

**RULE 227. Pro Hac Vice Admission.**

- \***(a) Requirements.** Except as otherwise provided in the Admission Rules, only an actively licensed Idaho attorney may practice law. Upon order by the affected court and subject to the limitations below, an attorney who is not a member of the Bar or a resident of Idaho may be permitted to appear in an Idaho case if the attorney:
  - (1) Is an active member in good standing of the bar of another state or territory of the United States or the District of Columbia;
  - (2) Currently maintains an ongoing law practice in another jurisdiction;
  - (3) Files a motion for pro hac vice admission with the affected court as provided below; and
  - (4) Pays a \$325 fee to the Bar, \$125 of which shall be remitted by the Bar to the Idaho Law Foundation to support its pro bono legal services program.

*\*(Section (a) amended 3-4-13 – effective 4-1-13.)*

- (b) Local Counsel.**
  - (1) As used in this rule, Local Counsel means an active member of the Bar with whom the court and opposing counsel may readily communicate regarding the conduct of the case.
  - (2) Unless specifically excused from attendance by the trial judge, Local Counsel shall personally appear with the pro hac vice attorney on all matters before the court.

- \***(c) Procedure.** To apply for pro hac vice admission, an attorney shall:
  - (1) File a motion with the affected court that:
    - (A) Designates Local Counsel and the address and telephone number of Local Counsel;
    - (B) Provides the written consent of Local Counsel; and
    - (C) Identifies the bar of which the Applicant is an active member in good standing and whether that bar limits the number of pro hac vice admissions;
  - (2) Submit to the Bar:
    - (A) Payment of a \$325 fee;
    - (B) A certificate of good standing from the jurisdiction where the attorney currently maintains a law practice; and
    - (C) A copy of the motion;
  - (3) Provide proof that all counsel of record in the case have been served with the motion; and
  - (4) Submit a copy of the proposed order to the affected court.

*\*(Section (c) amended 3-4-13 – effective 4-1-13.)*

- (d) Consent.** An attorney who applies for pro hac vice admission consents to the exercise of disciplinary jurisdiction by the affected court and the Bar over any alleged misconduct which occurs during the case in which that attorney participates.
- (e) Order.** The affected court may enter an order granting or denying the motion for pro hac vice admission in a form as provided in subsection (k) below.
- (f) Pleading.** On all court filings in which the name of an attorney seeking or granted pro hac vice admission appears, the attorney shall state his or her current office address in the jurisdiction where the attorney is an active member.
- (g) Record.** The Bar shall maintain a record of all pro hac vice admission motions as a public record, and shall promptly provide such record to any judge upon request.
- (h) Limitation.**
  - (1) Except as provided in subsection (2) below, there is no limitation on the number of pro hac vice admissions that may be granted to an attorney.
  - (2) There shall be a reciprocal limitation on the number of pro hac vice admissions for attorneys applying for pro hac vice admission by virtue of an active license in a jurisdiction that limits the number of pro hac vice admissions of Idaho lawyers.
- (i) Agency Admission.** In agency proceedings in Idaho, the agency may, using the same standards and procedures as a court, admit an eligible out-of-state attorney who has been retained to appear as counsel in that proceeding pro hac vice.
- (j) Form of Motion.** The pro hac vice motion should be in substantially the following form:

Local Counsel  
 Office Address  
 Business Phone  
 Bar Number  
 Applying Counsel  
 Out of State Office Address  
 Business Phone  
 Number of Limited Admissions Granted By Jurisdiction

IN THE \_\_\_\_\_ COURT OF THE STATE OF IDAHO  
 )  
 Case Caption ) Case # \_\_\_\_\_  
 )  
 ) Motion for Pro Hac Vice Admission  
 )

