Katherine A. Fox (5278)
General Counsel
Utah State Bar
645 South 200 East
Salt Lake City, Utah 84111
Telephone: (801) 297-7047
Fax: (801) 531-0660

IN THE SUPREME COURT OF THE STATE OF UTAH

IN RE: UTAH STATE BAR Petitioner.	)))))))))	PETITION TO AMEND RULE 14-806 TO INCREASE *PRO HAC VICE* ADMISSION FEE

INTRODUCTION

The UTAH STATE BAR (the "Bar") hereby files this Petition to Amend Rule 14-802 (the “Rule”) to Increase the *Pro Hac Vice* Admission Fee. It has been nearly nine years since the *pro hac vice* fee was raised to $175. The original *pro hac vice* rule was eliminated and the current Rule approved in 1997 along with an initial fee of $75. The Board of Bar Commissioners (the “Commission”) voted to approve an increase of $250 at a regularly scheduled board meeting in July of 2009, resulting in a proposed fee of $425 for *pro hac vice* admissions. The rationale underlying the request for the increase is simple. If a Utah lawyer wants to be on active status to practice law for even just one case, he or she must pay the active status fee for the year which is essentially equivalent for an out-of-state lawyer who wants to take one Utah case. If the Court approves the proposed increase to be commensurate the active status

licensing fee, the cost for out-of-state lawyers who want to practice law in Utah would then be the same for a Utah lawyer who wants to participate in one case.[1]

BACKGROUND

Utah enacted a substantive *pro hac vice* rule with express requirements in 1997.[2] The Rule was drafted by members of the Court's Advisory Committee on the Rules of Civil Procedure in conjunction with Bar staff. Because the Bar was designated as the initial "administrative gatekeeper" for the *pro hac vice* application process, we filed a petition early on requesting an initial fee of $75.00 to cover anticipated administrative costs. (A copy of the Amended Order dated July 14, 1997, approving the Rule and fee is attached as Exhibit "1.") Several years later, as the Bar gained experience in administering the process and the number of applications increased as judges became more aware of the requirements, we filed a petition to increase the fee to $175.00, again to cover increased administrative costs. That fee was approved by the Court nine years ago. (A copy of the Order dated July 26, 2001, is attached as Exhibit "2".) A copy of the current Rule is attached as Exhibit "3."

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[1] A note of clarification is needed here. The licensing fee for a lawyer on active status is currently $350 (and $360 with a ten dollar Client Security Fund fee assessment). The Bar filed a Petition to Increase Licensing Fees on December 21, 2009, requesting that the fee be raised to $425. The *pro hac vice* fee increase request is designed to be commensurate with the general licensing fee and is based on the amount requested in the licensing petition. Of course, the licensing fee increase may not be granted or if granted, approved for a different amount. In either case, the Bar requests that the *pro hac vice* fee be set at the same amount as the active status licensing fee.

[2] Prior to 1997, a two-sentence *pro hac vice* rule mysteriously located within the Court's Rules of Appellate Procedures stated that *pro hac* admission for out-of-state licensed lawyers was under the discretion of the judge assigned to the particular case. There was no uniform treatment among state courts relating to admission, no express requirements and no fee. As the American Bar Association begin to study the *pro hac vice* process and finally promulgated a model *pro hac* rule, various jurisdictions adopted that rule or

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THE BAR'S ROLE IN THE *PRO HAC VICE* PROCESS

As previously mentioned, the Bar's role is mostly one of an initial "administrative gatekeeper" in reviewing the application and supporting documentation required in the *pro hac* process. We typically see between 250-300 applications per year. Those out-of-state lawyers seeking temporary admission in Utah must provide the Bar with an original notarized application along with specified supporting documentation in order to obtain a receipt evidencing the same. The process culminates in the Bar issuing an "Acknowledgment of Supporting Documentation and Receipt of *Pro Hac Vice* Fee" which must be filed with the court along with a motion. Rule 14-806 refers to this document as a "receipt" which unfortunately conveys the impression that it merely evidences payment of the fee. The fee, however, is only a small part of the overall application process. The Bar essentially provides judges, who must either approve or deny the out-of-state lawyer's admittance upon motion, with some measure of assurance based on objective criteria that the out-of-state lawyer is qualified to practice in Utah courts. (A copy of the receipt is attached as Exhibit "4.")

In reviewing the application, we frequently find submissions that are incomplete (e.g., unsigned, not notarized or missing required documents) or defective (copies rather than originals of certificates of good standing from home licensing jurisdictions or outdated certificates) which have proven, at times, to

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made similar revisions to their own rules. Utah was one of those states who adopted a modified version of the ABA model rule.

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indicate a lack of good standing in the applicant's home licensing state. Such applications are returned with instructions of how to correct the problems where feasible. Moreover, the administrative time required often involves that of the Bar's general counsel where issues are more complicated or lawyers refuse to accept direction from the general counsel's assistant rather than a lawyer.

We have attempted to provide as much information as possible online to facilitate the *pro hac* process and to anticipate applicants' questions in advance. (Attached as Exhibit "5" are copies of instructions, an application and a sample motion and order.) Despite the fact this material is readily available, there is a fair amount of uncertainty and a more or less steady stream of requests for clarification. There are also requests to waive one or more of the Rule's requirements (including payment), requests for assistance locating a Utah attorney to sponsor the out-of-state lawyer, and the like. In short, the process is often not as routine or perfunctory as one might think.

In addition, a *pro hac vice* admission obligates the Bar for potential disciplinary proceedings related to the activities of such out-of-state attorneys practicing on a limited basis in Utah. The costs associated with a prosecution and investigation have the potential to be equivalent to a disciplinary proceeding involving regularly licensed, resident attorneys. The *pro hac vice* admittee also benefits generally from the overall activities of the Bar, although admittedly to a degree less than other Bar members.

OTHER JURISDICTIONS

Attached are copies of several different resource materials showing comparison information with other states. The first, the "American Bar

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Association Center for Professional Responsibility CPR Policy Implementation Committee – *Pro Hac Vice* Admissions Rules" dated May 14, 2009, is a chart with cursory information about each state's rules. Its primary purpose is to provide an internet address link to each state's *pro hac* rule. A copy is attached at Exhibit "6." Another document also generated by the American Bar Association and dated September 17, 2008, is entitled "American Bar Association Center for Professional Responsibility CPR Policy Implementation Committee – Comparison of ABA model Rule for *Pro Hac Vice* Admission with State Versions and Amendments Since August 2002." It is attached at Exhibit "7." This chart provides additional information about each jurisdiction's rules such as whether those rules expressly limit the number of *pro hac vice* appearances (Utah does not and instead, provides a guideline for the exercise of discretionary power to deny the application when the process is being used to circumvent the normal requirements for admission, or whether association with an in-state lawyer is necessary.) Finally, at Exhibit "8" is a *pro hac vice* survey recently conducted by the Bar which tracks application fees from highest to lowest. The "notes" section of the survey reflects that the stated fee may be in fact higher than it appears due to such circumstances as some jurisdictions imposing an "annual renewal fee" in lieu of a per case admission fee like Utah.

CONCLUSION

The only change in Rule 14-806 requested is an increase in the current fee from $175 to $425 (or the same fee a Utah lawyer on active status is required to pay for a year's licensure). The increased fee is to cover increased demands on administrative staff to process these applications generally, the Bar's general

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counsel, increased time associated with handling problem applications, and to provide an equitable fee structure for out-of-state attorneys applying for limited admission in the state. The fee requires out-of-state lawyers who use our courts to help promote the administration of justice generally. It also obligates out-of-state lawyers who avail themselves of our judicial system to offset the Bar's time devoted to the process and to help financially support programs conducted by the Bar to fulfill the professional obligations imposed on lawyers. The amount requested tracks the proposed increase for a Utah lawyer on inactive status who may want to practice generally or may only want to take a case or two per year. A copy of the redlined rule is attached as Exhibit "9" and a clean copy of the proposed rule is attached as Exhibit "10."

Dated this ____ day of January, 2010.

_____
Katherine A. Fox
Utah State Bar General Counsel

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IN THE SUPREME COURT OF THE STATE OF UTAH

---oo0oo---

In Re Rule 11-302 Admission
Pro Hac Vice and Petition
To Increase Appearance Fees

No. 970273

---oo0oo---

AMENDED ORDER

This order supersedes the order issued by the court on July 10, 1997.

The proposed amendments to Rule 11-302 regarding pro hac vice appearance are granted. The suggestion submitted by the advisory committee on Utah Rules of Civil Procedure, regarding placement in the Supreme Court section of the Code of Judicial Administration is granted.

The petition to amend proposed Rule 11-302 to increase pro hac vice appearance fees is approved. The fee will be $75.00 per appearance. The effective date of the proposed amendments is November 1, 1997.

The court anticipates that through the passage of this rule and its implementation, the Utah State Bar will be able to better determine the scope and magnitude of any problems associated with appearances pro hac vice.

Date 7/14/97

Michael D. Zimmerman
Chief Justice
For The Court

IN THE SUPREME COURT OF THE STATE OF UTAH

----ooOoo----

In re: Petition to Amend
Rule 11-302 to Increase
Pro Hac Vice Appearance Fee

No. 20010265

ORDER

The petition of the Utah State Bar to Amend Rule 11-302 of the Supreme Court Rules of Professional Practice to increase the pro hac vice appearance fee from $75.00 to $175.00 is granted. The effective date of the fee increase shall be November 1, 2001.

FOR THE COURT:

July 26, 2001
Date

Richard C. Howe
Chief Justice

07/27/01 FRI 15:36 [TX/RX NO 9808]

SUPREME COURT OF UTAH
450 S. State
P.O. Box 140210
Salt Lake City, Utah 84114-0210
Clerk's Office 578-3900
Fax 578-3999

Richard C. Howe
Chief Justice
Leonard H. Russon
Associate Chief Justice
Christine M. Durham
Justice
Matthew B. Durrant
Justice
Michael J. Wilkins
Justice

Patricia H. Bartholomew
Clerk

TELEFAX COVER SHEET

TO: Katherine A. Fox

FAX NUMBER: 531-0660

FROM: Matty Branch

PAGES: 2
(Incl Cover Page)

MESSAGE: Here's copy of order approving pro hac vice appearance fee increase. Have a good weekend.

PRIVILEGE AND CONFIDENTIALITY NOTICE

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Rule 14-806. Admission pro hac vice.

(a) An attorney who is not a member of the Bar but who is admitted to practice law in another state or in any court of the United States or territory or insular possession of the United States shall apply to be admitted pro hac vice in accordance with this rule prior to appearing as counsel in a court of record or not of record.

(b) Nonresident counsel may be permitted to appear in a particular case if the court in which the case is pending determines that admission pro hac vice will serve the interests of the parties and the efficient and just administration of the case. Admission pro hac vice under this rule is discretionary with the court in which the application for admission is made. Admission pro hac vice may be revoked by the court upon its own motion or the motion of a party if, after notice and a hearing, the court determines that admission pro hac vice is inappropriate. Admission pro hac vice shall be denied or, if granted, shall be revoked if the court determines that the process is being used to circumvent the normal requirements for the admission of attorneys to the practice of law in Utah.

(c) In determining whether to enter or revoke the order of admission pro hac vice, the court may consider any relevant information, including whether non resident counsel:

(c)(1) is familiar with Utah rules of evidence and procedure, including applicable local rules;

(c)(2) is available to opposing parties;

(c)(3) has particular familiarity with the legal affairs of the party relevant to the case;

(c)(4) complies with the rulings and orders of the court;

(c)(5) has caused delay or been disruptive; and

(c)(6) has been disciplined in any other jurisdiction within the prior 5 years.

(d) The attorney seeking admission pro hac vice shall complete under oath and submit to the Bar an application form available from the Utah State Bar or court clerks' office . The applicant shall attach to the application form a Certificate of Good Standing from the licensing state in which the applicant resides. The applicant shall complete a separate application for each case in which the applicant wants to appear. The fee for each application is $175, which shall be paid to the Utah State Bar. Fees paid under this rule shall be used for attorney discipline investigations and proceedings. The following are exempt from the fee:

(d)(1) attorneys who are employees of and representing the United States of America or any of its departments or agencies; and

(d)(2) attorneys representing indigent clients on a pro bono basis.

(e) A copy of the application and a receipt showing payment of the fee shall be filed in the court in which the case is pending, with a motion by a member of the Bar to admit the applicant pro hac vice and a consent by that member of the Bar to appear as associate counsel. Associate counsel shall be a resident of Utah. The application form shall include:

(e)(1) the name, address, telephone number, fax number, e-mail address, bar identification number(s), and state(s) of admission of the applicant;

(e)(2) the name and number of the case in which the applicant is seeking to appear as the attorney of record or, if the case has not yet been filed, a description of the parties;

(e)(3) the name, number, and court of other cases pending or closed within the prior five years in any state or federal court of Utah in which the applicant or a member of the applicant's firm appears pro hac vice;

(e)(4) a statement whether, in any state, the applicant:

(e)(4)(A) is currently suspended or disbarred from the practice of law;

(e)(4)(B) has been disciplined within the prior five years; or

(e)(4)(C) is the subject of any pending disciplinary proceedings;

(e)(5) a statement that the applicant:

(e)(5)(A) submits to the disciplinary authority and procedures of the Bar;

(e)(5)(B) is familiar with the rules of procedure and evidence, including applicable local rules;

(e)(5)(C) will be available for depositions, hearings, and conferences; and

(e)(5)(D) will comply with the rulings and orders of the court;

(e)(6) the name, address, Bar identification number, telephone number, fax number, and e-mail address of the member of the Utah State Bar to serve as associate counsel; and

(e)(7) any other information relevant to the standards for the admission of the applicant.

(f) Utah counsel associated with nonresident counsel seeking admission pro hac vice shall:

(f)(1) file a motion for admission of the applicant pro hac vice;

(f)(2) serve the motion by mail, hand-delivery or facsimile on the Utah State Bar's general counsel on or before filing with the court and include a certificate of service with the motion evidencing service on the Bar's general counsel and upon the opposing parties, or, if represented, their counsel;

(f)(3) file a written consent to appear as associate counsel;

(f)(4) sign the first pleading filed;

(f)(5) continue as one of the counsel of record in the case unless another member of the Bar is substituted as associate counsel; and

(f)(6) be available to opposing counsel and the court for communication regarding the case and the service of papers.

(g) The court may require Utah counsel to appear at all hearings. Utah counsel shall have the responsibility and authority to act for the client in all proceedings if the nonresident attorney fails to appear or fails to respond to any order of the court .

(h) An attorney admitted pro hac vice shall comply with and is subject to Utah statutes, rules of the Supreme Court, including the Rules of Professional Conduct and Article 5, Lawyer Discipline and Disability, the rules of the court in which the attorney appears, and the rules of the Code of Judicial Administration.

Utah State Bar

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834
Telephone: 801-531-9077 • Fax: 801-531-0660
www.utahbar.org

John C. Baldwin
Executive Director

ACKNOWLEDGMENT OF SUPPORTING DOCUMENTATION AND RECEIPT OF PRO HAC VICE FILING FEE

Date Issued: xxxxxx
Case Name: xxxxx
Case Number: xxxxx

This letter serves as an acknowledgement that the $175.00 pro hac vice filing fee for **XXXXXXX** in the above referenced case has been paid to the Utah State Bar and that the required supporting documentation is complete and in good order. If you have any questions, please call the Bar at (801) 531-9077.

Katherine A. Fox
General Counsel

Note to Counsel: An original motion signed by a member of the Utah State Bar who expressly consents to appearing as associate counsel should be filed with the court along with: (1) copies of the Application and Certificate of Good Standing which were provided to the Bar; (2) this original Receipt of Filing Fee and Supporting Documentation; and (3) a proposed order.

Fox/pro_hac/recpt300

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PRO HAC VICE INSTRUCTIONS AND INFORMATION

*NOTE: Please go directly to the **"Arbitration Proceedings"** section below if you intend to participate in an arbitration proceeding rather than a Utah district court case in order to determine: (1) if you need to apply for pro hac vice admission; and (2) if so, for copies of the application forms and instructions. Also, please see the **"Administrative Proceedings"** section below if you intend to participate in a state agency administrative adjudication.

WHAT DO I NEED?

- An application form (see link below)
- A certificate of good standing (see "Additional Information" below)
- A motion (see link below for sample)
- A proposed order (see link below for sample)
- A Utah sponsoring attorney (see "Additional Information" below)
- A check in the correct amount (see "Additional Information" below)
- An Acknowledgement of Supporting Documentation and Receipt of Filing Fee (see "Plan Ahead" section below)

PLAN AHEAD – The Receipt is not Intended to Merely Evidence Payment of the Fee

The "Acknowledgement of Supporting Documentation and Receipt of Filing Fee" is not a simple receipt evidencing that you have merely paid the necessary fee. The materials you are required to submit must be complete, accurate, and up-to-date. If not, the application will be rejected and the "Acknowledgement of Supporting Documentation and Receipt of Filing Fee" will be not be issued. We do our best to accommodate last minute "emergency" requests but please be aware that there may be times staff is not available to process your application.

WHAT GETS FILED WHERE AND WHEN?

- In order to process your application and issue an Acknowledgement of Supporting Documentation and Receipt of Filing Fee, the Bar needs: (1) a *copy* of your signed motion; (2) the *original* signed and notarized application; (3) the original certificate of good standing; and (4) a check in the proper amount ($175.00 per applicant, per case) made payable to the Utah State Bar. Fee exemptions are available for certain and limited circumstances; see "Additional Information" below. Please send these materials to:

  Utah State Bar
  645 South 200 East
  Salt Lake City, UT 84111
  Attn: Pro Hac Vice

- If your documents are in proper order (e.g., correct amount of fee, applicant not suspended from the practice of law, etc.) *and complete,* the Bar will issue an Acknowledgement of Supporting Documentation and Receipt of Filing Fee which can be picked up at the Bar offices or will be mailed to local sponsoring counsel unless otherwise requested.

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- Counsel should then file with the court (or adjudicative body): (1) the original motion with attached copies of the application (a copy, not the original form) and certificate of good standing (a copy, not the original); (2) the original Acknowledgement of Supporting Documentation and Receipt of Filing Fee; and (3) an original proposed order.

ADDITIONAL INFORMATION

A separate application must be submitted for each attorney seeking admission in a case. For example, if a firm's senior attorney and two associates are to be listed on the pleadings after admission, each must file a separate application (and submit an additional fee).

Certificates of good standing can take several weeks to obtain from either your state bar association or your state court of highest jurisdiction. We need a current (within 60 days) original certificate from your primary (underlying) state of licensure; **certificates from federal or "specialty" courts or voluntary bar associations are not acceptable**

Motions must be signed by a sponsoring Utah attorney in good standing. Until an out-of-state licensed applicant is admitted, she or he is not permitted to sign pleadings.

> If you need to locate a **local sponsoring attorney** who is on active status and in good standing (and who also resides in Utah), you may want to search: (1) Utah law firms registered with www.martindale.com or (2) the Bar's membership database at www.utahbar.org. Utah has eight judicial districts in which your case can be heard. **Click here for a map of Utah reflecting these judicial district court boundaries.**

Rule 14-806 of the Utah Supreme Court's Rules of Professional Practice in the Utah Code of Judicial Administration requires a **$175.00 fee per pro hac vice applicant per case.** If you have a class action lawsuit or multiple-related cases which will be consolidated, please contact the Bar's General Counsel. Effective April 1, 2006 and pursuant to subsection (d)(1) and (d)(2) of Rule 14-806, fee exemptions by rule are available for: (1) attorneys who are employees of and representing the United States of America or any of its departments or agencies; and (2) attorneys representing indigent clients on a pro bono basis. (For the latter category, click here for an affidavit which the applicant needs to complete, sign, have signature notarized and attach to original application.)

Rule 14-806 of the Utah Supreme Court's Rules of Professional Practice in the Utah Code of Judicial Administration does not permit pro hac vice appearances by **attorneys licensed elsewhere, but who reside in the State of Utah.** The rule also does not permit Utah licensed attorneys who reside out of state to sponsor other out-of-state licensed attorneys.

CLICK HERE TO ACCESS RULE 14-806

CLICK HERE FOR A COPY OF THE APPLICATION

CLICK HERE FOR A SAMPLE MOTION AND ORDER

***The sample Motion and Order require Adobe Acrobat Reader**
Click here to download Adobe Acrobat Reader

SUMMARY OF WHEN ARBITRATION PROCEEDING

Acting as a representative before administrative tribunals or agencies *as authorized by tribunal or agency rule or practice.* Authorization to Practice Law Rule (c)(8).

Serving in a neutral capacity as an arbitrator. Authorization to Practice Law Rule (c)(9).

Participating in arbitrations arising under collective bargaining rights or agreements or as otherwise allowed by law. Authorization to Practice Law Rule (c)(10).

Providing services that the lawyer is authorized to provide by federal law or other law of this jurisdiction. Rule 5.5 (Multijurisdictional Practice) of Utah Rules of Professional Conduct.

ARBITRATION PROCEEDINGS

Several rules govern whether it is necessary for out-of-state licensed lawyers to apply for pro hac vice admittance in arbitration proceedings to be conducted here. Links to these various rules follow below. Please review these rules to determine if you need to apply for pro hac vice admission. Rule 5.5 (Utah Rules of Professional Conduct) subsection (a) states that "a lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction or assist another in doing so." The rule then sets forth various provisions and comments addressing alternative dispute resolution mechanisms such as arbitration.

Rule 5.5 must be read in conjunction with Rule 14-802 (Authorization to Practice Law) in the Utah Supreme Court Rules of Professional Practice. That rule governs what constitutes the practice of law in Utah and contains a number of exceptions to the general rule. The comment to subsection (b)(2)(B) of Rule 14-802 makes it clear that arbitration proceedings are characterized as "[T]ribunals...that render judgments or opinions involving a person's interests." and thus, participation constitutes the practice of law in Utah. Subsection (c)(8) makes an exception for those acting as a representative before administrative tribunals or agencies as authorized by tribunal or agency rule or practice. An example would be NASD and SEC proceedings. Subsection (c)(9) provides an exception for those serving in a neutral capacity as the arbitrator. For participating, i.e., representing the interests of a third party, in nearly all other arbitration proceedings, an out-of-state lawyer must apply to the Bar for pro hac vice admittance.

The pro hac vice process has been appropriately modified for those out of state lawyers appearing in arbitration proceedings. For instance, neither a Utah licensed sponsoring counsel nor a motion nor order are required. Other requirements under the pro hac vice rule, however, including, but not limited to, the standard fee and a current certificate of good standing still remain.

CLICK HERE FOR A COPY OF THE ARBITRATION APPLICATION AND ACCOMPANYING INSTRUCTIONS

CLICK HERE FOR RULE 5.5 (UTAH RULES OF PROFESSIONAL CONDUCT)

CLICK HERE FOR RULE 14-802 (AUTHORIZATION TO PRACTICE LAW)

ADMINISTRATIVE PROCEEDINGS

Rule 14-802 (Authorization to Practice Law) subsection (c)(8) states that "whether or not it constitutes the practice of law, the following activity....is permitted: acting as a representative before administrative tribunals or agencies as authorized by tribunal or agency rule or practice" (see link above). Rule 5.5 (Unauthorized Practice of Law; Multijurisdictional Practice of Law) of the Utah Rules of Professional Conduct, subsection (d)(2) states that: "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 are services that the lawyer is authorized to provide by federal law or other law of this jurisdiction" (see link above).

Out-of-state lawyers who intend to represent a party in an administrative adjudicative proceeding must contact that entity to determine whether pro hac vice admission is necessary. If so, the regular process must be followed at the beginning of this set of instructions. Insofar as the Utah State Bar is aware, the following state entities require compliance with Rule 14-806 (Pro Hac Vice): (1) The Utah Labor Commission (Adjudication Division & Anti-Discrimination Division); (2) The Utah State Board of Oil and Gas Regulation; (3) Utah Department of Agriculture; and (4) Utah Department of Commerce.

PROCEEDINGS IN FEDERAL DISTRICT AND U.S. BANKRUPTCY COURTS

The U.S. District Court in Utah and the U.S. Bankruptcy Court for Utah have their own requirements governing pro hac vice appearances; please contact them at:

U.S. District Court of Utah	**U.S. Bankruptcy Court**
(801) 524-6100	(801) 524-6566
www.utd.uscourts.gov	www.utb.uscourts.gov

Please contact Diana Gough, Assistant to General Counsel at 801-297-7057 or by e-mail at counsel@utahbar.org with any questions you may have and we will be happy to assist you.

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APPLICATION FOR ADMISSION PRO HAC VICE

NOTE: This form cannot be submitted electronically because it requires an original signature and notarization. You may fill it out and print it for signature purposes or use it as a template and draft your own application (which must be identical to the one below).

Name:

Address:

City, State, Zip:

Telephone / Fax:

E-mail (if any):

State(s) to Which Admitted	**Bar Number**

Case in which Applicant wishes to appear:

Case Name

Court

Case Number

Party on whose behalf Applicant seeks to appear

Other cases in any state or federal court in Utah in which the applicant or member of applicant's firm has appeared pro hac vice in the previous five years (Attach additional sheets if necessary)

Case Name	Case Number	Court

Are you (the Applicant) currently suspended or disbarred from the practice of law in any state?

If yes, please explain:

Have you (the Applicant) been disciplined by any state's or court's bar organization in the prior Five (5) years? ☐

If yes, please explain: ☐

Are you (the Applicant) the subject of any pending disciplinary proceedings by any state's or court's bar organization? ☐

Sponsoring Local Counsel: (must be Utah resident)

Name: ☐

Utah Bar Number: ☐

Address: ☐

City, State, Zip: ☐

Telephone / Fax: ☐ ☐

E-mail (if any): ☐

Applicant's Certification and Signature:

Applicant certifies the following:

- Applicant submits to the disciplinary authority and procedures of the Utah State Bar.
- Applicant is familiar with the rules of procedure and evidence, including applicable local rules.
- Applicant will be available for depositions, hearings and conferences.
- Applicant will comply with the rulings and orders of the court.
- All the information included in this application is accurate.

Applicant must attach to this application an original Certificate of Good Standing from the licensing state in which the applicant resides (Applicants may not reside in Utah).

Applicant's Signature: _____

STATE OF _____)
:ss
COUNTY OF _____)

Signed and sworn to before me on _____ by _____

Notary Public _____

My appointment expires: _____

[Sponsoring Local Counsel]
[Firm Name]
[Address]
[City], [State] [Zip Code]
[Telephone:]

Attorneys for [Defendant/Plaintiff]

IN THE _____ JUDICIAL DISTRICT COURT FOR _____ COUNTY,
***[if applicable, also insert the appropriate department here, e.g., West Valley City or Murray]* STATE OF UTAH**

Plaintiff [or State of Utah],	)	**MOTION AND CONSENT OF SPONSORING LOCAL COUNSEL FOR PRO HAC VICE ADMISSION OF [OUT OF STATE COUNSEL]**
vs.	)	
	)	Case No. _____
Defendant.	)	Judge: _____

Pursuant to Rule 14-806 of the Utah Code of Judicial Administration, [sponsoring local counsel] moves the court for an order admitting [out of state counsel] pro hac vice to act as counsel in the above-captioned matter on the following basis: [Plaintiff/Defendant] has retained the services of [out of state counsel] who is neither licensed to practice law in the State of Utah nor a resident of Utah. [Out of state counsel] is admitted to practice in the State of _____ where he/she is an attorney in good standing as evidenced by the original Certificate of Good Standing submitted to the Utah State Bar.

As required by Rule 14-806, both a filing fee and [out of state counsel's] original Application have been submitted to the Utah State Bar. [Sponsoring local counsel] hereby agrees to serve as designated local counsel for the subject case. He/she agrees to comply with all applicable provisions of the Utah Rules of [Civil/Criminal] Procedure and the Utah Code of Judicial Administration, and to readily communicate with opposing counsel and the court regarding the conduct of this case. He/she also agrees to accept papers when served as well as recognizes the responsibility to act for and on behalf of the clients in all case-related proceedings, including hearings, pretrial conferences, and trials, should [out of state counsel] fail to respond to any court order.

A proposed order admitting [out of state counsel] accompanies this motion.

DATED this _____ day of _____, 200___.

_____
[Sponsoring Local Counsel]

[MAILING CERTIFICATE FOR MOTION AND ORDER SHOULD REFLECT SERVICE ON ALL COUNSEL]

[Sponsoring Local Counsel]
[Firm Name]
[Address]
[City], [State] [Zip Code]
[Telephone:]

Attorneys for [Defendant/Plaintiff]

IN THE _____ JUDICIAL DISTRICT COURT OF _____ COUNTY
STATE OF UTAH

Plaintiff [or State of Utah],	)	**ORDER**
vs.	)	
	)	Case No. _____
Defendant.	)	Judge: _____

Based upon the Motion for Admission Pro Hac Vice of [applicant's name] and the consent to appear as associate counsel by [sponsoring local counsel], it is hereby ordered that [applicant's name] be admitted pro hac vice as counsel for [plaintiff/defendant] in the above entitled matter.

DATED this _____ day of _____, 200___.

_____
District Court Judge

Fox/Pro_Hac/Form

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Pro Hac Vice Admission Rules

Recommendation: The American Bar Association adopts a *Model Rule on Pro Hac Vice Admission.*

AL	Rule VII of the Alabama Rules Governing Admission http://www.alabar.org/public/admissions/RulesAdmissions2003.pdf Limited to 5 appearances in preceding 12 months, with court review to establish good cause. Fee: $100
AK	Rule 81 (a)(2) of the Alaska Rules of Civil Procedure http://www.state.ak.us/courts/civ2.htm#81 Filing fees goes to Alaska Bar for potential discipline matters. Fee: $350 (annually)
AZ	Rule 33 (d) Arizona Supreme Court Rule for Admission http://www.azbar.org/ForLawyers/prohacvice.cfm Fee: 85% of fee paid by a member of the State Bar of Arizona (currently $391.00)
AR	Arkansas Supreme Court Rule XVI http://courts.state.ar.us/rules/bar_admission/index.cfm#16 Fee: None specified.
CA	Rule 983 of the California Rules of Court http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=12441&id=13488 Fee: $50 per case

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CO	Colorado Rules of Civil Procedure, Chapter 18: Rules Governing Admission to the Bar, Rule 221 http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp= Fee: $250. (Attorney Registration Office).
CT	Rules of the Superior Court Regulating Admission to the Bar: Sec. 2-16. Appearing Pro Hac Vice http://www.jud.state.ct.us/CBEC/#Sec.%202-16 Fee: $450 to department of Revenue and $110 to Client Security Fund.
DE	(1) Delaware Supreme Court Rule 71. Admission *pro hac vice.* http://courts.delaware.gov/rules/?scr.pdf Fee: $300. (2) Delaware Supreme Court Rule 72. Admission *pro hac vice* before administrative agencies of this State. http://courts.delaware.gov/rules/?scr.pdf Fee: $300. (3) Delaware Superior Court Rule 90.1. Admission *pro hac vice.* http://courts.delaware.gov/rules/?civil_rules_2009_rev.pdf Fee: $300. (4) Delaware Court of Chancery Rule 170(b). Attorneys. Fee: $100.
DC	Rule 49(c)(7) of the District of Columbia Court of Appeals. Unauthorized Practice of Law. http://www.dcbar.org/inside_the_bar/structure/reports/special_committee_on_multijurisdictional_practice/summary.cfm Fee: $100.
FL	Florida Judicial Administration Rule 2.061. Foreign Attorneys and Rule 1-3.10 of the Rules Regulating the Florida Bar Rule 1-3.11 relates to non-Florida lawyer admission in arbitration proceedings.

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	http://www.floridasupremecourt.org/decisions/2005/sc04-135.pdf Fee: $250
GA	Uniform Rule of Superior Court 4.4 http://www.gabar.org/news/admission_pro_hac_vice_new_uniform_rule_of_superior_court_44/ Fee: $200
HI	Hawai'i Supreme Court Rule 1.9. *Pro Hac Vice* Appearance of Counsel. http://www.state.hi.us/jud/ctrules/rsch.pdf Fee: Annual Disciplinary Board fee required of all active HI lawyers. (Currently, $250. if admitted to first bar prior to 2003; $150. if admitted to first bar 2000 and later.)
ID	Idaho Bar Commission Rule 222. Limited Admission/*Pro Hac Vice*. http://www2.state.id.us/isb/PDF/IBCR.pdf Fee: $200. Idaho Appellate Rule 9. Appearance of attorneys not licensed in Idaho. http://www.isc.idaho.gov/rules/iaridx.htm Fee: None specified.
IL	Illinois Supreme Court Rule 707. Foreign Attorneys in Isolated Cases. http://www.state.il.us/court/SupremeCourt/Rules/Art_VII/artvii.htm#Rule707 Fee: None specified.
IN	Indiana Rules for Admission and Discipline, Rule 3, Section 2. Limited Admission on Petition. http://www.ai.org/judiciary/rules/ad_dis/index.html#_Toc202257355 Fee: Annual registration fee required of members of the bar as set out in Admission and Discipline Rule 23, Section 21. (Currently $115)
IA	Iowa Rule of Court 31.14 and 31.25. Admission P*ro Hac Vice* Before Iowa Courts and Administrative Agencies. (Amended effective March 15, 2007). http://www.legis.state.ia.us/Rules/Current/court/courtrules.pdf Fee: None specified.
	In The Supreme Court of the State of Kansas, Rules Relating to Supreme Court, Court of Appeals, and Appellate Practice

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KS	**Rule 1.10** ADMISSION *PRO HAC VICE* OF OUT-OF-STATE ATTORNEY BEFORE THE KANSAS APPELLATE COURTS http://www.kscourts.org/pdf/attorney-admissions/appltempprmt.pdf Effective July 1, 2005 Fee: $100
KY	Kentucky Supreme Court Rule 3.030. Membership, practice by nonmembers and classes of membership. http://www.kybar.org/documents/scr/scr3/scr_3.030.pdf Fee: $100
LA	La Sup. Ct. Rule XVII. Admission to the Bar of the State of Louisiana Section 13. ***Pro Hac Vice*** Admission http://www.lascba.org/admission_rules.asp Fee: $250.00 to the Louisiana Attorney Disciplinary Board. This fee shall be separate and distinct from any fee that is assessed by the Court or agency in which the application is filed.
ME	Maine Revised Statutes, Title 4, Section 802. Attorneys from other states. http://janus.state.me.us/legis/statutes/4/title4sec802.html Fee: None specified.
MD	Rules of the Maryland Court of Appeals Governing Admission to the Bar of Maryland, Rule 13. http://www.courts.state.md.us/ble/pdfs/baradmissionrules.pdf Fee: None specified.
MA	Chapter 221 of the General Laws of Massachusetts, § 46A. Practice of law; persons authorized. http://www.state.ma.us/legis/laws/mgl/221%2D46a.htm Fee: None specified.
MI	Michigan Supreme Court Rules Concerning the State Bar of Michigan, Rule 15, Section 2. Foreign Attorneys, Temporary Permission; MCR 8.126, Temporary Admission to the Bar; Rule 9.108 Attorney Grievance Commission, (A) Authority of Commission. http://courts.michigan.gov/supremecourt/Resources/Administrative/2004-08-Order.pdf (Effective July 1, 2008)

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	Fee: Equal to the discipline and client-protection portions of a bar member's annual dues.
MN	Minnesota Statutes § 481.02, Subd. 6. Attorneys of other states. http://www.revisor.leg.state.mn.us/stats/481/02.html Minnesota Rules of Appellate Procedure, Rule 143.05, Subd. 1. Admission Required; Admission *Pro Hac Vice*. http://www.courts.state.mn.us/rules/appellate/rcap.htm#a14305 Minnesota District Court Rules of Practice, Rule 5. Appearance by Out-of-State Lawyers. http://www.courts.state.mn.us/rules/general/GRtitleI.htm#g5 Fee: None specified.
MS	Rules Governing Admission to the Mississippi Bar, Rule VI: Admission by Comity and Reciprocity http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_admission_msbar.pdf Fee: $200.
MO	Missouri Supreme Court Rules Governing the Missouri Bar and the Judiciary. Rule 9.03. Visiting Attorney Appearing in a Particular Case. http://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c0c6ffa99df4993f86256ba50057dcb8/6965ec2c416fda6e86256ebe00713f4c?OpenDocument Fee: $100.
MT	Montana Admission Rules, Section IV. *Pro Hac Vice.* http://www.montanabar.org/ (Click on Admission to the Bar). Fee: $100.
NE	Nebraska Supreme Court Rules: Chapter 3: Attorneys and the Practice of Law; Article 1:Admission Requirements for the Practice of Law, Section 3-106: Admission, pro hac vice, of attorneys of good moral character who are admitted to practice in another state, the District of Columbia, of a territory. http://www.supremecourt.ne.gov/rules/pdf/Ch3Art1.pdf Fee: None specified.
NV	Nevada Supreme Court Rules. Rule 42. Practice of Attorneys not admitted in Nevada. http://www.leg.state.nv.us/CourtRules/SCR.html Fee: $500. per case, per year.

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NH	Rules of the Supreme Court of the State of New Hampshire. Rule 33(1). Nonmember of the New Hampshire Bar. http://www.courts.state.nh.us/rules/scr/scr-33.htm Rules of the Superior Court of the State of New Hampshire. Rule 19. http://www.courts.state.nh.us/rules/sror/sror-h3-16.htm Rules of the District and Municipal Courts of the State of New Hampshire. Rule 1.3(C). http://www.courts.state.nh.us/rules/dmcr/dmcr-1_3.htm Fee: $225.
NJ	Rules Governing the Courts of State of New Jersey. Rule 1.21-2. Appearances *Pro Hac Vice.* http://www.judiciary.state.nj.us/rules/r1-21.htm Fee: Varies annually, maximum of $186. per year.
NM	State Bar of New Mexico, Practice of Non-Admitted Lawyers Before State Courts http://www.nmbar.org/Attorneys/PHV/prohacvice.html Fee: $250
NY	NYCRR § 520.11. Admission *Pro Hac Vice.* http://www.courts.state.ny.us/ctapps/520rules.htm#11 NYCCR § 602.2 (1st Dept.) http://weblinks.westlaw.com/result/default.aspx?action=Search&cfid=1&cnt=DOC&db=NY-CRR-F&eq=search&fmqv=c&fn=_top&method=WIN&n=6&origin=Search&query=pro+hac+vice&rlt=CLID_QRYRLT29398761496&rltdb=CLID_DB37661496&rlti=1&rp=%2Fsearch%2Fdefault.wl&rs=GVT1.0&service=Search&sp=nycrr-1000&srch=TRUE&ss=CNT&sskey=CLID_SSSA4223661496&vr=2.0 NYCRR § 670.6 (2nd Dept.) http://weblinks.westlaw.com/result/default.aspx?action=Search&cfid=1&cnt=DOC&db=NY-CRR-F&eq=search&fmqv=c&fn=_top&method=WIN&n=7&origin=Search&query=pro+hac+vice&rlt=CLID_QRYRLT29398761496&rltdb=CLID_DB37661496&rlti=1&rp=%2Fsearch%2Fdefault.wl&rs=GVT1.0&service=Search&sp=nycrr-1000&srch=TRUE&ss=CNT&sskey=CLID_SSSA4223661496&vr=2.0

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	NYCRR § 805.3 (3rd Dept.) http://weblinks.westlaw.com/result/default.aspx?action=Search&cfid=1&cnt=DOC&db=NY-CRR-F&eq=search&fmqv=c&fn=_top&method=WIN&n=1&origin=Search&query=pro+hac+vice+805.3&rlt=CLID_QRYRLT52882781496&rltdb=CLID_DB916312681496&rlti=1&rp=%2Fsearch%2Fdefault.wl&rs=GVT1.0&service=Search&sp=nycrr-1000&srch=TRUE&ss=CNT&sskey=CLID_SSSA376472681496&vr=2.0 NYCRR § 1000.13(4th Dept.) http://weblinks.westlaw.com/result/default.aspx?action=Search&cfid=1&cnt=DOC&db=NY-CRR-F&eq=search&fmqv=c&fn=_top&method=WIN&n=3&origin=Search&query=pro+hac+vice+1000.13&rlt=CLID_QRYRLT953504101496&rltdb=CLID_DB541623101496&rlti=1&rp=%2Fsearch%2Fdefault.wl&rs=GVT1.0&service=Search&sp=nycrr-1000&srch=TRUE&ss=CNT&sskey=CLID_SSSA341623101496&vr=2.0 Fee: None specified.
NC	North Carolina General Statutes. § 84-4.1. Limited practice of out-of-state attorneys. http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_84/GS_84-4.1.html Fee: $125.
ND	North Dakota Supreme Court Rules. North Dakota Rules of Court: Rule 3 (*Pro Hac Vice* Admission and registration of Nonresident Attorneys) http://www.ndcourts.com/Court/Notices/20040256/AdmissionR3_Final.htm Fee: Fee required for a lawyer licensed in ND for 5 years.
OH	Ohio Rules of Court, Rules of Practice of the Supreme Court of Ohio, Rule I, Section 2. Admission *Pro Hac Vice.* http://www.supremecourt.ohio.gov/LegalResources/Rules/practice/rulesofpractice.pdf Rules of the Court of Claims of Ohio, Local Rule 17. Attorneys Not Admitted to the Practice of Law in Ohio. http://www.cco.state.oh.us/CCO2007/localrules.php#Rule17 Fee: None specified.
OK	Oklahoma Supreme Court Rules Creating and Controlling the Oklahoma Bar, Article II, Section 5. Out-of-State Attorneys http://www.okbar.org/out_of_state/Rules.htm Fee: $350

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OR	Oregon Revised Statutes, 9.241. Appearance by attorneys licensed in other jurisdictions. http://www.leg.state.or.us/ors/009.html Oregon Uniform Trial Court Rule 3.170. Association Of Out-Of-State Counsel (*Pro Hac Vice*). http://www.ojd.state.or.us/programs/utcr/documents/2008UTCR_ch3.pdf Fee: $250.
PA	Pennsylvania Rules of Court, Rule 301 of the Pennsylvania Bar Admission Rules. http://www.aopc.org/OpPosting/Supreme/out/418spct.1attach.pdf Rule 1012.1 of the Pennsylvania Rules of Civil Procedure http://www.aopc.org/OpPosting/Supreme/out/481civ.5attach.pdf Rule 512 of the Pennsylvania Lawyers Fund for Client Security http://www.aopc.org/OpPosting/Supreme/out/61drd.1attach.pdf Rule 81.501 et seq. of the Pennsylvania Interest on Lawyer Trust Funds Board, Appendix (including a form application) http://www.aopc.org/OpPosting/Supreme/out/62drd.1attach.pdf Fee: $100. to IOLTA plus $45. to PA Lawyers Fund for Client Security Fund
RI	Rhode Island Supreme Court Rules, Article II, Rule 9. Nonresident attorneys - Senior law students. http://www.courts.state.ri.us/supreme/pdf-files/amendment-rule9.pdf Fee: None specified.
SC	South Carolina Appellate Court Rules, Rule 404, Admission *Pro Hac Vice.* http://www.judicial.state.sc.us/courtReg/displayRule.cfm?ruleID=404.0&subRuleID=&ruleType=APP Fee: $250 per case.
SD	South Dakota Code, Section 16-18-2. Attorney licensing-Non-resident attorneys-"Pro hac vice" admission on motion-Requirements. (Effective July 1, 2004) http://www.sdjudicial.com/downloads/rule0404.pdf Fee: $200 per case.
TN	Tennessee Supreme Court Rule 19. Appearance In The Trial And Appellate Courts of Tennessee By Lawyers Not Licensed To Practice Law In Tennessee. http://www.tsc.state.tn.us/opinions/tsc/rules/TNrulesofcourt/06supct10_24.htm#19 Fee: $125.

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TX	Texas Supreme Court Rules Governing Admission to the Bar, Rule XIX. Requirements For Participation In Texas Proceedings By A Non-Resident Attorney. http://www.ble.state.tx.us/Rules/NewRules/rulexix.htm Subchapter B, Chapter 82, Government Code, Section 82.0361. NONRESIDENT ATTORNEY FEE. (Effective September 1, 2003). Fee: $250 per case.
UT	Utah Supreme Court Rules of Professional Practice, Rule 14-806. Admission *Pro Hac Vice.* http://www.utcourts.gov/resources/rules/ucja/ch14/08%20Special%20Practice/USB14-806.html Fee: $175 per case. (Fee to attorney discipline.)
VT	Michie's Legal Resources, Court Rules: http://www.michie.com/vermont/lpext.dll?f=templates&fn=main-h.htm&cp= Vermont Rules of Civil Procedure, Rule 79.1(e). Attorneys Not Admitted to Practice in Vermont. Vermont Rules of Criminal Procedure, Rule 44.2 (b). Appearance and Withdrawal of Attorneys. Vermont Rules of Family Court Procedure, Rule 15(e). Appearance and Withdrawal of Attorneys. Vermont Rule of Probate Court Procedure, Rule 79.1(d). Appearance and Withdrawal of Attorneys. Vermont Appellate Court Rules, Rule 45.1(e). Appearance and Withdrawal of Attorneys. Fee: $200
VA	Virginia Code, Section 54.1-3900. Practice of law; student internship program; definition. http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+54.1-3900 **In Re: Rule 1A:4. Out-of-State Lawyers - When Allowed to Participate in a Case of *Pro Hac Vice.*** On November 28, 2006, this Court entered an order amending Rule 1A:4, effective February 1, 2007. It Appearing proper to the Court to do so, the effective date of this

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	rule amendment is hereby changed to July 1, 2007. New Pro Hac Vice Rule – Rule 1A:4 of the Rules of the Supreme Court of Virginia Fee: $250
WA	Washington State Supreme Court Rules, Admission to Practice Rules, Rule 8(b). http://www.wsba.org/lawyers/licensing/apr8-b.htm Fee: $250
WV	West Virginia Code, Section 30-2-2. Attorneys from other jurisdictions. http://www.legis.state.wv.us/WVCODE/Code.cfm?chap=30&art=2#02 West Virginia Rules for Admission to the Practice of Law, Rule 8.0. Admission *pro hac vice*. http://www.state.wv.us/wvsca/Bd%20of%20Law/lawprac.htm#Rule%208.0.%20Admission%20pro%20hac%20vice. Fee: $150 per case.
WI	Supreme Court Rule 10.03(4)(a)-(e). (Amended July 30, 2008). http://www.wicourts.gov/sc/rulhear/DisplayDocument.html?content=html&seqNo=33576 Fee: $50
WY	Rule 11 of the Rules Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=OrganizationAndGovernmentOfWyoBarAssociation.xml Rule 104 of the Uniform Rules for the District Courts of the State of Wyoming http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=DistrictCourt.xml Rule 19.01 of the Wyoming Rules of Appellate Procedure. http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=AppellateProcedure.xml Fee: $300

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COMPARISON OF ABA *MODEL RULE FOR PRO HAC VICE ADMISSION* WITH STATE VERSIONS AND AMENDMENTS SINCE AUGUST 2002

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
ABA Rule	Court discretion	Yes	Yes	(a) Yes (b) Yes (c) Yes	Yes	Yes	Appear of record. Advise client of judgment on contemplated actions that differ from *pro hac vice* counsel.	No	No	N/A
AL	5 appearances in preceding 12 months	Yes	Alabama State Bar	(a) $100 (b) Yes (c) No	Yes	Yes	Name on papers and personally appear at all proceedings.	Yes	No	Amended to omit certain requirements for the pro hac vice admission of pro bono counsel.
AK	Court discretion	No	Alaska Bar Association	(a) $350 (b) Yes (c) No	No	Yes	Name on papers; primary responsibility for proceeding.	No	No	Fee increase from $250 to $350

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
AZ	Court discretion	Yes	State Bar of Arizona	(a) Equal to Bar member annual fee, *per annum* (currently ~~$391~~ 460.00). Fifteen percent of the non-refundable application fee shall be deposited into a civil legal services fund administered by the Arizona Foundation for Legal Services and Education. (b)Yes (c) Yes	Yes	Yes	Name on papers, personal appearance if required and joint responsibility for proceeding.	Yes	No	1) The Application for admission *pro hac vice* is filed with the State Bar of Arizona. 2) A Certificate of Good Standing from each state or court in which the applicant has been admitted must accompany the Verified Application. 3) The AZ lawyer who associates with the out-of-state lawyer will be required to file a Motion to Associate Counsel *pro hac vice* and submit a Proposed Order. 4) Fifteen percent of the non-refundable application fee shall be deposited into a civil legal services fund administered by the Arizona Foundation for Legal Services and Education.
AR	Court discretion	No	No	(a) No (b) No (c) No	Yes	Yes	Court may require responsibility for progress of case.	No	Yes	N/A

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
CA	Court discretion	No Separate rule for arbitration proceedings.	State Bar of California	(a) $50 (b) Yes (c) No	Yes	Yes	Attorney of record.	Yes	No	**N/A**
CO	Court discretion	Yes. *See*, Rule 221.1	Yes	(a) $250 *per* case (b) Yes; $10 to CP Fund. (c) No	Yes	Yes	Name on papers and personally appear.	No. *See*, Rule 222.	No	1) $250 fee imposed 2) File verified petition w/trial court, copy to Clerk of Sup. Ct. 3) Notify client of petition filing 4) CO lawyer must appear personally at all proceedings and remain unless excused 5) Subject to CO Rules of Prof. Conduct, except Rule 1.15 6) Applies to administrative proceedings but CO lawyer not needed
CT	Special and Infrequent Occasion	No	No	(a) $560 ($450 to Dept. of Rev; $110 to CP Fund) (b) Yes; $110 to CP Fund (c) No	Yes	Yes	Name on papers and personally appear.	No	No	**N/A**

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
DE[12]	Court discretion	*See* Rule 71.	Admitting court files application with lawyer regulatory agency.	(a) $300 *per annum* (b) Yes (c) No	Yes	Yes	Name on papers and personally appear.	No	No	N/A
DC	5 appearances in calendar year.	No	No	(a) $100 (b) No (c) Yes	Yes	Yes	No	Yes	No	N/A
FL	3 appearances within a 365-day period.	No. Applies to arbitration proceedings.	Yes	(a) $250 (b) No (c) Yes	Yes	Yes	Sign *pro hac vice* motion.	No	No	1) $250 fee to Bar 2) 3 appearances per year 3) File a uniform motion for admission 4) Rule 1-3.11 applies to arbitration
GA[13]	Court discretion	No	Yes	(a) $200 (b) No (c) Yes	Yes	Yes	Sponsor motion, appear of record and advise client of judgment on contemplated actions that differ from *pro hac* counsel.	No	No	1) $200 fee required. 2) Defines "domestic lawyer". 3) Specifies in-state counsel duties. 4) Specifies application procedure. 5) Shall be subject to disciplinary action. 6) Service on state bar who can object.

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
HI	Court discretion	No	No	(a) Yes, same as annual dues for Bar member. 750.00 (b) Yes (c) No	No	Yes	No	No	No	**N/A**
ID	Court discretion but reciprocal limitation on appearances.	No	Idaho State Bar	(a) $200 (b) No (c) No	Yes	Yes	Personally appear.	Yes	Reciprocal limitation on number of appearances.	**N/A**
IL	Court discretion	No	No	(a) No (b) No (c) No	No	No	No	No	No	**N/A**
IN	Court discretion	No	No	(a) Yes, same as annual dues for Bar member, *per annum*. ($90) (b) Yes (c) No	Yes	Yes	Co-counsel. Sign all papers.	Yes	No	**N/A**

now $115.00 (per D.L.)

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
IA[14]	Court discretion but if 5 appearances in 24 months can be denied.	Yes	No	(a) No (b) No (c) No	Yes	Yes	Appear of record, actively participate, accept service, advice client on contemplated actions that differ from *pro hac* counsel.	No	No	1) Increase duties of local counsel. 2) Limit number of appearances. 3) Establish application procedure.
KS[15]	Court discretion	Yes	No	(a) $100 (b) No (c) Yes	Yes	Yes	File motion for *pro hac vice* admission. Sign all papers. Personally appear.	No	No	1) $100 fee imposed 2) Motion for *pro hac vice* admission must be filed by KS lawyer 3) Shall be subject to disciplinary action.
KY	Court discretion	No	No	(a) $100 (b) No (c) No	Yes	Yes	Personally appear.	No	No	Imposed $100 fee

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
LA[16]	Court discretion	Yes. Applies to arbitration proceedings.	Yes	(a) $250 to LA Atty. Disc. Bd. plus any fee assessed by court (b) $250 (c) Yes	Yes	Yes	File motion for *pro hac* admission and advise client of judgment on contemplated actions that differ from *pro hac* counsel.	No	No	1) Imposed $250 fee 2) Motion by LA lawyer and verified application form by out-of-state lawyer 3) Submit to authority of courts and LA Atty. Disc. Bd. 4) Addresses out-of-state proceedings, potential in-state and out-of-state proceedings, and all ADR
ME	Court discretion	No	No	(a) No (b) No (c) No	No	No	No	No	No	**N/A**
MD[17]	Court discretion	Yes	No	(a) $25[18] (b) No (c) No	Yes	Yes	File motion for *pro hac vice* admission and appear at all proceedings.	No	No	**N/A**
MA	Court discretion	No	No	(a) No (b) No (c) No	No	No	No	No	Yes	**N/A**

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
MI	No more than five cases in a 365-day period.	Yes	Yes	(a) Yes (b) Yes (c) No	Yes	Yes	File motion for *pro hac vice* admission and appearance of record.	No	No	1) No more than five cases in a 365-day period. 2) Applies to administrative tribunal/agency. 3) Copy of motion sent to Michigan Attorney Grievance Commission. 4) Fee equal to the discipline and client-protection portions of a bar member's dues. 5) Consent to discipline in MI.
MN[19]	Court discretion	No	No	(a) No (b) No (c) No	Yes	Yes	Sign papers and appear at first hearing.	No	Yes	N/A
MS	5 appearances in 12 months	Yes	No	(a) $200 (b) Indigent legal services (c) Yes	Yes	Yes	Sign application for *pro hac vice* admission. Name on papers, personal appearance and joint and several responsibility for proceeding.	Yes	No	1) Imposed $200 fee 2) Only 5 appearances in 12 months 3) File verified application 4) Obtain statement from Clerk of Sup. Ct. listing all prior *pro hac* appearances
MO	Court discretion	Yes	No	(a) $100 (b) No (c) No	Yes	Yes	Enter appearance as attorney of record.	No	No	1) $100 fee imposed 2) Subject to discipline in MO

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
MT	Total of 2 appearances, ever.	Yes	State Bar of Montana	(a) $100 (b) State Bar of Montana (c) No	Yes	Yes	Attorney of record. Sign all papers and personally appear.	Yes	No	**N/A**
NE	Court discretion	No	No	(a) No (b) No (c) No	No	Yes	Resident of NE. Service on NE lawyer allowed.	No	No	**N/A**

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
NV	Court discretion. No more than 5 appearances in a 3-year period.	Yes	State Bar of Nevada. Annual renewal of application.	(a) $500 per year, per case. (b) No (c) Yes	Yes	Yes	File motion to associate. Counsel of record. Present at all matters in open court. Ensure compliance with all state and local rules of practice.	Yes	No	1) *Pro hac vice* admission includes court-annexed or statutorily-required arbitrations and mediations and to appearances before administrative agencies or governmental bodies (2) There can be no more than five (5) *pro hac vice* admissions within a three-year period except upon good cause shown. (3) The affiliated NV counsel shall be responsible to the Court or governmental entity for the administration of the case and for compliance with all state and local rules of practice. It is the responsibility of local counsel to ensure that the case is handled in accordance with all applicable NV rules.

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
NH[20]	Court discretion	No	No	(a) $225. (b) No (c) Yes	Yes	Yes	Responsible to the client and for the conduct of the proceeding before the court or agency. Advise client of the in-state lawyer's independent judgment on contemplated actions if that judgment differs from the out-of-state lawyer.	No	No	Fee of $225 imposed.

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
NJ	Court discretion	No	No	(a) Varies annually, maximum $186 per year. (b) Lawyer Reg. ($126); Client Protection Fund ($50); and LAP ($10) (c) lawyers representing the United States of America or a sister state	Yes	Yes	Sign papers.	No	No	N/A
NM[21]	Court discretion	No	Yes	(a) $250 per case (b) Civil legal services (c) Yes	Yes	Yes	Sign first motion or pleading.	No	No	1) Imposed $250 fee *per* case 2) File a registration certificate with the State Bar of New Mexico
NY[22]	Court discretion	No	No	(a) No (b) No (c) No	Yes	Yes	Attorney of record.	No	No	N/A
NC	Court discretion	Yes	No	(a) $125 (b) $25 of $125 (c) No	Yes	Yes	Personally appear and accept service of process.	No	Yes	$125 fee imposed

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
ND	Occasional appearances	Yes	State Board of Law Examiners	(a) Same fee required of a lawyer licensed for 5 yrs. in ND. (b) Yes (c) No	Yes	Yes	Name appears on all papers and personally appear at all proceedings.	No	No	1) Provides for registration in court actions, administrative proceeding and for in-house counsel 2) Appearance is not limited to actual physical presence in a court action. Also appearances by signing or otherwise being designated as counsel on a pleading, motion, or other paper served or filed in an action venued in a ND state court, administrative agency, or other tribunal. 3) Lawyer seeking to take a deposition within the state of ND for an action pending in another jurisdiction must comply with ND R. Prof. Conduct 5.5.
OH	Court discretion	No	No	(a) No (b) No (c) No	No	No. OH lawyer must file motion for *pro hac vice* admission.	N/A	No	No	**N/A**

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
OK[23]	Court discretion	Yes	Yes	(a) $350 (b) No (b) Yes	Yes	Yes	File appearance, sign pleadings and appear at all hearings unless waived.	No	No	1) Imposed $350 fee 2) Submit application to OK Bar and motion with court 2) Subject to discipline in OK
OR	Court discretion	Yes	Oregon State Bar	(a) $250 and obtain mal-practice insurance (b) All to Legal Services Program (c) No but exception for gov't body.	Yes	Yes	Participate meaningfully.	No	No	N/A

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
PA[24]	Court discretion	No	No	(a) $100 (IOLTA) & $45 (CSF) (b) No (c) Yes	Yes	Yes	Member of PA bar must file motion for admission and be attorney of record.	No	No	1) Applies to lawyers admitted in non-U.S. jurisdictions. 2) $100 fee to IOLTA and $45 fee to CSF added. 3) Fee waived *for in forma pauperis status.* 4) Consent to discipline in PA.
RI	No more than 3 appearances in 5-year period.	Yes	No	(a) No (b) No (c) No	Yes	Yes	Present motion for admission. Sign all papers and assume responsibility for case. Client also signs.	Yes	No	1) Limited to 3 appearances in 5-year period. 2) Applies to administrative proceedings 3) Subject to discipline in RI 3) Reciprocity requirement eliminated
SC	Court discretion	Yes. Limits appearances under Rule 5.5 (c) of Rules of Prof. Conduct	Supreme Court Office of Bar Admissions	(a) $250 per case (b) No (c) No	Yes	Yes	Attorney of record. Sign papers and appear at all proceedings.	Yes	No	1) Increased fee to $250 from $25 2) Submit application 3) Applies to arbitration, mediation and other alternative dispute resolution

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
SD	Court discretion	Yes	No	(a) $200 plus obtain SD Sales and Use Tax License (b) $100 for Unified Judicial System and $100 for State Bar. (c) No	Yes	Yes	Employed, associated with and personally participates. File motion recom-mending admission.	No	No	1) Increased fee to $200 from $100 2) Subject to discipline in ND
TN	Court discretion	No	No	(a) $125 ($105 discipline; $10 CPF; $10 LAP) (b) Yes (c) No	Yes	Yes	Sign all papers and personally appear.	No	No	1) Imposed $125 fee 2) Number of appearances at court's discretion 3) Subject to TN RPC's and subject to court jurisdiction
TX	Court discretion	No	No	(a) $250 per case (b) No (c) Yes	Yes	Yes	File motion in support of *pro hac* admission.	Yes	No	Imposed $250 fee
UT	Court discretion	No	Utah State Bar	(a) $175 per case. (b) Yes (c) No	Yes	Yes	Resident of Utah. File motion for *pro hac* admission. Sign first pleading; may be required to attend all proceedings.	Yes	No	Increased fee to $175 from $75

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
VT[25]	Court discretion	No	No	(a) $200 (b) No (c) Yes	Yes	Yes	File motion for *pro hac* admission. Sign papers and may be required to attend all proceedings.	No	No	$200 fee; consent to discipline
VA	12 appearances in past 12 months	Yes	No	(a) $250 (b) No (c) No	Yes	Yes	Sign all papers, accept ser-vice of all papers and file motion to associate	No	No	1) Appearances limited to 12 in 12 months 2) Rule now applies to adm. proceedings 3) $250 fee now 4) Consent to discipline in VA 5) Local counsel must file motion to associate 6) Abolished reciprocity requirement 7) Par. 10 sets forth what legal services an out-of-state lawyer may provide without the entry of a *pro hac vice* order.
WA	Court discretion	No	Yes	(a) $250 (b) No (c) No	No	Yes	Attorney of record and, at discretion of court, present at all proceedings.	Yes	No	Imposed $250 fee

	Number of Appearances Limited[1]	Apply to State Administrative Proceedings[2]	Service of Application on Lawyer Discipline Agency/ State Bar[3]	(a) Fee[4] (b) Used by Lawyer Reg. Authority[5] (c) Waive for *pro bono*, indigent criminal[6] or others[7]	Consent to Discipline in Host State[8]	Associate with Local Counsel[9]	In-State Counsel Duties	In-House Counsel Excluded[10]	Reciprocity Required[11]	Amendments to Rule since August 2002
WV	Court discretion	No	West Virginia State Bar	(a) $300 per case (b) No (c) No	Yes	Yes	Will be responsible local attorney.	No	Yes	Increase fee to $300
WI	Court discretion	No	No	(a) No (b) No (c) No	Yes	Yes	Appear and participate.	Yes	No	N/A
WY	Court discretion	Yes	No	(a) No (b) No (c) No	No	Yes	Appear at all hearings and trial.	No	No	N/A

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[1] Eight jurisdictions specifically limit the number of *pro hac vice* admissions. (AL, DC, FL, MI, MS, MT, NV and RI)
[2] In twenty jurisdictions, the *pro hac vice* admission rule applies to state administrative proceedings.
[3] In eighteen jurisdictions, the application for *pro hac vice* admission is filed with the lawyer disciplinary agency/state bar.
[4] Thirty-three jurisdictions require a fee for *pro hac vice* admission.
[5] In fifteen jurisdictions, the *pro hac vice* admission fee is used in part by the lawyer regulatory agency.
[6] Eleven jurisdictions waive a fee for *pro hac vice* admission in *pro bono* or indigent criminal cases.
[7] Two jurisdictions waive fee for lawyers representing the United States of America, sister state or gov't body.
[8] Thirty-nine jurisdictions require *pro hac vice* admission applicants to consent to discipline in the host state.
[9] Forty-six jurisdictions require *pro hac vice* admission applicants to associate with local counsel.
[10] Fifteen jurisdictions exclude in-house counsel from the provisions of their *pro hac vice* admission rule.
[11] Five jurisdictions will not admit an out-of-state lawyer *pro hac vice* unless the lawyer's home state admits lawyers *pro hac vice*.

[12] Delaware Supreme Court Rule 71
[13] Uniform Superior Court Rule 4.4
[14] Iowa Rule of Court 31.14 (Amended effective September 27, 2006).
[15] Kansas Supreme Court Rule 1.10, effective July 1, 2005
[16] La Sup. Ct. Rule XVII. Admission to the Bar of the State of Louisiana. Section 13. ***Pro Hac Vice*** Admission
[17] Rules of the Maryland Court of Appeals Governing Admission to the Bar of Maryland, Rule 14
[18] The fee is found in the Revised Schedule of Circuit Court Charges, Costs, and Fees Established Under Courts Article section 7-202, section IIA(2)(a). It can be found in the 2005 supplement to the Courts and Judicial Proceedings Article to the Michie's Annotated Code, page 254.
[19] Minnesota Statutes § 481.02, Subd. 6.; Minnesota Rules of Appellate Procedure, Rule 143.05, Subd. 1; and Minnesota District Court Rules of Practice, Rule 5
[20] Rules of the Supreme Court of the State of New Hampshire. Rule 33(1)
[21] NMRA 24-106. Practice by non-admitted lawyers before state courts.
[22] NYCRR § 520.11
[23] Oklahoma Supreme Court Rules Creating and Controlling the Oklahoma Bar, Article II, Section 5, Out-of-State Attorneys
[24] Pennsylvania Rules of Court, Rule 301 of the Pennsylvania Bar Admission Rules. Effective September 2007. "An attorney, barrister or advocate who is qualified to practice in the courts of another state ***or of any foreign jurisdiction*** may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter."
[25] Vermont Rules of Civil Procedure, Rule 79.1(e)

Pro Hac Vice Fee Survey
May 2009

- All states assess fee per case, per attorney unless otherwise noted.
- Five (5) states assess same amount as their annual licensing fee: Arizona, Hawaii, Indiana, New Jersey and North Dakota.
- Number of states with annual renewal: Nine (9) including Alaska, Arizona, Delaware, Hawaii, Indiana, Michigan, Nevada, New Jersey, Oklahoma and Oregon.
- Highest fee is $750 (Hawaii).
- Lowest fee is $50 (California, Maryland and Wisconsin).
- Average fee of states that charge is $227.
- Number of states with no fee as far as can be determined: Nine (9) including Arkansas, Illinois, Iowa, Massachusetts, Minnesota, Nebraska, New York, Ohio and Rhode Island.

FEE/AMOUNT	JURISDICTION	NOTES
$750	Hawaii	Per year but only one annual fee for multiple cases a/o January 1st.
$600	Maine	
$560	Connecticut	Client Security Fund - $110 and State tax commission separately assesses professional occupational tax - $450.
$500	Nevada	Per year a/o Bar filing date; limited to 5 new appearances every 3 years.
$460 (after 2 years) $315 (2 years and under)	Arizona	Per year a/o Bar filing date.
$355	North Dakota	
$350	Alaska	Annually
$350	Oklahoma	Per year a/o licensing renewal.
$300	Delaware	Per year a/o January 1st.
$300	West Virginia	
$300	Wyoming	
$250	Colorado	
$250	Florida	

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$250	Louisiana	Plus any extra fees assessed by courts or agencies
$250	New Mexico	
$250	Oregon	Per year a/o Bar filing date.
$250	South Carolina	
$250	Texas	
$250	Virginia	
$250	Washington	
$225	New Hampshire	
$200	Georgia	
$200	Idaho	
$200	Mississippi	
$200	New Jersey	Per year a/o January 1st but one fee for unlimited number of cases.
$200	South Dakota	
$200	Vermont	
$175	Utah	Per case, per attorney.
$145	Pennsylvania	
$135	Michigan	Per year a/o Bar filing date; limited to 5 cases.
$125	North Carolina	
$125	Tennessee	
$115	Indiana	Per year a/o January 1st.
$100	Alabama	
$100	District of Columbia	
$100	Kansas	
$100	Kentucky	
$100	Missouri	
$100	Montana	
$50	California	
$50	Maryland	Assessed against in-state lawyer.
$50	Wisconsin	
None	Arkansas	
None	Illinois	
None	Iowa	
None	Massachusetts	
None	Minnesota	
None	Nebraska	

None	New York	
None	Ohio	
None	Rhode Island	

Rule 14-806. Admission pro hac vice.

(a) An attorney who is not a member of the Bar but who is admitted to practice law in another state or in any court of the United States or territory or insular possession of the United States shall apply to be admitted pro hac vice in accordance with this rule prior to appearing as counsel in a court of record or not of record.

(b) Nonresident counsel may be permitted to appear in a particular case if the court in which the case is pending determines that admission pro hac vice will serve the interests of the parties and the efficient and just administration of the case. Admission pro hac vice under this rule is discretionary with the court in which the application for admission is made. Admission pro hac vice may be revoked by the court upon its own motion or the motion of a party if, after notice and a hearing, the court determines that admission pro hac vice is inappropriate. Admission pro hac vice shall be denied or, if granted, shall be revoked if the court determines that the process is being used to circumvent the normal requirements for the admission of attorneys to the practice of law in Utah.

(c) In determining whether to enter or revoke the order of admission pro hac vice, the court may consider any relevant information, including whether non resident counsel:

(c)(1) is familiar with Utah rules of evidence and procedure, including applicable local rules;

(c)(2) is available to opposing parties;

(c)(3) has particular familiarity with the legal affairs of the party relevant to the case;

(c)(4) complies with the rulings and orders of the court;

(c)(5) has caused delay or been disruptive; and

(c)(6) has been disciplined in any other jurisdiction within the prior 5 years.

(d) The attorney seeking admission pro hac vice shall complete under oath and submit to the Bar an application form available from the Utah State Bar or court clerks' office . The applicant shall attach to the application form a Certificate of Good Standing from the licensing state in which the applicant resides. The applicant shall complete a separate application for each case in which the applicant wants to appear. The fee for each application is ~~$175~~$425, which shall be paid to the Utah State Bar. Fees paid under this rule shall be used for attorney discipline investigations and proceedings. The following are exempt from the fee:

(d)(1) attorneys who are employees of and representing the United States of America or any of its departments or agencies; and

(d)(2) attorneys representing indigent clients on a pro bono basis.

(e) A copy of the application and a receipt showing payment of the fee shall be filed in the court in which the case is pending, with a motion by a member of the Bar to admit the applicant pro hac vice and a consent by that member of the Bar to appear as associate counsel. Associate counsel shall be a resident of Utah. The application form shall include:

(e)(1) the name, address, telephone number, fax number, e-mail address, bar identification number(s), and state(s) of admission of the applicant;

(e)(2) the name and number of the case in which the applicant is seeking to appear as the attorney of record or, if the case has not yet been filed, a description of the parties;

(e)(3) the name, number, and court of other cases pending or closed within the prior five years in any state or federal court of Utah in which the applicant or a member of the applicant's firm appears pro hac vice;

(e)(4) a statement whether, in any state, the applicant:

(e)(4)(A) is currently suspended or disbarred from the practice of law;

(e)(4)(B) has been disciplined within the prior five years; or

(e)(4)(C) is the subject of any pending disciplinary proceedings;

(e)(5) a statement that the applicant:

(e)(5)(A) submits to the disciplinary authority and procedures of the Bar;

(e)(5)(B) is familiar with the rules of procedure and evidence, including applicable local rules;

(e)(5)(C) will be available for depositions, hearings, and conferences; and

(e)(5)(D) will comply with the rulings and orders of the court;

(e)(6) the name, address, Bar identification number, telephone number, fax number, and e-mail address of the member of the Utah State Bar to serve as associate counsel; and

(e)(7) any other information relevant to the standards for the admission of the applicant.

(f) Utah counsel associated with nonresident counsel seeking admission pro hac vice shall:

(f)(1) file a motion for admission of the applicant pro hac vice;

(f)(2) serve the motion by mail, hand-delivery or facsimile on the Utah State Bar's general counsel on or before filing with the court and include a certificate of service with the motion evidencing service on the Bar's general counsel and upon the opposing parties, or, if represented, their counsel;

(f)(3) file a written consent to appear as associate counsel;

(f)(4) sign the first pleading filed;

(f)(5) continue as one of the counsel of record in the case unless another member of the Bar is substituted as associate counsel; and

(f)(6) be available to opposing counsel and the court for communication regarding the case and the service of papers.

(g) The court may require Utah counsel to appear at all hearings. Utah counsel shall have the responsibility and authority to act for the client in all proceedings if the nonresident attorney fails to appear or fails to respond to any order of the court .

(h) An attorney admitted pro hac vice shall comply with and is subject to Utah statutes, rules of the Supreme Court, including the Rules of Professional Conduct and Article 5, Lawyer Discipline and Disability, the rules of the court in which the attorney appears, and the rules of the Code of Judicial Administration.

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(b) Nonresident counsel may be permitted to appear in a particular case if the court in which the case is pending determines that admission pro hac vice will serve the interests of the parties and the efficient and just administration of the case. Admission pro hac vice under this rule is discretionary with the court in which the application for admission is made. Admission pro hac vice may be revoked by the court upon its own motion or the motion of a party if, after notice and a hearing, the court determines that admission pro hac vice is inappropriate. Admission pro hac vice shall be denied or, if granted, shall be revoked if the court determines that the process is being used to circumvent the normal requirements for the admission of attorneys to the practice of law in Utah.

(c) In determining whether to enter or revoke the order of admission pro hac vice, the court may consider any relevant information, including whether non resident counsel:

(c)(1) is familiar with Utah rules of evidence and procedure, including applicable local rules;

(c)(2) is available to opposing parties;

(c)(3) has particular familiarity with the legal affairs of the party relevant to the case;

(c)(4) complies with the rulings and orders of the court;

(c)(5) has caused delay or been disruptive; and

(c)(6) has been disciplined in any other jurisdiction within the prior 5 years.

(d) The attorney seeking admission pro hac vice shall complete under oath and submit to the Bar an application form available from the Utah State Bar or court clerks' office . The applicant shall attach to the application form a Certificate of Good Standing from the licensing state in which the applicant resides. The applicant shall complete a separate application for each case in which the applicant wants to appear. The fee for each application is $425, which shall be paid to the Utah State Bar. Fees paid under this rule shall be used for attorney discipline investigations and proceedings. The following are exempt from the fee:

(d)(1) attorneys who are employees of and representing the United States of America or any of its departments or agencies; and

(d)(2) attorneys representing indigent clients on a pro bono basis.

(e) A copy of the application and a receipt showing payment of the fee shall be filed in the court in which the case is pending, with a motion by a member of the Bar to admit the applicant pro hac vice and a consent by that member of the Bar to appear as associate counsel. Associate counsel shall be a resident of Utah. The application form shall include:

(e)(1) the name, address, telephone number, fax number, e-mail address, bar identification number(s), and state(s) of admission of the applicant;

(e)(2) the name and number of the case in which the applicant is seeking to appear as the attorney of record or, if the case has not yet been filed, a description of the parties;

(e)(3) the name, number, and court of other cases pending or closed within the prior five years in any state or federal court of Utah in which the applicant or a member of the applicant's firm appears pro hac vice;

(e)(4) a statement whether, in any state, the applicant:

(e)(4)(A) is currently suspended or disbarred from the practice of law;

(e)(4)(B) has been disciplined within the prior five years; or

(e)(4)(C) is the subject of any pending disciplinary proceedings;

(e)(5) a statement that the applicant:

(e)(5)(A) submits to the disciplinary authority and procedures of the Bar;

(e)(5)(B) is familiar with the rules of procedure and evidence, including applicable local rules;

(e)(5)(C) will be available for depositions, hearings, and conferences; and

(e)(5)(D) will comply with the rulings and orders of the court;

(e)(6) the name, address, Bar identification number, telephone number, fax number, and e-mail address of the member of the Utah State Bar to serve as associate counsel; and

(e)(7) any other information relevant to the standards for the admission of the applicant.

(f) Utah counsel associated with nonresident counsel seeking admission pro hac vice shall:

(f)(1) file a motion for admission of the applicant pro hac vice;

(f)(2) serve the motion by mail, hand-delivery or facsimile on the Utah State Bar's general counsel on or before filing with the court and include a certificate of service with the motion evidencing service on the Bar's general counsel and upon the opposing parties, or, if represented, their counsel;

(f)(3) file a written consent to appear as associate counsel;

(f)(4) sign the first pleading filed;

(f)(5) continue as one of the counsel of record in the case unless another member of the Bar is substituted as associate counsel; and

(f)(6) be available to opposing counsel and the court for communication regarding the case and the service of papers.

(g) The court may require Utah counsel to appear at all hearings. Utah counsel shall have the responsibility and authority to act for the client in all proceedings if the nonresident attorney fails to appear or fails to respond to any order of the court .

(h) An attorney admitted pro hac vice shall comply with and is subject to Utah statutes, rules of the Supreme Court, including the Rules of Professional Conduct and Article 5, Lawyer Discipline and Disability, the rules of the court in which the attorney appears, and the rules of the Code of Judicial Administration.