

LR Gen 204 PRO HAC VICE COUNSEL

- (a) **Authorization to Appear and Practice.** An attorney who is not a member of the bar of this Court may appear and practice before this Court in any case in which the attorney has been admitted to practice *pro hac vice*.
- (b) **Eligibility for Pro Hac Vice Admission.** In order to be eligible for *pro hac vice* admission, an applicant must:
 - (1) Be a member in good standing of the bar of another state and another federal district court and the bar in every jurisdiction in which the attorney has been admitted to practice; and
 - (2) Establish, to the satisfaction of this Court, that he or she is otherwise qualified and fit to be admitted to practice *pro hac vice* before this Court.
- (c) **Limit on Number.** Unless otherwise permitted by the Court for good cause shown, no more than three (3) *pro hac vice* counsel may be admitted to represent any party in a case.
- (d) **Application.** An application for *pro hac vice* admission shall be made by completing and filing a form provided by the Clerk, together with a check for the application fee fixed by the Court which shall be payable to the “Bar Fund.” The application fee will not be refunded if the application is denied.

A motion for *pro hac vice* admission shall be signed both by the applicant and by local counsel affiliated with the applicant.

- (e) **Local Counsel.**
 - (1) In order to be admitted and/or remain as *pro hac vice* counsel, an attorney shall be affiliated with local counsel who is a member of the Bar of this Court and who has entered an appearance as co-counsel.
 - (2) Local counsel shall:
 - (A) Sign and be responsible to the Court for the content of all pleadings, motions, and other documents filed or served in the case; and
 - (B) Attend all court proceedings in the case unless excused by the judge for good cause shown; and
 - (C) Be fully prepared to assume sole responsibility for the conduct of the case in the event that *pro hac vice* counsel does not appear when required, has his or her *pro hac vice* status revoked or is unable to continue as counsel for any reason.

- (3) In addition to the required signature of local counsel, *pro hac vice* counsel may sign pleadings, motions, and other documents filed or served in the case. *Pro hac vice* counsel may file pleadings, motions, and other documents with the Court, but only if:
 - (A) the documents have the required signature of local counsel, and
 - (B) local counsel has given *pro hac vice* counsel permission to affix local counsel's signature.
- (4) In order to ensure that local counsel is able to properly perform his or her duties, *pro hac vice* counsel shall consult with, involve and fully inform local counsel with respect to all matters affecting the case.

(f) Admission and Revocation.

- (1) The district judge to whom a case has been assigned shall have discretion to grant or deny motions for admission *pro hac vice* based upon the applicant's qualifications, character, past conduct and any other factors that bear on the applicant's fitness to practice in this Court.
- (2) Permission to appear *pro hac vice* may be revoked upon motion of a party or, *sua sponte*, by the district judge to whom the case is assigned if the judge determines that *pro hac vice* counsel has failed to satisfy any applicable requirement of these rules or that the proper administration of justice so requires.
- (3) No formal hearing shall be required prior to revocation. However, before revoking *pro hac vice* status, the judge shall provide counsel with notice and an opportunity to explain why *pro hac vice* status should not be revoked to the extent that such opportunity can be afforded without disrupting or delaying the proceedings.
- (4) The revocation of *pro hac vice* status shall not prevent the Court from taking any other disciplinary action against counsel pursuant to any applicable provision of these Local Rules.

(g) Notification.

- (1) *Pro hac vice* counsel shall promptly notify the Court of any change in counsel's name, address, telephone number, fax number, e-mail address and/or law firm name from that shown on counsel's application for *pro hac vice* admission.
- (2) Any notice sent to *pro hac vice* counsel shall be deemed delivered if sent to the most recent address or fax number or e-mail address provided in counsel's application for *pro hac vice* admission or in any subsequent change of address provided by such counsel.

(§ (b)(2) [requiring that petitioning attorneys not be convicted of a serious crime] was deleted, and §(b)(3) redesignated as (b)(2), on 3/17/08; § (d) amended 3/17/08; § (e) reorganized into para. (e)(1)-(4) and (e)(1)-(3) redesignated as (e)(2)(A)-(C) on 3/17/08; Cross-references re: Admin Procedures and Administrative Order 2007-05 added 3/17/08; § (d) amended 1/5/09)

CROSS-REFERENCE

See LR Gen 201(b)(2) (appearance by *pro hac vice* counsel). See also LR Gen 206(c) (designation of counsel to receive notices).

See also Administrative Procedures for Electronic Case Filing, ¶ 9 (Signatures) and Administrative Order 2007-05 (change in name of Board of Bar Examiners Fund).