohio has no explicit restrictions on the number of *pro hac vice* admissions by attorney or by firm.

Does the state have special provisions for work done by in-house counsel in the state:

An attorney who is admitted to the practice of law in another state or in the District of Columbia, but not in Ohio, and who is employed full-time by a nongovernmental Ohio employer may register for corporate status by filing a Certificate of Registration and paying the applicable fee. The Office of Attorney Registration and CLE may require additional information and documents, including a certificate of admission and good standing from the jurisdiction in which the attorney is admitted, from an attorney who registers for corporate status. An attorney who is registered for corporate status may perform legal services in Ohio solely for a nongovernmental Ohio employer, as long as the attorney is a full-time employee of that employer. Registration is effective and may be renewed biennially only as long as the attorney is so employed. An attorney who is granted corporate status shall promptly notify the Office of Attorney Registration and CLE in writing upon termination of fulltime employment with the Ohio employer.¹³

An attorney who is registered for corporate status may not practice before any court or agency of this state on behalf of the attorney's employer or any person except himself or herself, unless granted leave by the court or agency.¹⁴

⁹ See Ohio Rules of Professional Conduct, Rule 5.5(c)(3) (<http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/rules/default.asp>).

¹⁰ See Ohio Rules of Professional Conduct, Rule 5.5(c)(3), (Comment 12 <http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/rules/default.asp>).

¹¹ See Ohio Rules of Professional Conduct, Rule 5.5(c)(2) (<http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/rules/default.asp>).

¹² See Ohio Rules of Professional Conduct, Rule 5.5(c)(2) and Comment 10 (<http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/rules/default.asp>).

¹³ See Rules for the Government of Ohio, Rule 6, Section 3 (<http://www.sconet.state.oh.us/Rules/govbar/#ruleiii>).

¹⁴ See *Id.*

Requirements for pro hac vice admission:

Admission pro hac vice will be allowed only on motion of an attorney admitted to practice in Ohio and registered with the Attorney Registration Section for active status. The Supreme Court may withdraw admission pro hac vice at any time.¹⁵

Procedure for pro hac vice admission:

The motion shall briefly and succinctly state the qualifications of the attorney seeking admission. It shall be filed with the first pleading, memorandum, brief, or other document the attorney files or at least 30 days before oral argument if the attorney seeks only to participate in oral argument.¹⁶

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

http://www.sconet.state.oh.us/default_highres.asp

¹⁵ See Ohio Supreme Court Rule 1, Section 2. (<http://www.sconet.state.oh.us/Rules/practice/>).

¹⁶ See *Id.*

Oklahoma

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, if the case is pending before an Oklahoma Court or Tribunal as defined in Article II, Section 5 of the Rules Creating and Controlling the Oklahoma Bar Association.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, if the case is pending before an Oklahoma Court or Tribunal as defined in Article II, Section 5 of the Rules Creating and Controlling the Oklahoma Bar Association.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Rule 2, §5 of the Oklahoma Rules governing the Practice of Law provides for the temporary admission of out-of-state attorneys without taking the bar exam provided their Oklahoma employer is engaged in a business other than the practice of law.

Requirements for pro hac vice admission:

1) File an application with the OBA for each proceeding in which he or she seeks to practice; 2) Associate an Oklahoma attorney who must enter an appearance and service on such attorney constitutes service on the out of state attorney; 3) Pay a \$350 non-refundable fee to the OBA; 4) File a written motion requesting permission to enter an appearance in each proceeding and shall present a copy of the his/her application and a Certificate of Compliance issued by the OBA.

Procedure for pro hac vice admission:

1) Submit an application to the OBA, which includes an affidavit which: a) lists each state or territory of the US, D of C, or foreign country in which the out-of-state attorney is admitted; and b) states that the out-of-state attorney is in good standing in such jurisdictions. 2) Associate an Oklahoma attorney who must enter an appearance and service on such attorney constitutes service on the out of state attorney; 3) Pay a \$350 non-refundable fee to the OBA; 4) File a written motion requesting permission to enter an appearance in each proceeding and shall present a copy of the his/her application and a Certificate of Compliance issued by the OBA.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, a \$350 fee per year payable to the Oklahoma Bar Association.

Important website links relating to practice by out-of-state attorneys:

http://www.okbar.org/out_of_state/Rules.htm

Miscellaneous important information to know about the state and/or its requirements:

Oklahoma courts are allowed to temporarily admit out-of-state attorneys on a showing of good cause for noncompliance with the other provisions of Article II, Section 5 of the Rules Creating and Controlling the Oklahoma Bar Association. Temporary admission may be granted for a period not exceeding 10 days, but may be extended as necessary on clear and convincing proof that the circumstances warranting the extension are beyond the control of the out-of-state attorney.

Oregon

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, for a proceeding pending in Oregon.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, for a proceeding pending in Oregon.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, 16.05 of the Rules for Admission of Attorneys in Oregon sets forth a manner by which an attorney employed by a business entity authorized to do business in Oregon may be admitted to practice law as house counsel with certain limitations set out in the rule.

Requirements for pro hac vice admission:

- 1) Be in good standing in another state or country.
- 2) Certify that the attorney is not subject to pending disciplinary proceedings in any other jurisdiction or provides a description of the nature and status of any pending proceedings.
- 3) Associate with an active member in good standing of the Oregon State Bar who must participate meaningfully in the matter.
- 4) Certify that the attorney will: comply with applicable statutes, law, and procedural rules of the state of Oregon; be familiar with and comply with the disciplinary rules of the Oregon State Bar; and submit to the jurisdiction of the Oregon courts and the Oregon State Bar with respects to acts and omissions occurring during the out-of-state attorney's admission.
- 5) Provide a certificate of insurance, substantially equivalent to the Oregon State Bar Professional Liability Fund Plain, covering the attorney's activities in the state.
- 6) Agree to notify the trial court or administrative body promptly of any changes in the attorney's status or insurance.
- 7) Pay the required fee.

Procedure for pro hac vice admission:

Submit an application entitled Certificate of Compliance for Pro Hac Vice Admission, which may be filled out online, then printed and signed. The Certificate of Compliance should be mailed to Regulatory Services at the Oregon State Bar, 5200 SW Meadows Road, Lake Oswego, Oregon, 97035. The Certificate of Compliance should have the following attached and sent to the Oregon State Bar: an original, recent Certificate of Good Standing from the Bar association or highest court in the out-of-state attorney's home jurisdiction; a certificate of insurance covering the OOS attorney's practice of law in Oregon and which should include policy terms and deductible amount; and a check made payable to the Oregon State Bar in the amount of \$250.

The acknowledged Certificate of Compliance should be attached to a motion signed by the local attorney requesting the court to grant the application. A copy of the Order Granting Pro Hac Vice Admission should be forwarded to Regulatory Services once it is received.

Including a self-addressed, stamped envelope will expedite processing.

Are there fees for pro hac vice admission? If so, who are they payable to:

There is a \$250 nonrefundable fee payable to the Oregon State Bar per application to appear before a court (no fee is necessary solely to appear before an administrative body), which must be renewed by application each year.

Important website links relating to practice by out-of-state attorneys:

<http://www.osbar.org/index.html>

<http://www.osbar.org/forms/forms.html#prohac>

Miscellaneous important information to know about the state and/or its requirements:

An opinion letter by the General Counsel of the Oregon State Bar recommends *not* trying to set up a federal-only practice in Oregon without Oregon licensure.

Pennsylvania

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Rules of Prof. Conduct, Rule 5.5(c)(3)

A lawyer admitted in another United States or foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in Pennsylvania that “are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum requires *pro hac vice* admission”

2007 Electronic Update 12

Paragraph (c)(3) permits a lawyer admitted to practice law in another jurisdiction to perform services on a temporary basis in this jurisdiction if those services are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. The lawyer, however, must obtain admission *pro hac vice* in the case of a court-annexed arbitration or mediation or otherwise if court rules or law so require.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Rules of Prof. Conduct, Rule 5.5(c)(2)

A lawyer admitted in another United States or foreign jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that “are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized”

2007 Electronic Update 10

Paragraph (c)(2) provides that “a lawyer admitted only in another jurisdiction may engage in conduct temporarily in this jurisdiction in connection with pending litigation in another jurisdiction in which the lawyer is or reasonably expects to be authorized to appear, including taking depositions in this jurisdiction.”

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Pa.B.A.R., Rule 302 – Limited In-House Corporate Counsel License.

(a) General Rule. “Every attorney not a member of the bar of this Commonwealth, who is employed by and performs legal services in this Commonwealth for a corporation, company, partnership, association or other non-governmental business entity, shall obtain a Limited In-House Corporate Counsel License in order to provide such services if such services are performed in this Commonwealth on more than a temporary basis by the attorney or if the attorney maintains an office or other systematic and continuous presence in this Commonwealth.”

(b) Scope of Legal Activities. Attorneys issued a Limited In-House Corporate Counsel License may provide advice or legal services to the employer named in the application if the attorneys have been admitted *pro hac vice*. See Pa.B.A.R., Rule 302(b)(2)(a).

Requirements for pro hac vice admission:

Pa.B.A.R., Rule 301(a) – Admission Pro Hac Vice. General.

An attorney, barrister or advocate who is qualified to practice in the courts of another state or of a foreign jurisdiction may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter.

This must be done only on motion of a member of the bar of the Commonwealth of Pennsylvania. An attorney, barrister or advocate admitted *pro hac vice* in a matter shall not thereby be authorized to act as attorney of record in such matter.

Procedure for pro hac vice admission:

Pa.B.A.R., Rule 301(b) – Admission Pro Hac Vice. Procedure.

“The general requirements for applicants seeking admission *pro hac vice* are:

(1) Applicants shall provide such information and pay such fee to the Pennsylvania Interest on Lawyer Trust Account (IOLTA) Board as is required by the regulations concerning *pro hac vice* admission that have been adopted by the IOLTA Board and approved by the Court.

(2) *Pro hac vice* admissions shall be only on motion of a member of the bar of this Commonwealth. Except as otherwise prescribed by general rule, such motion shall be signed by the member of the bar, shall recite all relevant facts, including, if applicable, those averments required by regulations adopted by the IOLTA Board, and shall be filed with the clerk of the court in which or with the magisterial district judge before which the matter is pending at least three days prior to the appearance before the court or magisterial district judge by the attorney, barrister, or advocate seeking *pro hac vice* admission. Any court or magisterial district judge shall grant such a motion unless good cause for denial shall appear, which shall include failure to comply with applicable regulations promulgated by the IOLTA Board.

(3) The oath shall not be required.”

Pa.R.C.P. No. 1012.1 – Admission Pro Hac Vice. Motion. Content.

“(c) A candidate shall submit a verified statement

(1) identifying the jurisdictions in which he or she is or has been licensed and the corresponding bar license numbers. With respect to each jurisdiction identified, the candidate shall state whether he or she

(i) is or has ever been suspended, disbarred, or otherwise disciplined. The candidate shall provide a description of the circumstances for each occurrence of suspension, disbarment or other disciplinary action,

(ii) is subject to any disciplinary proceedings. The candidate shall provide a description of the circumstances under which the disciplinary action has been brought,

(2) setting forth the number of pending actions in all courts of record in Pennsylvania in which the candidate has applied for admission *pro hac vice*, and the number of actions in which the motion has been denied. If any motion for admission *pro hac vice* has been denied, the candidate shall list the caption, court and docket number of the action, and describe the reasons for the denial of the motion.

(3) stating that he or she shall comply with and be bound by the applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct,

(4) stating that he or she shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during the appearance in the matter for which admission *pro hac vice* is being sought,

(5) stating that he or she has consented to the appointment of the sponsor as the agent upon whom service of process shall be made for all actions, including disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

(d)(1) The sponsor shall enter an appearance as attorney of record in the action on behalf of the party whom the candidate seeks to represent. Upon the motion being granted, the sponsor shall remain the attorney of record for that party, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in the action, and shall attend all proceedings before the court unless excused by the court. Attendance of the sponsor at a deposition in discovery shall not be required unless ordered by the court.

(2) The sponsor shall submit a verified statement

- (i) stating that after reasonable investigation, he or she reasonably believes the candidate to be a reputable and competent attorney and is in a position to recommend the candidate's admission,
- (ii) setting forth the number of cases in all courts of record in this Commonwealth in which he or she is acting as the sponsor of a candidate for admission *pro hac vice*, and
- (iii) stating that the proceeds from the settlement of a cause of action in which the candidate is granted admission *pro hac vice* shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the IOLTA provisions thereof, if applicable.”

Are there fees for pro hac vice admission? If so, who are they payable to:

Effective September 4, 2007, the candidate for *pro hac vice* admission must pay a \$100 non-refundable admission fee per case to the Pennsylvania IOLTA Board at the time of filing a motion. The fee must be paid by check, money order, or bank cashier’s check (credit card payment is not accepted). This fee is not refundable.

The candidate must also pay \$45 to the Pennsylvania Lawyers Fund for Client Security Board.

Important website links relating to practice by out-of-state attorneys:

<http://www.paiolta.org/ProHacVice/ProHacViceFAQs.pdf>
<http://www.aopc.org/OpPosting/Supreme/out/62drd.1attach.pdf>
<http://pacode.com/secure/data/204/chapter71/s301.html>

Rhode Island

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

An out of state attorney may not appear in more than 3 cases in Rhode Island in any 5 year period.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Out of state attorney must be in good standing in his/her state, must submit written petition to the court, and must associate a member of state bar in good standing. The associated attorney must sign all pleadings and be present for all oral arguments.

Procedure for pro hac vice admission:

A written petition must be submitted by the associated attorney from the state.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://www.courts.state.ri.us/supreme/pdf-files/amendment-rule9.pdf>

South Carolina

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

The South Carolina Supreme Court recently amended the South Carolina rules governing the unauthorized practice of law to state that the representation of a client before a state agency constitutes the practice of law, which requires admission pro hac vice for non-resident attorneys appearing before the South Carolina state agency. Given the South Carolina's more expansive view of what constitutes the unauthorized practice of law, the conservative approach would be to gain pro hac vice admission before participating in a mediation.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

The South Carolina rule governing pro hac vice admissions does not specifically state that an attorney must obtain pro hac vice admission before participating in a deposition. The rule states that a non-resident attorney must be admitted pro hac vice before participating in a proceeding before any tribunal of the State of South Carolina. The conservative approach would be to gain pro hac vice admission before participating in a deposition.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

South Carolina Appellate Court Rule 405 provides for a certificate of limited admission for attorneys actively licensed in another state or the District of Columbia who are providing legal services to a South Carolina employer who does not provide legal services.

Requirements for pro hac vice admission:

A non-resident attorney must: (1) associate counsel that is a member of the South Carolina Bar; (2) be licensed to practice law in at least one jurisdiction within the United States; and (3) remit payment of the requisite \$100 fee.

Procedure for pro hac vice admission:

Pursuant to the South Carolina Appellate Court Rule 404, the non-resident attorney must submit a sworn motion that contains the following:

- a. the applicant's residence and office addresses;
- b. the state and federal courts to which the applicant has been admitted to practice and the dates of admission;
- c. whether the applicant is a member in good standing in those courts, and a certificate of good standing of the Bar of the highest court of the state or the District of Columbia where the applicant regularly practices law;
- d. whether the applicant is currently suspended or disbarred in any court, and if so, a description of the circumstances under which the suspension or disbarment occurred;
- e. whether the applicant has been formally notified of any complaints pending before a disciplinary agency in any other jurisdiction and, if so, provide a detailed description of the nature and status of any pending disciplinary complaints;
- f. an identification of all law firms with which the applicant is associated and a description of all the applicant's pending pro hac vice appearances in South Carolina to include the name and address of the tribunal;

- g. the names of each case or proceeding in South Carolina in which the applicant has filed an application to appear as counsel pro hac vice, the name and address of the tribunal, the date of each application, and whether it was granted;
- h. the name, address, and telephone number of the active member(s) of the South Carolina Bar who is (are) the attorney(s) of record; and
- i. an affirmation that the applicant will comply with the applicable statutes, law and procedural rules of the State of South Carolina; be familiar with and comply with the South Carolina Rules of Professional Conduct; and submit to the jurisdiction of the South Carolina courts and the South Carolina disciplinary process.

Are there fees for pro hac vice admission? If so, who are they payable to:

The fee is \$250 payable to the South Carolina Supreme Court.

Important website links relating to practice by out-of-state attorneys:

<http://www.judicial.state.sc.us/courtReg/listAPPRules.cfm>

South Dakota

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

The South Dakota rule is unclear whether admission pro hac vice is required to participate in a mediation.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

The South Dakota rule is unclear whether admission pro hac vice is required to participate in a deposition.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

South Dakota Rule of Professional Conduct 5.5(d)(1) provides that an attorney actively licensed in a United States jurisdiction other than South Dakota may practice in the state to provide legal services to the his/her employer or its organizational affiliates provided they are not legal services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

A non-resident attorney must: (1) associate counsel that is a member of the South Dakota Bar; (2) be licensed to practice law in at least one jurisdiction within the United States; (3) submit an application for a South Dakota Sales and Use Tax License; (4) remit payment of the requisite \$200 fee.

Procedure for pro hac vice admission:

After associating a member of the South Dakota bar, the non-resident attorney must:

- (1) submit a sworn motion that contains the following:
 - (a) The office address of an attorney of this state with whom the nonresident attorney is associated in the trial;
 - (b) A statement that the nonresident attorney is a member in good standing of the bar of the state of his residence;
 - (c) A statement that the nonresident attorney has not been the subject of disciplinary action by the bar or courts of the state of his residence or of any state during the preceding five years;
 - (d) A statement that the nonresident attorney has not been denied admission to the courts of any state or to any federal court during the preceding five years;
 - (e) A statement that the applicant is familiar with the rules of the State Bar of South Dakota governing the conduct of members of the State Bar of South Dakota, and will at all times abide by and comply with the same so long as such trial or hearing is pending, and he or she has not withdrawn as counsel therein; and
 - (f) A statement that the nonresident attorney:
 - (i) has completed an application for a South Dakota Sales and Use Tax License or that such license has been issued to the nonresident attorney by the South Dakota Department of Revenue and Regulation; or

- (ii) is not in private practice and is appearing on behalf of an employer for whom said nonresident attorney is employed on a full time basis and that such appearance in the courts of South Dakota is part of said nonresident attorney's duties without additional compensation being paid for such appearance.
- (2) submit a motion by the South Dakota attorney along with the non-resident attorney's motion in which the South Dakota attorney states that the resident attorney finds the applicant to be a reputable attorney and recommends his or her admission to practice before the court;
- (3) pay a \$200 fee.

Are there fees for pro hac vice admission? If so, who are they payable to:

The fee is \$200, payee is not identified in the rule.

Important website links relating to practice by out-of-state attorneys:

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=16-18-2>

Tennessee

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, if the case is pending in Tennessee.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, if the case is pending in Tennessee.

Is there a limit to number of admissions in state by attorney or firm:

No, but one of the grounds for denying a motion for admission pro hac vice is if in the court's discretion the applicant has engaged in such frequent practices as to constitute regular practice in this state.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

- 1) Must be licensed, in good standing, and admitted to practice before the court of last resort in another state or territory of the United States or the District of Columbia in which the lawyer maintains a residence or an office for the practice of law;
- 2) Must be in good standing in all other jurisdictions in which the lawyer is licensed to practice law;
- 3) Must have been retained by a client to appear in a particular proceeding before a court in Tennessee; and
- 4) Must associate in the proceeding with a lawyer licensed to practice law in Tennessee, in good standing, admitted to practice before the Supreme Court of Tennessee, and who resides in and maintains an office in Tennessee.

Procedure for pro hac vice admission:

Tennessee Supreme Court Rule 19 provides that a lawyer seeking pro hac vice admission in Tennessee shall file a motion in the court before which the lawyer seeks to appear not later than the first occasion on which the lawyer files any pleading or paper with the court or otherwise personally appears. In support of the motion, the lawyer shall file with the court a certificate of good standing from the court of last resort of the licensing jurisdiction in which the lawyer principally practices and an affidavit by the lawyer containing the following information:

- (1) the lawyer's full name, residence address, office address, any registration or identifying number associated with the lawyer's licensure in each jurisdiction in which the lawyer is licensed, the full name or style of the case in which the lawyer seeks to appear, and the name of the client or clients the lawyer seeks to represent;
- (2) the jurisdictions in which the lawyer is or has been licensed to practice law, with dates of admission, and any other courts before which the lawyer has been or is generally admitted to practice (including, for example, membership in the bar of a United States District Court), with dates of admission, and a statement by the lawyer that the lawyer is in good standing in all other jurisdictions in which the lawyer is licensed to practice law;
- (3) the full name or style of each case in which the lawyer has been admitted or sought to be admitted pro hac vice in any trial or appellate court of Tennessee within the preceding three years, the date of any such admission or the date of any such motion that was filed but not granted, and the status of any such case in which the lawyer was admitted;
- (4) a statement concerning whether the lawyer has been denied admission pro hac vice or has had an admission pro hac vice revoked by any court in any jurisdiction and, if so, a full description of the circumstances, including the full name or style of the case;

(5) a statement concerning whether the lawyer has ever been disciplined or sanctioned by the Board of Professional Responsibility of the Supreme Court of Tennessee, by any similar lawyer disciplinary agency in any jurisdiction, or by any similar lawyer disciplinary authority (including, for example, any United States District Court), and, if so, a full description of the circumstances, including the full name or style of the matter;

(6) a statement concerning whether any disciplinary action or investigation concerning the lawyer's conduct is pending before the Board of Professional Responsibility of the Supreme Court of Tennessee, before any similar lawyer disciplinary agency in any jurisdiction, or before any similar lawyer disciplinary authority (including, for example, any United States District Court), and, if so, a full description of the circumstances, including the full name or style of the matter;

(7) a statement that the lawyer is familiar with the Tennessee Rules of Professional Conduct and the rules governing the proceedings of the court before which the lawyer seeks to practice;

(8) a statement by the lawyer that the lawyer consents to the disciplinary jurisdiction of the Board of Professional Responsibility of the Supreme Court of Tennessee and the courts of Tennessee in any matter arising out of the lawyer's conduct in the proceeding and that the lawyer agrees to be bound by the Tennessee Rules of Professional Conduct and any other rules of conduct applicable to lawyers generally admitted in Tennessee;

(9) the name, address, telephone number, and Board of Professional Responsibility's registration number of a lawyer with whom the lawyer is associated in accordance with Section (g) of this Rule;

(10) [number omitted from rule]

(11) a statement that the lawyer has paid all fees required by this Rule in connection with the motion for admission;

(12) at the option of the lawyer, any other information supporting the lawyer's admission; and

(13) a statement indicating service of the motion and all associated papers upon all counsel of record in the proceeding and upon the Board of Professional Responsibility of the Supreme Court of Tennessee.

At or before the lawyer files a motion for admission, the lawyer shall file with the Board of Professional Responsibility of the Supreme Court of Tennessee a copy of the motion and supporting papers and pay to the Board a fee equal to the fees paid by lawyers in Tennessee to practice in that state.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. Currently there is a fee of \$135 per year that must be paid to the Board of Professional Responsibility of the Supreme Court of Tennessee.

Important website links relating to practice by out-of-state attorneys:

http://www.tsc.state.tn.us/OPINIONS/TSC/RULES/TNRulesOfCourt/06supct10_24.htm#19

Miscellaneous important information to know about the state and/or its requirements:

Both the Tennessee lawyer and the lawyer appearing pro hac vice shall sign all pleadings, motions, and other papers filed or served in the proceeding; the Tennessee lawyer, or another Tennessee lawyer acting on behalf of the first Tennessee lawyer at his or her request, shall personally appear for all court proceedings, including all proceedings conducted pursuant to the authority of the court, unless excused by the court. The court may establish conditions relating to the participation of associated counsel in an order granting admission under this Rule or otherwise.

Texas

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

An attorney does not have to be admitted pro hac vice to attend mediation but if the attorney is going to represent a party at the mediation, the attorney must be admitted pro hac vice. The same rule applies with respect to arbitrations pending in Texas.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes. An attorney does not have to be admitted pro hac vice to attend a deposition but if the attorney is going to make an appearance at the deposition, the attorney must be admitted pro hac vice.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

On their face, Rule XIX of Rules Governing Admission to the Bar of Texas only governs and requires admission for attorneys participating in "Texas proceedings." The Texas Bar of Law Examiners has not commented on whether this rule applies to in-house counsel who are not participating in a Texas proceeding.

Requirements for pro hac vice admission:

Under Rule XIX of Rules Governing Admission to the Bar of Texas, an attorney applying for admission pro hac vice in Texas must:

- (1) have an application for admission pro hac vice approved by the Texas Board of Law Examiners;
- (2) pay the requisite fee;
- (3) by a licensed attorney, in good standing in some jurisdiction other than Texas;
- (4) be associated with a duly license Texas attorney for purposes of the Texas proceeding;
- (5) state whether the attorney has or has not been the subject of disciplinary action by the Bar or courts of any jurisdiction in which the attorney is licensed within the preceding five (5) years,
- (6) state that the non-resident attorney has or has not been denied admission to the courts of any State or to any federal court during the preceding five (5) years; and
- (7) state that the non-resident attorney is familiar with the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct governing the conduct of members of the State Bar of Texas, and will at all times abide by and comply with the same so long as such Texas proceeding is pending and said Applicant has not withdrawn as counsel therein.

Procedure for pro hac vice admission:

Under Rule XIX of Rules Governing Admission to the Bar of Texas, an attorney applying for admission pro hac vice in Texas must complete the following steps:

- (1) complete the application for admission pro hac vice promulgated by the Texas Board of Law Examiners;
- (2) send the completed application along with a check for \$250.00 to the Texas Board of Law examiners;
- (3) upon receiving an letter acknowledging proof of payment of the fee from the Texas Board of Law Examiners, the non-resident attorney must file a verified motion for admission pro hac vice which contains the following:
 - a. the office address, telephone number, and, if available, the telecopier number of the non-resident attorney movant;

- b. the name and State Bar card number of an attorney licensed in Texas, with whom the non-resident attorney will be associated in the Texas proceedings, and that attorney's office address, telephone number, and, if available, telecopier number;
- c. a list of all cases and causes, including cause number and caption, in Texas courts in which the non-resident attorney has appeared or sought leave to appear or participate within the past two years;
- d. a list of jurisdictions in which the non-resident attorney is licensed, including federal courts, and a statement that the non-resident attorney is or is not an active member in good standing in each of those jurisdictions;
- e. a statement that the non-resident attorney has or has not been the subject of disciplinary action by the Bar or courts of any jurisdiction in which the attorney is licensed within the preceding five (5) years, and a description of any such disciplinary actions;
- f. a statement that the non-resident attorney has or has not been denied admission to the courts of any State or to any federal court during the preceding five (5) years; and
- g. a statement that the non-resident attorney is familiar with the State Bar Act, the State Bar Rules, and the Texas Disciplinary Rules of Professional Conduct governing the conduct of members of the State Bar of Texas, and will at all times abide by and comply with the same so long as such Texas proceeding is pending and said Applicant has not withdrawn as counsel therein.

(4) the non-resident attorney's verified motion must be accompanied by a motion of the resident Texas attorney with whom the non-resident attorney will be associated in which the Texas attorney must state that the resident attorney finds the non-resident attorney to be a reputable attorney and recommends that the non-resident attorney be granted permission to participate in the particular proceeding before the court.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. A fee of \$250.00 payable to the Texas Board of Law Examiners must be submitted for each cause in which the attorney is seeking to appear.

Important website links relating to practice by out-of-state attorneys:

http://www.ble.state.tx.us/main_menu.htm

Miscellaneous important information to know about the state and/or its requirements:

The Texas Board of Law Examiners has stated that the requirements of Rule XIX apply to all appearances as counsel in all proceedings in Texas before all state courts and state agencies if the rules of the particular agency contemplate appearances by counsel. The rule does not apply to cases in federal courts located in Texas.

Utah

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, although some differences in the application process and exceptions exist if related to arbitration. To serve as a neutral arbitrator one need not be admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes, although some differences in the application process and exceptions exist if related to arbitration.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Utah Rule of Professional Conduct 5.5(d)(1) provides that an attorney actively licensed in a United States jurisdiction other than Utah may practice in the state to provide legal services to the his/her employer or its organizational affiliates provided they are not legal services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

To appear before a tribunal, an out-of-state lawyer needs:

- 1) To fill out application with required elements (form is available on-line)
- 2) A certificate of good standing
- 3) A motion (sample available on-line)
- 4) A proposed order (sample available on-line)
- 5) A Utah sponsoring attorney
- 6) A check in the amount of \$175 per applicant, per case
- 7) An Acknowledgment of Supporting Documentation and Receipt of Filing Fee

To appear in an arbitration proceeding, an out-of-state lawyer needs:

- 1) To fill out application with required elements (form is available on-line and differs from tribunal form)
 - 2) A certificate of good standing
 - 3) A check in the amount of \$175 per applicant, per case
 - 4) An Acknowledgment of Supporting Documentation and Receipt of Filing Fee
- Procedure for pro hac admission:

Procedure for pro hac vice admission

Send a copy of your signed motion, the original signed and notarized application, the original certificate of good standing, and the check to: Utah State Bar, 645 South 200 East, Salt Lake City, UT 84111, ATTN: Pro Hac Vice. Once you receive the Acknowledgment of Supporting Documentation and Receipt of Filing Fee, the original motion with attached copies of the application, the certificate of good standing, the original Acknowledgment and a proposed order, should be filed with the court (or adjudicative body). Motions must be signed by the sponsoring Utah attorney in good standing.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. \$175 check per case made payable to the Utah State Bar.

Important website links relating to practice by out-of-state attorneys:

http://www.utahbar.org/rules_ops_pols/pro_hac_vice_instructions.html

Vermont

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

Must be in good standing in all jurisdictions where admitted. Must agree to comply with and be subject to the Vermont Statutes and Rules of the Vermont Supreme Court, including the Rules of Professional Conduct and the Rules Governing Establishment and Operation of the Professional Responsibility Program. Associate a Vermont lawyer to file your pro hac vice motion.

Procedure for pro hac vice admission:

Complete application on-line and then print and notarize the form. The completed form, along with a Certificate of Good Standing no more than 6 months old from a licensing state or the District of Columbia, should be mailed, along with a check for \$200 to Attorney Licensing, 2418 Airport Road, Suite 2, Barre, VT 05641. Once the application is processed (generally two weeks), you will be provided with a pro hac vice licensing card which you will need to file in the court in which the case is pending, along with a motion by a member of the Vermont Bar.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. The fee is \$200 per case and must be paid by check made payable to Attorney Licensing for each case in which you wish to appear.

Important website links relating to practice by out-of-state attorneys:

<http://www.vermontjudiciary.org/BBE/bbelibrary/attylic.aspx>

Miscellaneous important information to know about the state and/or its requirements:

On appeal to the Supreme Court, you do not need a new pro hac vice application, however, you will need the Vermont-licensed attorney who has entered an appearance to file a motion with the Supreme Court for you to appear pro hac vice on appeal. A copy of your pro hac vice licensing card previously obtained should be attached to said motion.

Virginia

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No. An out-of-state lawyer may provide legal services in an ADR process without gaining pro hac admittance. *Sec 10(c) of Rule 1A:4 of the Supreme Court of Virginia (“Rule 1A:4”)*

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No. An out-of-state lawyer may consult with a member of the Virginia State Bar regarding a pending proceeding in Virginia. *Rule 1A:4(10)(b)(1).*

Is there a limit to number of admissions in state by attorney or firm:

Yes. An applicant attorney is limited to 12 cases within the previous 12 months. *Rule 1A:4.*

Does the state have special provisions for work done by in-house counsel in the state:

Yes. Persons employed in Virginia as lawyers exclusively for for-profit or non-profit corporations, associations or other business entities, including their subsidiaries and affiliates, that are not government entities and the business of which consists solely of lawful activities other than the practice of law or the provision of legal services, including persons who hold themselves out as “in-house counsel,” “corporate counsel,” “general counsel,” or other similar titles indicating that he or she is serving as legal counsel to such employer must either (1) be regularly admitted active members of the Virginia State Bar, (2) be issued a Corporate Counsel certificate as provided in the rule and thereby become an active member of the Virginia State Bar or (3) register with the Virginia State Bar as a Corporate Counsel Registrant. *Rule 1A:5.*

Requirements for pro hac vice admission:

An attorney may apply for pro hac admission provided that:

- The applicant attorney is licensed to practice law in any state or territory of the United States.
- The applicant attorney is associated with a an active member in good standing of the Virginia State Bar.

Procedure for pro hac vice admission:

- The applicant attorney must submit an original notarized application and non-refundable application fee of \$250.
- Local counsel who the applicant attorney is associated with must file a motion to associate that includes (1) the original notarized application; (2) a proposed order granting or denying the motion; and (3) the required application fee.

Are there fees for pro hac vice admission? If so, who are they payable to:

The applicant attorney must pay a non-refundable fee of \$250 to the Clerk of the Supreme Court of Virginia.

Important website links relating to practice by out-of-state attorneys:

<http://www.vsb.org/>

Miscellaneous important information to know about the state and/or its requirements:

The Virginia Supreme Court approved Rule 1A:4 on November 28, 2006 and the rule went into effect February 1, 2007.

Washington

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Pro hac vice admission is not required to participate in a mediation in Washington so long as: (1) the attorney is admitted in another U.S. jurisdiction and is not suspended or disbarred from any jurisdiction; (2) the lawyer is practicing in Washington only on a temporary basis; (3) the mediation arises out of or is reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice; and (4) the services provided by the attorney at the mediation are not services for which the forum of the mediation requires pro hac vice admission (*e.g.*, appearance at court-annexed mediation). *See* Washington Rules of Professional Conduct ("RPC") 5.5(c)(3).

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, pro hac vice admission is not required to attend a deposition in Washington so long as: (1) the attorney is admitted in another U.S. jurisdiction and is not suspended or disbarred from any jurisdiction; (2) the lawyer is practicing in Washington only on a temporary basis; and (3) the deposition is reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction where the lawyer (or a person the lawyer is assisting) is authorized to appear or reasonably expects to be so authorized. *See* RPC 5.5(c)(2).

Is there a limit to number of admissions in state by attorney or firm:

There is no specific numerical limit, but the RPC prohibit attorneys not licensed in Washington from establishing a "systematic and continuous presence" in the jurisdiction. *See* RPC 5.5(b)(1). The Commentary to the RPC notes that "[s]ervices may be 'temporary' even though the lawyer provides services in this jurisdiction on a recurring basis, or for an extended period of time." RPC 5.5, Comment., n. 6.

Does the state have special provisions for work done by in-house counsel in the state:

Yes. In-house counsel may practice in Washington without being admitted to the Washington bar so long as: (1) they are admitted in another U.S. jurisdiction; (2) their services are provided to the lawyer's employer or its organizational affiliates; and (3) the services provided by the attorney are not services for which the particular forum requires pro hac vice admission (*e.g.*, appearance before a court that requires pro hac vice admission). *See* RPC 5.5(d)(1).

The state has special pro hac vice provisions for attorneys who are admitted to practice only in a foreign country (*i.e.* not a jurisdiction in the United States) and who will be acting as in-house counsel in Washington state. These attorneys may apply to the Board of Governors of the Washington State Bar to practice as in-house counsel if they meet certain requirements set forth in Admission to Practice Rule ("APR") 8(f).

Requirements for pro hac vice admission:

1. The applicant must be a member in good standing of the Bar of any state or territory of the United States or of the District of Columbia, and a resident of such other state, territory, or District;
2. The applicant must be associated with an active member of the Washington State Bar Association, who will be the lawyer of record; and
3. The court or tribunal in which the action is pending must approve the applicant's pro hac vice admission.

See APR 8(b).

Procedure for pro hac vice admission:

File with the court a motion for pro hac vice admission and a proposed order (form motions with proposed orders for each court level in Washington are listed at <http://www.wsba.org/lawyers/licensing/apr8-b.htm>). The motion must include a certification by the lawyer seeking admission and the associated Washington lawyer that the requirements of Washington Admission to Practice Rule 8 have been complied with. The court does not need a coversheet.

File with the Washington State Bar Association (“WSBA”) a copy of the motion together with the original pro hac vice coversheet and the non-refundable \$250 fee payable to the WSBA (coversheet forms are available at <http://www.wsba.org/lawyers/licensing/apr8-b.htm>).

Provide notice of the pro hac vice motion to adverse parties as directed by the court or tribunal.

See APR 8(b).

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes. \$250 payable to the WSBA.

Important website links relating to practice by out-of-state attorneys:

Washington State Bar Association - <http://www.wsba.org/lawyers/licensing/apr8-b.htm>

Washington Admission to Practice Rules -

http://www.courts.wa.gov/court_rules/?fa=court_rules.list&group=ga&set=APR

Washington Rules of Professional Conduct -

http://www.courts.wa.gov/court_rules/?fa=court_rules.list&group=ga&set=RPC

West Virginia

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

Rule 8(a)

“Whenever it shall appear that a person, who has not been lawfully licensed and admitted to the practice of the law in the State of West Virginia, has been duly licensed to be admitted to practice before a court of record of general jurisdiction in any other state or country or in the District of Columbia, and is in good standing as a member of the bar of such jurisdiction, he or she may appear in a particular action, suit, proceeding or other matter in any court of this State or before any judge, tribunal or body of this State upon full compliance with the requirements of this rule, if like courtesy or privilege is extended to members of the West Virginia State Bar in such other jurisdiction. Except in conformity with this rule, members of the Bar of any jurisdiction other than the State of West Virginia may not in this State do any act, or hold themselves out as entitled to do any act, within the definition of the practice of law, as prescribed by the Supreme Court of Appeals of West Virginia.”

Procedure for pro hac vice admission:

Rule 8(b)

“Before such privilege of appearance is granted, the applicant shall provide to the judge, tribunal or other body before which the applicant desires to appear, as well as to The West Virginia State Bar, a verified statement of application for pro hac vice admission listing (1) the action, suit, proceeding or other matter which is the subject of the application; (2) the name, address and telephone number of the registration or disciplinary agency of all state courts, the District of Columbia or of the country in which such person is admitted; (3) the name and address of the member of The West Virginia State Bar who will be a responsible local attorney in the matter; (4) all matters before West Virginia tribunals or bodies in which such person is or has been involved in the preceding 24 months; (5) all matters before West Virginia tribunals or bodies in which any member of the petitioner's firm, partnership, corporation or other operating entity is or has been involved in the preceding 24 months; (6) a representation by the applicant for each State, the District of Columbia or any other country where said applicant has been admitted to practice, stating whether the applicant is in good standing with the bar of every such jurisdiction and that he or she has not been disciplined in any such jurisdiction within the preceding 24 months; (7) an agreement to comply with all laws, rules and regulations of West Virginia state and local governments, where applicable, including taxing authorities and any standards for pro bono civil and criminal indigent defense legal services. . . . Separate pro hac vice admission shall be required in every case in which the applicant seeks to act as counsel. For purposes of this rule, each civil action with a case number shall constitute a single case.”

Are there fees for pro hac vice admission? If so, who are they payable to:

A fee of \$150 per case payable to the West Virginia State Bar.

Important website links relating to practice by out-of-state attorneys:

<http://www.state.wv.us/wvsca/rules/rule8.htm>

<http://www.wvbar.org/BARINFO/Research/unlawfulprac/93-005.htm>

Miscellaneous important information to know about the state and/or its requirements:

Rule 4.02

“Any person who has not been admitted to practice before the Supreme Court of Appeals of West Virginia, but who is a member in good standing of the bar of the Supreme Court of the United States, the bar of the highest court of any other state in the United States, or the bar of the District of Columbia (which bar shall extend like privileges to members of The West Virginia State Bar), shall be permitted to appear pro hac vice as a visiting attorney in a particular case, in association with a person admitted to practice before the Supreme Court of Appeals of West Virginia and in good standing as a member of its bar, in accordance with Rule 8.0 of the Rules for Admission to the Practice of Law and as herein provided. In addition to the other requirements of Rule 8.0 of the Rules for Admission to the Practice of Law, the verified statement of application shall contain an explicit statement that notice has been sent and the \$100 fee has been paid to The West Virginia State Bar.”

Rule 8(c) Responsible Local Attorney.

“The applicant shall be associated with an active member in good standing of the state bar, having an office for the transaction of business within the State of West Virginia, who shall be a responsible local attorney in the action, suit, proceeding or other matter which is the subject of the application, and service of notices and other papers upon such responsible local attorney shall be binding upon the client and upon such person. The local attorney shall be required to sign all pleadings and affix the attorney's West Virginia State Bar ID number thereto, to attend all hearings, trials or proceedings actually conducted before the judge, tribunal or other body of the State of West Virginia for which the applicant has sought admission pro hac vice. The local attorney shall further attend the taking of depositions and other actions that occur in the proceedings which are not actually conducted before the judge, tribunal or other body of the State of West Virginia for which the applicant has sought admission pro hac vice, and shall be a responsible attorney in the matter in all other respects. In order to be a "responsible local attorney" the local attorney must maintain an actual physical office equipped to conduct the practice of law in the State of West Virginia, which office is the primary location from which the "responsible local attorney" practices law on a daily basis. The responsible local attorney's agreement to participate in the matter shall be evidenced by the local attorney's endorsement upon the verified statement of application, or by written statement of the local attorney attached to the application.”

Wisconsin

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

Yes.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

No.

Requirements for pro hac vice admission:

File a motion with the court in which the lawyer wishes to appear, and associate with a Wisconsin lawyer. One must also demonstrate by conduct the competency to represent a client in a Wisconsin court and a willingness to abide by the rules of professional conduct for attorneys and the rules of decorum of the court.

Procedure for pro hac vice admission:

Application is to be made to the judge of the court and admittance is left to judicial discretion.

Are there fees for pro hac vice admission? If so, who are they payable to:

No.

Important website links relating to practice by out-of-state attorneys:

<http://www.courts.state.wi.us/html/rules/CHAP10.HTM>

Wyoming

Mediation (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Depositions (is pro hac vice admission required for out-of-state attorneys to attend?):

No, as long as services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which she is admitted.

Is there a limit to number of admissions in state by attorney or firm:

Court discretion.

Does the state have special provisions for work done by in-house counsel in the state:

Yes, a non-resident attorney may establish an office or other continuous presence in the jurisdiction for the practice of law to provide legal services to his/her employer or its organizational affiliates provided they are not services for which the forum requires pro hac vice admission.

Requirements for pro hac vice admission:

Must complete application for admission pro hac vice, signed and notarized, must submit original certificates of good standing for each jurisdiction admitted to dated no more than 30 days prior to application, associate with attorney in good standing in the state, and submit \$250 application fee.

Procedure for pro hac vice admission:

Complete application for admission pro hac vice, signed and notarized, obtain certificates of good standing, associate with local counsel, submit filing fee.

Are there fees for pro hac vice admission? If so, who are they payable to:

Yes, \$250 payable to Wyoming State Bar.

Important website links relating to practice by out-of-state attorneys:

http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=AttorneysConduct.xml

http://www.wyomingbar.org/admissions/pro_hac_vice.html