

STATE IMPLEMENTATION OF ABA MJP RECOMMENDATIONS

- (1) **RULE 5.5: UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW**
- (2) **RULE 8.5: DISCIPLINARY AUTHORITY; CHOICE OF LAW**
- (3) ***PRO HAC VICE* ADMISSION**
- (4) **ADMISSION BY MOTION**
- (5) **FOREIGN LEGAL CONSULTANTS**
- (6) **TEMPORARY PRACTICE BY FOREIGN LAWYERS**

<p>AL</p>	<p>1) Rule 5.5 Unauthorized Practice of Law. ((Effective September 19, 2006) Similar to ABA Model Rule 5.5. Uses the term “temporary or incidental basis”. Refers to Rule IX of the Rules Governing Admission to the Alabama State Bar for in-house counsel. http://www.alabar.org/rulechanges/Rule%205.5_Rules%20of%20Professional%20Code_Unauthorized%20Practice%20of%20Law_Supreme%20Court%20order.pdf 2) Rule 8.5 Jurisdiction. No change. 3) Rule VII. Appearance of Foreign Attorneys Pro Hac Vice. Rules Governing Admission to the Alabama State Bar. http://www.alabar.org/members/vice.cfm 4) Rule III. Persons Entitles to Admission Without Examination. Rules Governing Admission to the Alabama State Bar. http://www.alabar.org/rulechanges/Rule%20III_Reciprocity_Supreme%20Court%20Order.pdf 5) Not addressed. Do not have a rule. 6) Not addressed. Do not have a rule.</p>
<p>AK</p>	<p>The Alaska Rules of Professional Conduct Committee has completed its review of the Ethics 2000 recommendations for amendments to the Model Rules including the revised versions of 5.5 and 8.5. Their recommendations were presented to the Board of Governors at its September 8-9, 2005 meeting in Anchorage. The Board’s review will probably span four to five meetings followed by publication for member comment and final review by the Board. Once the Board review is completed, the proposals will be forwarded for final consideration and adoption by the Alaska Supreme Court. Comments on the proposed Rules are due by August 15, 2006. 1) Proposed Rule 5.5 is identical to ABA Model Rule 5.5. 2) Proposed Rule 8.5 is similar to ABA Model Rule 8.5. 3) Court’s civil rules committee to review. Have a Rule: Rule 81 (a)(2) of the Alaska Rules of Civil Procedure http://www.state.ak.us/courts/civ2.htm#81 4) Court’s civil rules committee to review. Have a Rule: Alaska Bar Rule 2, Section 2. http://www.alaskabar.org/library/admissionsrules.pdf 5) Court’s civil rules committee to review. Have a Rule: Rules of the Alaska Bar Association, Rule 44.1 6) Court’s civil rules committee to review. Do not have a Rule.</p>

AZ	<p>On June 8, 2004, the Supreme Court of the State of Arizona entered an order adopting amended Rules 5.5 (Unauthorized Practice of Law) and Rule 8.5 (Jurisdiction), effective December 1, 2004, allowing multijurisdictional practice of law by lawyers admitted in another United States jurisdiction.</p> <p>(1) ER 5.5 Unauthorized Practice of Law Rule 5.5 is identical to ABA Model Rule 5.5 but adds three paragraphs making it clear that: lawyers engaged in multijurisdictional practice must advise their clients that they are not admitted to practice law in Arizona and must obtain the client's informed consent to the representation; out of state lawyers who appear in court or before any administrative hearing officer must comply with the <i>pro hac vice</i> admission rules; and out of state lawyers are subject to the Arizona Rules of Professional Conduct and the Rules of the Supreme Court regarding attorney discipline.</p> <p>(2) ER 8.5 Jurisdiction Identical to ABA Model Rule 8.5.</p> <p>(3) New <i>Pro Hac Vice</i> Admission Rule, effective September 1, 2002: http://www.azbar.org/ForLawyers/prohacvice.cfm</p> <p>(4) Declined to recommend adoption. Do not have a rule.</p> <p>(5) Declined to recommend adoption. Have a rule. 17A, A.R.S. Sup. Ct. Rules, Rule 33(f) (Effective June 1, 1998)</p> <p>(6) Declined to recommend adoption. Do not have a rule.</p>
AR	<p>On March 3, 2005 the Arkansas Supreme Court entered an order amending the Arkansas Rules of Professional Conduct, effective May 1, 2005: http://courts.state.ar.us/opinions/2005a/20050303/arpc2005.html</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Conducting review. Have a rule already: Arkansas Supreme Court Rule XIV http://courts.state.ar.us/rules/barrule.html#XIV</p> <p>(4) Admission by Motion Rule. On February 26, 2004 the Arkansas Supreme Court adopted an Admission by Motion Rule. Similar to ABA Rule but requires reciprocity, fee (\$1500) and designate Clerk of the Court for service of process. (Effective October 1, 2004) http://courts.state.ar.us/opinions/2004a/20040226/admission.html</p> <p>(5) Conducting review. Do not have a rule.</p> <p>(6) Conducting review. Do not have a rule.</p>

CA	<p>On April 8, 2004, the California Supreme Court adopted the recommendations of the Court’s Multijurisdictional Practice Implementation Committee. The new Rules are effective November 15, 2004. http://www.calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=12501&id=156</p> <p>(1) and (2) Rules 966 (part of litigation) and 967 (non-litigation matter) permit lawyers who are licensed to practice in a U.S. jurisdiction, other than California, to temporarily practice law in California without registering with the state bar. Under Rule 967, a “material aspect” of the matter has to take place in a jurisdiction other than California and in which the lawyer is licensed to practice law.</p> <p>Rule 964 allows <i>registered</i> legal services lawyer to practice up to 3 years. Rule 965 allows for <i>registered</i> in-house counsel. Out-of-state lawyers subject to California laws, Rules of Professional Conduct, courts and the State Bar. Fees for in-house/legal services lawyers: \$550 to apply, \$363 moral character check, \$390 annual State Bar fee and 25 hours CLE.</p> <p>(3) Declined to recommend adoption. Have a rule: Rule 983 of the California Rules of Court.</p> <p>(4) Declined to recommend adoption. Do not have a rule.</p> <p>(5) Declined to recommend adoption. Have a rule: Rule 988 of the California Rules of Court (Enacted April 2, 1987)</p> <p>(6) Conducting review. Do not have a rule.</p>
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<p>CO</p> <p>(1) and (2) Rule 221. Out-Of-State Attorney-Pro Hac Vice Admission (Adopted prior to ABA recommendations, effective January 1, 2003) Similar to ABA <i>Model Rule on Pro Hac Vice Admission</i>, \$250 fee.</p> <p>(3) Colorado Rules of Civil Procedure, Rule 220. Out-Of-State Attorney – Conditions of Practice (effective January 1, 2003).</p> <p>An out-of-state lawyer may practice law in Colorado except that an out-of-state lawyer who wishes to appear in any state court of record must comply with the rule concerning <i>pro hac vice</i> admission and an out-of-state lawyer who wishes to appear before any administrative tribunal must comply with the rule concerning <i>pro hac vice</i> admission before state agencies. An out-of-state lawyer practicing law under this rule is subject to the Colorado Rules of Professional Conduct and rules of procedure regarding attorney discipline and disability proceedings.</p> <p>http://www.cobar.org/group/display.cfm?GenID=2735</p> <p>See also, Rule 8.5 Jurisdiction, http://www.cobar.org/group/display.cfm?GenID=2085</p> <p>(4) Not addressed. Have a rule, reciprocity required. Colorado Admission Rule 201.3(1)</p> <p>http://www.coloradosupremecourt.com/BLE/Forms/Rules.htm</p> <p>(5) Not addressed. Do not have a Foreign Legal Consultant Rule.</p> <p>(6) Not addressed. Do not have a rule.</p>

<p>CT</p>	<p>On May 15, 2006 the House of Delegates of the Connecticut Bar Association approved the Connecticut Bar Association Task Force on Multijurisdictional Practice recommendation to adopt a rule similar to ABA Model Rule 5.5 and an identical Rule 8.5. The Court, upon the recommendation of the Lawyer Advertising Committee, has adopted a rule identical to ABA Model Rule 8.5, effective January 1, 2007. (1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 but requires registration and payment of an administrative fee; requires reciprocity; the services under (c) (4) must be “substantially related the services provided to an existing client” and requires registration of in-house counsel under a new in-house counsel rule. (2) Rule 8.5: Disciplinary Authority; Choice of Law Identical Model Rule 8.5. (3) Not addressed. Have a rule. 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 (4) Not addressed. Section 2-13, Connecticut Superior Court Rules Regulating Admission to the Bar http://www.jud.state.ct.us/CBEC/#Sec.%202-13. (5) Not addressed. Have a rule. Connecticut Rules of Court, Rules of Practice for the Superior Court, General Provisions, Chapter 2. Attorneys § 2-17, Superior Court Rules Regulating Admission To The Bar, Sections 2-17 To 2-21 CT R SUPER CT GEN § 2-17 (Effective 1991). (6) Not addressed. Do not have a rule. Have a GATS Task Force.</p>
<p>DE</p>	<p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5 (Effective July 1, 2003). (2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5 (Effective July 1, 2003).http://courts.state.de.us/supreme/pdf/FinalDLRPCclean.pdf (3) Conducting review. Have a rule already: Delaware Supreme Court Rule 71. Admission <i>pro hac vice</i>. http://courts.state.de.us/supreme/rules.htm (4) Conducting review. Do not have a rule. (5) Conducting review. Do not have a rule. (6) Conducting review. Do not have a rule.</p>

DC	<p>On August 1, 2006 the District of Columbia Court of Appeals entered an Order amending the Rules of Professional Conduct. The amended rules are effective February 1, 2007. http://www.dcbbar.org/new_rules/index.cfm</p> <p>(1) Rule 5.5 – Unauthorized Practice The provisions concerning those activities in which a lawyer not admitted in the District of Columbia may and may not engage are set forth in Rule 49 of the Rules of the District of Columbia Court of Appeals. Rule 49 is similar to ABA Model Rule 5.5. DC issued UPL Opinion authorizing incidental practice by foreign lawyers.</p> <p>(2) Rule 8.5 – Disciplinary Authority; Choice of Law Rule 8.5 is similar to ABA Model Rule 8.5 but deletes the second sentence of Rule 8.5 (a) and D.C. Rule 8.5 (2) reads: (2) For any other conduct, (i) If the lawyer is licensed to practice only in this jurisdiction, the rules to be applied shall be the rules of this jurisdiction, and (ii) If the lawyer is licensed to practice in this and another jurisdiction, the rules to be applied shall be the rules of the admitting jurisdiction in which the lawyer principally practices; provided, however, that if particular conduct clearly has its predominant effect in another jurisdiction in which the lawyer is licensed to practice, the rules of that jurisdiction shall be applied to that conduct.</p> <p>(3) Not addressed. Have a rule already: Rule 49(c)(7) of the District of Columbia Court of Appeals. Unauthorized Practice of Law. http://www.dcbbar.org/for_lawyers/courts/court_of_appeals/court_rules/title_VI/rule_forty_nine.cfm</p> <p>(4) Not addressed. Have a rule already: D.C. App. Rule 46. http://www.dcbbar.org/for_lawyers/membership/prospective_members/rule46.cfm</p> <p>(5) Not addressed. Have a rule already: DC R A CT Rule 46(c)(4), District of Columbia Court of Appeals, Rule 46(c)(4) (Adopted 1986).</p> <p>(6) On October 15, 2004, the Committee on the Unauthorized Practice of Law of the District of Columbia Court of Appeals issued opinion 14-04 that states a foreign lawyer may engage in the incidental practice of law in the District. http://www.dccourts.gov/dccourts/docs/rule49_opinion14-04.pdf</p>
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<p>FL</p>	<p>On May 12, 2005 the Supreme Court of Florida entered an order adopting amendments to the Rules Regulating the Florida Bar to allow for multijurisdictional practice of law. The amended Rules are effective January 1, 2006. http://www.floridasupremecourt.org/decisions/2005/sc04-135.pdf</p> <p>(1) Rule 4-5.5 Unlicensed Practice of Law, Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 except does not adopt 5.5 (d)(1) (in-house-counsel provision) and provides for temporary practice by foreign lawyers. However, Rule 1-3.11 of the Rules Regulating The Florida Bar requires out-of-state lawyers to file a statement with The Florida Bar in all domestic arbitration proceedings and pay a \$250 fee. Out-of-state lawyers would be limited to 3 domestic arbitrations in a 365-day period. Lawyers appearing in international arbitrations are exempted from this provision.</p> <p>(2) Rule 3-4.1 Notice and Knowledge of Rules; Jurisdiction Over Attorneys of Other States and Rule 3-4.6 Discipline By Foreign or Federal Jurisdiction; Choice of Law Similar to ABA Model Rule 8.5 except in (b)(2), last sentence is deleted. (Deleted language: <i>A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.</i>)</p> <p>(3) Rule 1-3.10. Amendment to existing <i>pro hac</i> admission rule (3 appearances per year, \$250 fee to Bar and file a uniform motion for admission.) Rule 1-3.11 applies to arbitration proceedings.</p> <p>(4) Declined to adopt ABA Model Rule on Admission by Motion. Must take bar examination to be admitted.</p> <p>(5) Declined to adopt ABA Model Rule for the Licensing of Legal Consultants. Have a rule already: F.S.A. Bar Rule 16-1.5, Rules Regulating The Florida Bar, Chapter 16, Foreign Legal Consultancy Rule (Added July 23, 1992, effective Jan. 1, 1993).</p> <p>(6) Rule 4-5.5(d) Authorized Temporary Practice by Lawyer Admitted in a Non-United States Jurisdiction. Similar to ABA Model Rule on Temporary Practice by Foreign Lawyers.</p>
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<p>GA</p>	<p>On June 8, 2004 the Georgia Supreme Court adopted new MJP Rules: (1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 but distinguishes between “Domestic” and “Foreign” lawyers but allows both to engage in the temporary practice of law. (2) Rule 8.5: Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5. Applies to both “Domestic” and “Foreign” lawyers. (3) On October 5, 2005 the Georgia Supreme Court amended the <i>pro hac vice</i> admission rule. Uniform Superior Court Rule 4.4. \$200 filing fee and verified application required, effective November 10, 2005. http://www.gasupreme.us/amended_rules/Unif sup %204.4 %204.11.pdf (4) Declined to adopt. Court amended its admission rules on December 12, 2002 to allow admission by motion. (Reciprocity and fee required). (Approved by Bar on April 5, 2003) (5) Adopted equivalent of ABA <i>Model Rule for the Licensing of Legal Consultants</i>. Georgia Supreme Court Rules Governing Admission to the Practice of Law in Georgia, Part E (Effective September 3, 2004). Fee: \$1000; renewal \$100. http://www2.state.ga.us/Courts/Supreme/pdf/foreign_law_bar_ex_rule.pdf (6) Rule 5.5 adopted by Georgia Supreme Court on June 8, 2004 allows temporary practice of law by “Foreign” lawyers. See #1 above. http://www2.state.ga.us/Courts/Supreme/amended_rules/6_8_2004_order.htm</p>
<p>HI</p>	<p>Disciplinary Board of Supreme Court Ethics 2000 Committee conducting review.</p>

ID	<p>On March 15, 2004, the Idaho Supreme Court amended the Rules of Professional Conduct, effective July 1, 2004. http://www.isc.idaho.gov/irpc0304_ord.htm</p> <p>(1) Rule 5.5: Unauthorized Practice of Law Similar to ABA Model Rule 5.5. Only 4 exceptions: preparing for potential proceeding in which the lawyer expects to be admitted, employee of client, acts with respect to a matter that arises out of or is reasonably related to the lawyer's representation of a client in a jurisdiction in which the lawyer is admitted to practice, or associated with Idaho counsel. Deletes the word "United States" before the word jurisdiction in Rule 5(c).</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Not addressed. Have a rule: Idaho Bar Commission Rule 222. Limited Admission/<i>Pro Hac Vice</i>. http://www2.state.id.us/isb/rules/ibcr/admission_rules.htm</p> <p>(4) Idaho Bar Commission Rule 204A (amended October 2006). Reciprocity required: \$800 application fee. http://www2.state.id.us/isb/adm/Forms/RULE204A.pdf</p> <p>(5) Rule 205A. Foreign Legal Consultants. Idaho Bar Commission Rules Governing Admission to Practice and Membership in the Idaho State Bar (Effective July 1, 2005).</p> <p>(6) Not addressed. Do not have a rule.</p>
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IL	<p>Effective July 1, 2004. Rule 716. Limited Admission of House Counsel. http://www.state.il.us/court/SupremeCourt/Rules/MRAmend021104.htm#716</p> <p>The report of the Joint CBA/ISBA Committee on Ethics 2000, formed to review the work of the ABA's Ethics 2000 Commission and recommend changes to the current Illinois Rules of Professional Conduct, is available in PDF format. The ISBA Assembly is scheduled to act on the report at its June 2004 meeting http://www.isba.org/ethics2000.pdf</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5. (Pending before Court's Committee on the Rules of Professional Responsibility).</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5. (Pending before Court's Committee on the Rules of Professional Responsibility).</p> <p>(3) Conducting review. Have a rule: Illinois Supreme Court Rule 707. Foreign Attorneys in Isolated Cases. http://www.state.il.us/court/SupremeCourt/Rules/Art_VII/artvii.htm#Rule707</p> <p>(4) Conducting review. Have a rule: Illinois Supreme Court Rule 705 http://www.state.il.us/court/SupremeCourt/Rules/Art_VII/artvii.htm#Rule%20705</p> <p>(5) Conducting review. Have a rule: Illinois Supreme Court Rules 712 and 713.</p> <p>(6) Conducting review. Do not have a rule.</p>
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<p>IN</p>	<p>On September 30, 2004, the Indiana Supreme Court entered an order amending the Indiana Rules of Professional Conduct, effective January 1, 2005.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5 except for an insertion of the following sentence into Comment [4] after the second sentence, <i>"For example, advertising in media specifically targeted to Indiana residents or initiating contact with Indiana residents for solicitation purposes could be viewed as systematic and continuous presence."</i></p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5 except that in (b)(2), last sentence is deleted. (Deleted language: <i>A lawyer shall not be subject to discipline if the lawyer's conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer's conduct will occur.</i>)</p> <p>(3) Conducting review. Have a rule: Indiana Rules for Admission and Discipline, Rule 3, Section 2. Limited Admission on Petition. http://www.ai.org/judiciary/rules/ad_dis/index.html#r3</p> <p>(4) Conducting review. Have a rule: Rule 6, Indiana Supreme Court Rules for Admission to the Bar http://www.in.gov/judiciary/rules/ad_dis/index.html#r6</p> <p>(5) Conducting review. Have a rule: Indiana Rules of Court, Rules for Admission to the Bar and the Discipline of Attorneys, Rule 5</p> <p>(6) Conducting review. Do not have a rule.</p>
<p>IA</p>	<p>On April 20, 2005 the Iowa Supreme Court entered an order adopting a new set of Rules of Professional Conduct, effective July 1, 2005.</p> <p>(1) Rule 32.5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5; requires registration for in-house counsel pursuant to new Iowa Court Rule 31.16.</p> <p>(2) Rule 32.8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Have a rule: Iowa Rule of Court 31.14. Admission <i>pro hac vice</i> before Iowa courts and administrative agencies. http://www.legis.state.ia.us/Rules2.html</p> <p>(4) Conducting review. Have a rule: Iowa Code § 602.10109 http://www.legis.state.ia.us/IACODE/2001SUPPLEMENT/602/10109.html</p> <p>(5) Conducting review. Do not have a rule.</p> <p>(6) Conducting review. Do not have a rule.</p>

KS	<p>In May 2007 the Kansas Supreme Court adopted the amended Kansas Rules of Professional Conduct. http://www.kscourts.org/ctruls/KRPCnew.pdf</p> <p>1) RULE 5.5 UNAUTHORIZED PRACTICE OF LAW. Same as the old ABA Model Rule 5.5. No provision for the multijurisdictional practice of law.</p> <p>2) RULE 8.5 JURISDICTION “A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction although engaged in practice elsewhere.”</p> <p>3) Not addressed. On March 9, 2005, the Kansas Supreme Court entered an Order amending the <i>pro hac vice</i> admission rule, effective July 1, 2005. Fee: \$100 Kansas Supreme Court Rule 1.10, Admission <i>Pro Hac Vice</i> of Out-of-State Attorney. Before the Kansas Appellate Courts. http://www.kscourts.org/ctruls/2005SC25amended.pdf</p> <p>4) Effective July 1, 2005 Admission by Motion. Reciprocity required. \$1250 fee. http://www.kscourts.org/ctruls/2005SC11.pdf</p> <p>5) Not addressed. Do not have a rule.</p> <p>6) Not addressed. Do not have a rule.</p>
KY	<p>The Ethics 2000 Committee is still meeting and has not had a final report or vote. There have been some changes to the ABA Model Rule version of 5.5 proposed by members of the committee to more correctly comply with Kentucky law and its <i>pro hac vice</i> admission rule.</p>

LA	<p>On March 9, 2005 the Louisiana Supreme Court adopted amended rules allowing for the multijurisdictional practice of law on a temporary basis under certain circumstances and adopted an in-house counsel registration rule. The rule changes are effective April 1, 2005 and in-house counsel have until July 1, 2005 to register.</p> <p>http://www.lasc.org/rules/orders/2005/ROPC5.5_8.5.pdf http://www.lasc.org/rules/orders/2005/RuleXVII14inhouse.pdf http://www.lasc.org/rules/orders/2005/inhousecounselfee.pdf</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 except do not adopt 5.5(d)(1) (in-house-counsel provision) and adds an unrelated provision regarding the employment of disbarred or suspended lawyers as law clerks.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5</p> <p>(3) Not addressed. Have a rule: La Sup. Ct. Rule XVII. Admission to the Bar of the State of Louisiana, Section 13. <i>Hac Vice</i> Admission. http://www.lasc.org/rules/supreme/RuleXVII.asp</p> <p>(4) Declined to adopt ABA Model Rule on Admission by Motion. Must take bar examination to be admitted.</p> <p>(5) Not addressed. Have a rule: Louisiana Revised Statutes, Title 37, Professions and Occupations, Chapter 4, Attorneys, Article 14, Section 11.</p> <p>(6) Court is conducting review. Do not have a rule.</p>
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<p>ME</p>	<p>The Maine Task Force studying the Model Rules of Professional Conduct is seeking input and comment regarding reformulation of the Maine Bar Rules. The goal is to structure Maine’s rules so they conform to the Model Rules. To the extent appropriate the Task Force will recommend changes to Maine’s Rules. The Task Force may recommend divergence or variation from the Model Rules as a result of established Maine law and practice. The Task Force will present recommendations to the Advisory Committee on the Rules of Professional Responsibility and ultimately the Maine Supreme Judicial Court.</p> <p>http://www.mebaroverseers.org/ethicsweb/ethicsmain.html</p> <p>1) Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 but requires in Rule 5.5 (c) that the cross-border practice must arise out of or be reasonably related to the representation of an existing client.</p> <p>2) Rule 8.5 Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>3) No review. Have a Rule: Maine Revised Statutes, Title 4, Section 802. Attorneys from other states. http://janus.state.me.us/legis/statutes/4/title4sec802.html</p> <p>4) Effective July 1, 2005, reciprocal admission allowed for members of the bars of New Hampshire and Vermont. http://www.courts.state.me.us/rules_forms_fees/rules/MBarAdmRules7-05.htm#RULE5APPLICATION</p> <p>5) No review. Do not have a Rule.</p> <p>6) No review. Do not have a Rule.</p>
<p>MD</p>	<p>On February 8, 2005 the Maryland Court of Appeals adopted revisions to Rule 5.5 and 8.5 of the Maryland Lawyers’ Rules of Professional Conduct, effective July 1, 2005. http://www.courts.state.md.us/rules/153ro.pdf</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5 with changes in the Comments.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5. Adds to 8.5 (a): “(ii) holds himself or herself out as practicing law in this State, or (iii) has an obligation to supervise or control another lawyer practicing law in this State whose conduct constitutes a violation of these Rules. Cross reference: Md. Rule 16-701(a).” In Comment [1], deletes reference to ABA <i>Model Rules for Lawyer Disciplinary Enforcement</i> and deletes the last sentence. In Comment [4], changes the end of the first sentence to “shall be subject only to the rules of professional conduct of that tribunal.”</p> <p>(3) No review pending. Have a Rule: Rules of the Maryland Court of Appeals Governing Admission to the Bar of Maryland, Rule 14. http://198.187.128.12/maryland/lpext.dll?f=templates&fn=fs-main.htm&2.0</p> <p>(4) No review pending. Do not have a rule.</p> <p>(5) No review pending. Do not have a rule.</p> <p>(6) No review pending. Do not have a rule.</p>

<p>MA</p>	<p>Supreme Court Standing Advisory Committee on Rules of Professional Conduct has published ABA Model Rule 5.5 for comment. No amendment to Rule 8.5 proposed. Rule 5.5 amendment should go to Court in Fall 2005. No entity reviewing existing FLC Rule.</p> <p>1) Supreme Court Standing Advisory Committee on Rules of Professional Conduct has published ABA Model Rule 5.5 for comment.</p> <p>2) Supreme Court Standing Advisory Committee on Rules of Professional Conduct did not propose an amendment to Rule 8.5.</p> <p>3) No review. Have a Rule: 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</p> <p>4) No review. Have a Rule: Ethical Requirements and Rules Concerning the Practice of Law of the Supreme Judicial Court of Massachusetts, Rule 3:01, Section 6.1. http://www.state.ma.us/bbe/BarAppRulesAug2002.pdf</p> <p>5) No review. Have a Rule: Ethical Requirements and Rules Concerning the Practice of Law of the Supreme Judicial Court of Massachusetts, Rule 3:05.</p> <p>6) No review.</p>
<p>MI</p>	<p>On November 25, 2003 the State Bar of Michigan's forwarded recommendations to the Michigan Supreme Court to amend the Rules of Professional Conduct, including Rules 5.5 and 8.5. http://www.michbar.org/</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Conducting review. Have a rule: Michigan Supreme Court Rules Concerning the State Bar of Michigan, Rule 15, Section 2. Foreign Attorneys, Temporary Permission. http://courtofappeals.mijud.net/rules/public/default.asp</p> <p>(4) Conducting review. Have a rule: Michigan Compiled Law §600.946.</p> <p>(5) Conducting review. Have a rule: Michigan Board of Bar Examiners, Rule 5E.</p> <p>(6) Conducting review. Do not have a rule.</p>

MN	<p>On June 17, 2005, the Minnesota Supreme Court adopted amendments to the Rules of Professional Conduct, effective October 1, 2005. http://www.courts.state.mn.us/news/posting.aspx?ID=20309&pageID=131</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multi-Jurisdictional Practice Similar to ABA Model Rule 5.5 except: 1) add to 5.5(a) the words "except that a lawyer admitted to practice in Minnesota does not violate this Rule by conduct in another jurisdiction that is permitted in Minnesota under Rule 5.5(c) or (d) for lawyers not admitted to practice in Minnesota"; and 2) does not adopt 5.5(d)(1) (in-house-counsel provision).</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Conducting review. Have a rule: Minnesota Statutes § 481.02, Subd. 6. Attorneys of other states. http://www.revisor.leg.state.mn.us/stats/481/02.html</p> <p>(4) Conducting review. Have a rule: Minnesota Supreme Court Rules for Admission to the Bar, Rule 7 http://www.ble.state.mn.us/rules.htm#Rule7</p> <p>(5) Conducting review. Have a rule: 52 M.S.A., Admission to the Bar Rule 10.</p> <p>(6) Conducting review. Do not have a rule.</p>
MS	<p>State Bar Committee conducting review. Effective September 1, 2003, Rule 8.5 of the Mississippi Rules of Professional Conduct is amended. http://www.mssc.state.ms.us/news/sn104819.pdf</p>

<p>MO</p> <p>On March 9, 2005 the Missouri Supreme Court entered an Order amended Missouri Rules 4-5.5 and 4-8.5, effective January 1, 2006. http://www.courts.mo.gov/sup/index.nsf/d45a7635d4bfdb8f8625662000632638/a1a5ae5d76d936e586256fc200026b38?OpenDocument</p> <p>(1) Rule 4-5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 but makes clear that in-house counsel can only practice temporarily in Missouri unless they become comply with the in-house counsel limited license rule. Also deletes ABA Model Rule 5.5 (d)(2) involving federal law but is covered in Comment [4] of Missouri Rule 5.5.</p> <p>(2) Rule 4-8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Not addressed. Have a rule: Missouri Supreme Court Rules Governing the Missouri Bar and the Judiciary. Rule 9.03. Visiting Attorney Appearing in a Particular Case. http://www.osca.state.mo.us/sup/index.nsf/d45a7635d4bfdb8f8625662000632638/1955018e9e8be48d86256e6800584b19?OpenDocument</p> <p>(4) Not addressed. Have a rule: Missouri Supreme Court Rules Governing the Missouri Bar, Rule 8.10 http://www.courtrules.org/</p> <p>(5) Not addressed. Have a rule: MO R BAR Rule 9.05-9.12, Foreign Legal Consultants (Adopted March 3, 1994, effective July 1, 1994).</p> <p>(6) Not addressed. Do not have a rule.</p>
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<p>MT</p>	<p>The State Bar of Montana sent the changes in the Model Rules to the Court on April 25, 2003.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Report recommends adoption of rule identical to ABA Model Rule 5.5.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law On July 5, 2005 the Court entered an order amending Rule 8.5. The rule is similar to ABA Model Rule 8.5 but does not contain the choice of law provision from ABA Model Rule 8.5(b). The rule also requires lawyers who are not active members of the State Bar of Montana, when applying for <i>pro hac vice</i> admission, to certify in writing and under oath to the Court that they will be bound by the Rules of Professional Conduct and be subject to the disciplinary authority. http://www.lawlibrary.state.mt.us/dscgi/ds.py/Get/File-42835/rulerevisionord.pdf</p> <p>(3) and (4) On July 7, 2004, the Supreme Court of Montana denied a petition filed by the State Bar to revise to the rules for admission to: (1) allow admission of ten-year practitioners by motion under certain conditions; (2) allow admission of five-year practitioners from several neighboring states under the constraints of a reciprocity agreement; and (3) revise the <i>pro hac vice</i> rule to increase the allowable number of appearances by out-of-state counsel. http://www.lawlibrary.state.mt.us/dscgi/ds.py/Get/File-32797/03-861.doc</p> <p>(5) Conducting review. Do not have a rule.</p> <p>(6) Conducting review. Do not have a rule.</p>
<p>NE</p>	<p>On June 8, 2005 the Nebraska Supreme Court entered an order adopting the Nebraska Rules of Professional Conduct, effective September 1, 2005. http://court.nol.org/rules/amendments/Order.htm</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Not addressed. Have a rule: Nebraska Supreme Court Rules. Admission of Attorneys. Rule 6. Admission, <i>Pro Hac Vice</i>, of Lawyers of Good Moral Character Who Are Admitted to Practice in Another State, the District of Columbia, or a Territory. http://court.nol.org/rules/attymadm_02.htm</p> <p>(4) Not addressed. Have a rule: Rule 5, Nebraska Supreme Court Admission Rules for Attorneys http://court.nol.org/rules/attymadm_02.htm</p> <p>(5) Not addressed. Do not have a rule.</p> <p>(6) Not addressed. Do not have a rule.</p>

NV	<p>(1) Rule 5.5 and 5.5A. Unauthorized Practice of Law. (formerly Supreme Court Rule 189) addresses the same subject matter as ABA Model Rule 5.5, but the text is different. (Effective May 1, 2006). Rule 5.5 states that the rule applies to a lawyer who is not admitted in Nevada, but who is admitted and in good standing in another jurisdiction of the United States, and who provides legal services for a Nevada client in connection with transactional or extra-judicial matters that are pending in or substantially related to Nevada. Rule 5.5A(c) requires out-of-state lawyers to register in Nevada, pay a \$150 fee, and file an annual report. The annual report requires, among other information, “the nature of the client(s) (individual or business entity) for whom the lawyer has provided services that are subject to this rule and the number and general nature of the transactions performed for each client during the previous twelve (12)-month period. The lawyer shall not disclose the identity of any clients or any information that is confidential or subject to attorney-client privilege”.</p> <p>New Rule 7.5A requires “multijurisdictional law firms”—those that have offices in Nevada and in at least one other jurisdiction—to register with the state bar and pay an annual \$500 fee. New Rule 49.10 requires out-of-state lawyers who serve as in-house counsel or who are employed by a governmental agency to register and pay an annual \$150 fee. http://www.leg.state.nv.us/CourtRules/RPC.html</p> <p>(2) Rule 8.5 Jurisdiction Similar to ABA Model Rule 8.5 but only includes the first sentence of ABA Model Rule 8.5. http://www.leg.state.nv.us/CourtRules/RPC.html</p> <p>(3) The Nevada <i>Pro Hac Vice Rule</i>, SCR 42, has been amended. The Rule now covers all arbitration, mediation or alternative dispute resolution procedures that are court-annexed or court ordered. Additionally, it is presumed, absent a showing of good cause, that more than five appearances in a three-year period is excessive.</p> <p>(4) Not addressed. Do not have a rule.</p> <p>(5) Not addressed. Do not have a rule.</p> <p>(6) Not addressed. Do not have a rule.</p>
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<p data-bbox="201 196 1325 228">On January 18, 2006 the New Hampshire Supreme Court adopted an amended Rule 5.5.</p> <p data-bbox="201 233 1717 412">(1) Rule 5.5: Unauthorized Practice Of Law; Multijurisdictional Practice Of Law. Rule 5.5 is identical to ABA Model Rule 5.5 but includes the following paragraph: (e) A lawyer admitted in another United States jurisdiction who acts in this state pursuant to subparagraphs (c) or (d) shall not hold himself or herself out as being admitted to practice in this State and shall not solicit clients in New Hampshire. www.courts.state.nh.us/supreme/orders/ord20070118.pdf <i>On January 21, 2005, the NH Supreme Court entered an order amending Rule 8.5, effective March 1, 2005.</i></p> <p data-bbox="201 417 1728 630">(2) Rule 8.5. Disciplinary Authority; Choice of Law; Application of Rules to Nonlawyer Representatives. Rule 8.5 is identical to ABA Model Rule 8.5 but includes the following paragraph: (c) <i>Application of Rules to Nonlawyer Representatives.</i> Rules 1.2, 1.3, 1.4, 1.14, 1.15, 3.1, 3.2, 3.3, 3.4, 3.5, 4.1, 4.2, 4.3, 4.4, 8.2(a), and 8.4 of the Rules of Professional Conduct shall apply to persons who, while not lawyers, are permitted to represent other persons before the courts of this jurisdiction pursuant to RSA 311:1. The committee on professional conduct shall have jurisdiction to consider grievances alleging violations of these Rules of Professional Conduct by nonlawyer representatives.</p> <p data-bbox="201 634 1728 704">(3) Not addressed. Have a rule: 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</p> <p data-bbox="201 709 1350 742">(4) Admission on Motion Rule adopted, effective March 1, 2003. (Amended Rule 42)</p> <p data-bbox="201 747 924 779">http://www.nhbar.org/about_text.asp?SectID=2&C=273</p> <p data-bbox="201 784 926 816">(5) Advisory Committee on Rules studying the issues.</p> <p data-bbox="201 821 1717 886">(6) On January 18, 2007, the New Hampshire Supreme Court adopted a rule allowing the temporary practice of law by foreign lawyers. www.courts.state.nh.us/supreme/orders/ord20070118.pdf</p>	<p data-bbox="117 488 170 516">NH</p>
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<p>NJ</p>	<p>(1) RPC 5.5 Lawyers Not Admitted to the Bar of this State and the Lawful Practice of Law (Effective January 1, 2004) Similar to ABA Model Rule 5.5 except does not contain the word “temporary” when describing permissible MJP legal services; adds requirement that the legal work in NJ be “with respect to a matter where the practice activity arises directly out of the lawyer’s representation on behalf of an existing client in a jurisdiction in which the lawyer is admitted to practice, provided that such practice in this jurisdiction is occasional and is undertaken only when the lawyer’s disengagement would result in substantial inefficiency, impracticality or detriment to the client”. Also adopted an in-house counsel rule, R.1:27 (Admission to Practice). Effective September 1, 2004, out-of-state lawyers must register and pay fee pursuant to R. 1:20-1(b) and (c), R. 1:28-2, and R. 1:28B-1(e) during the period of practice. http://www.judiciary.state.nj.us/rules/apprpc.htm</p> <p>(2) RPC 8.5 Disciplinary Authority; Choice of Law (Effective January 1, 2004) Similar to ABA Model Rule 8.5 except in (b)(2) does not include last sentence.</p> <p>(3) Not addressed. Have a rule: Rules Governing the Courts of State of New Jersey. Rule 1.21-2. Appearances <i>Pro Hac Vice</i>. http://www.judiciary.state.nj.us/rules/r1-21.htm</p> <p>(4) Declined to adopt ABA Model Rule on Admission by Motion. Do not have a rule.</p> <p>(5) Not addressed. Have a rule: NJ R Gen Application R. 1:21-9, Certification and Practice of Foreign Legal Consultants.</p> <p>(6) Not addressed. Do not have a rule. http://www.judiciary.state.nj.us/notices/reports/admin-deter-rpcs.pdf</p>
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NM	<p>On August 13, 2003 the New Mexico Supreme Court entered an order adopting new Rule 16-505 and 16-805, effective September 1, 2003. As of April 18, 2005, the Court had not published the new rules but should be doing so shortly.</p> <p>(1) 16-505. Unauthorized practice of law; multijurisdictional practice of law. Similar to ABA Model Rule 5.5 but adds language prohibiting the employment of a disbarred or suspended lawyer. Disbarred or suspended lawyers may not be employed as law clerks if prohibited from accepting employment by order of the Supreme Court or the Disciplinary Board. In addition, in transactions involving issues specific to New Mexico law, the lawyer temporarily practicing in New Mexico shall associate with counsel admitted to practice in New Mexico.</p> <p>(2) 16-805. Disciplinary authority. New Mexico rule is similar to ABA Model Rule 8.5 but deletes ABA Model Rule 8.5(b) (Choice of Law).</p> <p>(3) Not addressed. Have a rule: New Mexico Rules of Civil Procedure for District Courts. Rule 1.089.1 and New Mexico Rules of Appellate Procedure. Rule 12-302E.</p> <p>(4) Not addressed. Do not have a rule.</p> <p>(5) The New Mexico Supreme Court has established a new <i>pro hac vice</i> admission rule for cases filed on or after January 20, 2005. NMRA 24-106. Practice by non-admitted lawyers before state courts. http://www.nmbar.org/Template.cfm?Section=Rule_24-106_NMRA Fee: \$250</p> <p>(6) Not addressed. Do not have a rule.</p> <p>In discussions with Arizona, Colorado and Utah about reciprocity admission compact.</p>
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NY	<p>On March 31, 2007 the House of Delegates of the New York State Bar Association approved the adoption of revised Rules 5.5 and 8.5 as part of the adoption of proposed new Rules of Professional Conduct. The proposed Rules of Professional Conduct will be sent to the New York Court of Appeals for adoption.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5 except it applies to lawyers licensed to practice law in a foreign jurisdiction only.</p> <p>(2) Rule 8.5: Disciplinary Authority And Choice Of Law Identical to ABA Model Rule 8.5 except the term “state” is substituted for “jurisdiction”.</p> <p>(3) Conducting review. Have a rule: NYCRR § 520.11. Admission <i>Pro Hac Vice</i>. http://www.courts.state.ny.us/ctapps/520rules.htm#11</p> <p>(4) Conducting review. NYCRR § 520.10 (Admission Without Examination) http://www.courts.state.ny.us/ctapps/520rules.htm#10</p> <p>(5) ABA Model Rule based upon NY Rule. Rules of the Court of Appeals for the Licensing of Legal Consultants, Part 521. NY R A CT § 521.1</p> <p>(6) Conducting review. Do not have a rule.</p>
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NC	<p>Supreme Court has adopted new Rules 5.5 and 8.5.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law Similar to ABA Model Rule 5.5 (Effective March 1, 2003). Does not contain the word “temporary” when describing permissible MJP legal services; adds requirement that the legal work in NC be "with respect to a matter that arises out of or is otherwise reasonably related to the lawyer's representation of a client in a jurisdiction in which the lawyer is admitted to practice" and adds an unrelated provision regarding the employment of disbarred or suspended lawyers as law clerks. http://www.ncbar.com/home/line_rules.asp.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5 (Effective March 1, 2003). Uses “render” rather than “provide” and Comment [1] only includes first two sentences. http://www.ncbar.com/home/line_rules.asp.</p> <p>(3) Did not study and no plans to do so. Have a rule: NCGS. § 84-4.1. Limited practice of out-of-state attorneys. http://www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter_84/GS_84-4.1.html</p> <p>(4) Did not study and no plans to do so. Have a rule: North Carolina Supreme Court Rules Governing Admission to the Practice of Law, Section .0502 http://www.ncble.org/ (Reciprocity required and \$1500 application fee).</p> <p>(5) Did not study and no plans to do so. Have a rule: NC ST § 84A-1, et seq.</p> <p>(6) Did not study and no plans to do so. Do not have a rule.</p>
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<p>ND</p>	<p>On November 17, 2004, the North Dakota Supreme Court entered an order adopting amendments to North Dakota Rules of Professional Conduct 5.5 and 8.5 and North Dakota Admission to Practice Rule 3. http://www.ndcourts.com/Court/Notices/Notices.htm</p> <p>(1) Rule 5.5: Unauthorized Practice of Law Similar to ABA Model Rule 5.5. but requires in-house counsel who establishes an office or other permanent presence to comply with registration rules. Also requires association with a ND lawyer for transactions that are pending in or substantially related to ND for which <i>pro hac vice</i> admission is not available.</p> <p>(2) Rule 8.5: Jurisdiction Similar to ABA Model Rule 8.5 (a) but deletes ABA Model Rule 8.5 (b).</p> <p>(3) Admission to Practice Rule 3. Pro Hac Vice Admission and Registration of Nonresident Attorneys. Similar to ABA Model Rule on Pro Hac Vice Admission. Also provides for the registration of in-house counsel.</p> <p>(4) Not addressed. Have a rule: North Dakota Admission to Practice Rule 6. http://www.court.state.nd.us/Rules/Admission/frameset.htm</p> <p>(5) North Dakota Supreme Court Rules on Admission, Rule 4. Licensing and Practice of Foreign Legal Consultants (Effective March 1, 2007) http://www.court.state.nd.us/rules/admission/frameset.htm</p> <p>(6) Not addressed. Being studied separately by Attorney Standards Committee.</p>
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<p>OH</p> <p>On August 1, 2006 the Ohio Supreme Court entered an Order adopting new Rules of Professional Conduct, effective February 1, 2007. http://www.sconet.state.oh.us/Atty-Svcs/ProfConduct/default.asp</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5: Rule 5.5 (c)(4) states that a lawyer may engage in negotiations, investigations, or other nonlitigation activities that arise out of or are <u>reasonably</u> related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice. Substitute a reference to the corporate registration requirement of Gov. Bar R. VI, Section 4 for the more general language used in the Model Rule. Comment [16] is stricken and Comment [17] is modified to conform to the change in division (d)(1). The Task Force recommends a modification to Comment [4] to warn lawyers that advertising or solicitation of Ohio residents may be considered a “systematic and continuous” presence, as that term is used in division (b).</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Substantially identical to ABA Model Rule 8.5.</p> <p>(3) Conducting review. Have a rule: Ohio Rules of Court, Rules of Practice of the Supreme Court of Ohio, Rule I, Section 2. Admission <i>Pro Hac Vice</i>. http://www.sconet.state.oh.us/Rules/practice/#rulei</p> <p>(4) Conducting review. Have a rule: Rules of the Government of the Bar of Ohio, Rule I, Section 9 http://www.sconet.state.oh.us/Rules/govbar/#rulei</p> <p>(5) Conducting review. Have a rule: Rules of the Government of the Bar of Ohio, Rule XI (Effective January 1, 1989).</p> <p>(6) Conducting review. Do not have a rule.</p>

<p>OK</p>	<p>On April 17, 2007 the Oklahoma Supreme Court entered an Order amending the Oklahoma Rules of Professional Conduct, effective January 1, 2008. http://www.oscn.net/applications/oscn/deliverdocument.asp?cite=2007+ok+22</p> <p>1) Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 but adds to Rule 5.5 (c) the following prefatory words “Subject to the provisions of 5.5(a)” and changes Rule 5.5(d)(1) to read: are provided to the lawyer’s employer or its organizational affiliates in connection with the employer’s matters, provided the employer does not render legal services to third persons and are not services for which the forum requires <i>pro hac vice</i> admission;</p> <p>2) Rule 8.5 Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>3) The Oklahoma <i>pro hac vice</i> admission rule was amended to require registration and the payment of a \$350 fee. 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</p> <p>4) Not addressed. Have a Rule: Oklahoma Rules Governing Admission to the Practice of Law, Rule 2 http://www.okbar.org/publicinfo/admissions/rules.htm Fee: \$1500</p> <p>5) Not addressed. Do not have a Rule</p> <p>6) Not addressed. Do not have a Rule.</p>
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<p>OR</p>	<p>On October 27, 2004, the Oregon Supreme Court adopted new Rule of Professional Conduct, effective January 1, 2005. http://www.osbar.org/docs/discipline/disciplinechanges/ORPC.pdf (1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical in substance to ABA Model Rule 5.5. (2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5. (3) Conducting review. Have a rule: Oregon Revised Statutes, 9.241. Appearance by attorneys licensed in other jurisdictions. http://www.osbar.org/2practice/rulesregs/orsSched9.htm (4) Conducting review. Do not have a rule but Idaho, Utah and Washington lawyers can apply for Admission by Motion. Oregon Supreme Court Admission Rules, Rule 15.05, Admission of Lawyers Licensed to Practice Law in Idaho and Washington http://www.osbar.org/docs/rulesreds/admissions.pdf [By order dated January 25, 2005, the Oregon Supreme Court approved amendments to Oregon Admission Rule 15.05 to allow qualified lawyers from Utah to be admitted to practice law in Oregon without having to take and pass the Oregon bar examination. The changes go into effect 2-1-05. As of 2-1-05, Oregon will have admission reciprocity under the requirements of its rule with Washington, Idaho, and Utah.] (5) Conducting review. Have a rule: ORS 9.242 and Oregon Admission Rule 12.05 (6) Conducting review. Do not have a rule.</p>
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<p>PA</p> <p>On April 30, 2004, the Supreme Court of Pennsylvania amended Rules 5.5 and 8.5 of the Pennsylvania Rules of Professional Conduct. http://www.aopc.org/OpPosting/Supreme/out/28drd-1.pdf http://www.aopc.org/OpPosting/Supreme/out/28drd-1attach.pdf</p> <p>On March 17, 2005, the PA Supreme Court issued an order revising Rule 5.5 in order to delete the safe harbor for foreign corporate counsel. The order and rule changes are located at: http://www.courts.state.pa.us/OpPosting/Supreme/out/39drd.1.pdf and http://www.courts.state.pa.us/OpPosting/Supreme/out/39drd.1attach.pdf.</p> <p>Pennsylvania Rule 5.5 continues to allow temporary practice by foreign lawyers. It no longer allows permanent practice by foreign corporate counsel.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5. Allows lawyers admitted in a foreign jurisdiction to practice on a temporary basis in PA.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5</p> <p>(3) Amended Pennsylvania Rules of Court, Rule 301 of the Pennsylvania Bar Admission Rules. http://www.pabarexam.org/Admission_Rules/rules_and_regulations/301.htm. Effective June 2005. “An attorney, barrister or advocate who is qualified to practice in the courts of another state <i>or of any foreign jurisdiction</i> may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter.”</p> <p>(4) Have a rule: Pa.B.A.R., Rule 204, 42 Pa.C.S.A., Pennsylvania Bar Admission Rule 204. http://www.pabarexam.org/Admission_Rules/rules_and_regulations/204.htm Bar Admission Rules were amended in June 2005 to include Rule 301, Admission <i>Pro Hav Vice</i>: “An attorney, barrister or advocate who is qualified to practice in the courts of another state <i>or of any foreign jurisdiction</i> may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter.”</p> <p>(5) Have a Rule. Adopted FLC Rule in March 2005. Rule 341, et seq., effective September 1, 2005. http://www.courts.state.pa.us/opposting/supreme/out/361spct.1attach.pdf</p> <p>(6) Have a Rule. Rule 5.5 of the Pennsylvania Rules of Professional Conduct, amended on April 30, 2004, allow lawyers admitted in foreign jurisdiction to practice on a temporary basis in PA.</p>
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<p>RI On February 16, 2007 the Rhode Island Supreme Court entered an order adopting Rules 5.5 and 8.5 allowing the multijurisdictional practice of law. Rules 5.5 and 8.5 are identical to ABA Model Rules 5.5 and 8.5 and are effective April 15, 2007.</p> <p>http://www.courts.state.ri.us/Supreme/pdf-files/Rules_Of_Professional_Conduct.pdf</p> <p>(1) Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law</p> <p>(3) Not addressed. Have a Rule. 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</p> <p>(4) Not addressed. Have a Rule. Must take essay portion of Rhode Island Bar examination. Article II, Rule 2, Rules of the Rhode Island Supreme Court. http://www.courts.state.ri.us/supreme/bar/rules.pdf</p> <p>(5) Not addressed. Do not have a Rule.</p> <p>(6) Not addressed. Do not have a Rule.</p>

SC	<p>The Supreme Court of South Carolina adopted numerous amendments to the current Rules of Professional Conduct contained in Rule 407 of the South Carolina Appellate Court Rules, effective October 1, 2005.</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Rule similar to ABA Model Rule 5.5. In Rule 5.5 (c) (4), the words “representation of an existing client” are substituted for “lawyer’s practice.” South Carolina Appellate Court Rule 404 applies to arbitration, mediation and other alternative dispute resolution proceedings.</p> <p>For each matter in which a lawyer seeks to provide legal services pursuant to Rule 5.5(c)(3), the lawyer shall file a verified statement with the South Carolina Supreme Court Office of Bar Admissions stating that the lawyer has not filed more than three statements pursuant to this rule in a 365-day period. The statement shall be accompanied by a \$250 fee and shall be served on opposing counsel, if known. If opposing counsel is not known at the time the verified statement is filed, the statement shall be filed on opposing counsel within ten days of learning the identity of opposing counsel.</p> <p><i>See</i>, (3) below.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Rule similar to ABA Model Rule 8.5 but adds new paragraph (c) and corresponding Comment [8] to address lawyers doing business in fields other than law.</p> <p>(3) Amended South Carolina Appellate Court Rules, Rule 404, Admission <i>Pro Hac Vice</i>. Requires application and \$250 fee and applies to arbitration, mediation and other alternative dispute resolution proceedings. http://www.judicial.state.sc.us/courtReg/newrules/Rule404.htm</p> <p>(4) Conducting review. Do not have a rule.</p> <p>(5) Conducting review. The Supreme Court of South Carolina has adopted a foreign legal consultant rule, effective November 2, 2006. Appellate Court Rules. Section IV. Rules Governing the Practice of Law Rule 424, Licensing of Foreign Legal Consultants. Fee: \$500 application and pay bar dues. http://www.sccourts.org/courtReg/displayRule.cfm?ruleID=424.0&subRuleID=&ruleType=APP</p> <p>(6) Conducting review. Do not have a rule.</p>
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<p>SD</p>	<p>On September 29, 2003, the South Dakota Supreme Court approved new versions of Rules 5.5 and 8.5, effective January 1, 2004, and an admission on motion rule (with reciprocity). http://www.sdbar.org/members/Default.htm (Scroll down for the link.)</p> <p>(1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5. Adds as (c)(5): in all cases, the lawyer obtains a South Dakota sales tax license and tenders the applicable taxes pursuant to Chapter 10-45 and adds at the end of (d)(2): “, provided that the lawyer obtains a South Dakota sales tax license and tenders the applicable taxes pursuant to Chapter 10-45”.</p> <p>(2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5.</p> <p>(3) Conducting review. Have a rule: South Dakota Code, Section 16-18-2. Appearance by nonresident attorneys permitted. http://legis.state.sd.us/statutes/Index.cfm?FuseAction=DisplayStatute&FindType=Statute&txtStatute=16-18-2</p> <p>(4) On September 29, 2003 the Court adopted an Admission by Motion Rule, effective January 1, 2004. SDCL 16-16-12.1 and 2</p> <p>(5) Conducting review. Do not have a rule.</p> <p>(6) Conducting review. Do not have a rule.</p>
<p>TN</p>	<p>Supreme Court has adopted new Rules of Professional Conduct effective March 1, 2003. They can be found at http://www.tba.org/ethics2002.html</p> <p>1) Tennessee Bar Association Standing Committee on Ethics and Professional Responsibility has ABA Model Rules 5.5 and 8.5 under review for a possible proposal to the Tennessee Supreme Court for a rule change.</p> <p>2) See above.</p> <p>3) Tennessee Supreme Court revised its <i>pro hac vice</i> rule, but not closely following the ABA model. Amended <i>pro hac vice</i> admission rule, effective October 1, 2004.</p> <p>4) Not addressed. Have a Rule: Tennessee Supreme Court Rules, Rule 7, Article I, Section 1.04 and Article V, Section 5.01. http://www.tsc.state.tn.us/</p> <p>5) Not addressed. Do not have a Rule.</p> <p>6) Not addressed. Do not have a Rule.</p>
<p>TX</p>	<p>State Bar Disciplinary Rules of Professional Conduct Committee conducting review.</p> <p>Effective September 1, 2003, §82.0361 of subchapter B of chapter 82 of the Texas Government Code, was amended to establish a <i>pro hac vice</i> fee of \$250 for out-of-state lawyers who petition a Texas court to appear in a specific Texas case. These fees are to be deposited into the Basic Civil Legal Services Fund for low-income Texans.</p>

UT	<p>The Utah Supreme Court has adopted amendments to the Utah Rules of Professional Conduct, effective November 1, 2005.</p> <p>1) RPC 05.05. Unauthorized Practice of Law; Multijurisdictional Practice of Law. Identical to ABA Model Rule 5.5.</p> <p>2) RPC 08.05. Disciplinary Authority; Choice of Law. Identical to ABA Model Rule 8.5.</p> <p>3) No review. Have a Rule: Utah Supreme Court Rules of Professional Practice, Rule 11-302. Admission <i>Pro Hac Vice</i>. http://www.utcourts.gov/resources/rules/ucja/11_gen/11-302.htm</p> <p>4) No review. Have a Rule: Admission by Motion; reciprocity required. (Adopted January 24, 2003) http://www.utahbar.org/admissions/Frequently_Asked_Questions/Multijurisdictional_Practice_R/multijurisdictional_practice_r.html</p> <p>5) Supreme Court Advisory Committee on Rules of Professional Conduct conducting review. Have a Rule: Admissions Rule 16.http://www.utcourts.gov/resources/rules/ucja/ch18/18.htm</p> <p>6) Supreme Court Advisory Committee on Rules of Professional Conduct conducting review. Do not have a Rule.</p> <hr/> <p>[By order dated January 25, 2005, the Oregon Supreme Court approved amendments to Oregon Admission Rule 15.05 to allow qualified lawyers from Utah to be admitted to practice law in Oregon without having to take and pass the Oregon bar examination. The changes go into effect 2-1-05. As of 2-1-05, Oregon will have admission reciprocity under the requirements of its rule with Washington, Idaho, and Utah.]</p>
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<p>VT</p>	<p>On December 28, 2006 the Civil Practice Rules Committee recommended the adoption of amended Rules of Professional Conduct, including Rule 5.5 and 8.5. http://www.vermontjudiciary.org/rules1/VRPCprop2-2007.pdf</p> <p>The Vermont Court Administrator has sent out for public comment proposed amendments to the Vermont Rules of Professional Conduct to implement/adapt the 2001-2003 changes in the ABA Model Rules. The proposed amendments were prepared by the Supreme Court's Advisory Committee on Rules of Civil Procedure. Comments are due on April 15, 2005. The Committee's present hope is to have a final version ready to recommend to the Supreme Court in the fall for promulgation.</p> <p>Link to the proposed amendments on the Vermont Judiciary's web site: http://www.vermontjudiciary.org/Library/PDF/resources/VRPC-030205.pdf.</p> <p>Note: Proposed Rules 5.5 and 8.5 are identical to ABA Model Rules 5.5 and 8.5.</p> <hr/> <p>Effective March 1, 2003, New Hampshire lawyers may be admitted on motion. http://www.vermontjudiciary.org/</p>
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<p>VA</p> <p>On April 3, 2006 the Virginia State bar filed a Petition with the Supreme Court of Virginia recommending the amendment of Rules 5.5 and 8.5. The Petition is pending in the Court. http://www.vsb.org/site/regulation/supreme-court-to-review-proposed-amendment-to-rules-55-85-of-the-rules-of-pr</p> <p>1) Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law Similar to ABA Model Rule 5.5 except that it would apply to lawyers licensed in another U.S. jurisdiction or foreign nation.</p> <p>2) Rule 8.5 Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5. Does not adopt the “predominant effect” test but applies the rules of the jurisdiction in which the lawyer’s conduct occurred.</p> <p>3) The Virginia State Bar adoption of an amended <i>pro hac vice</i> admission rule. http://www.vsb.org/site/regulation/proposed-new-pro-hac-vice-rule-rule-1a4-of-the-rules-of-the-supreme-court Have a Rule: Virginia Supreme Court Rules. Rule 1A:4. <i>Foreign Attorneys - When Allowed by Comity to Participate in the Trial of a Case.</i></p> <p>4) Have a Rule: Virginia Supreme Court Rule 1A:1, 1A:2 and 1A:3 http://www.vbbe.state.va.us/motion.html.</p> <p>5) Proposed rule that will allow a non-U.S. attorney to practice in Virginia as a Foreign Legal Consultant is pending in the Virginia Supreme Court. The proposed rule is work product of the Virginia State Bar's Task Force on Multi-jurisdictional Practice. http://www.vsb.org/profguides/proposed/rule_1A7.html</p> <p>6) Virginia State Bar has proposed an amendment to Rule 5.5 that would allow temporary practice by foreign lawyers. Pending in Supreme Court of Virginia.</p> <p>Proposed in-house counsel rule adopted, Va. Sup. Ct. Rule 1A:5. http://www.vsb.org/publications/va_lawyer/Jan02/corpcounrulechg.pdf Fee: \$50</p>
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<p>WA</p>	<p>On July 10, 2006 the Washington State Supreme Court entered an Order amending the Rules of Professional Conduct, effective September 1, 2006. The Court also amended Washington’s in-house counsel rule, APR 8(f), to allow foreign lawyers to be admitted as in-house counsel. http://www.courts.wa.gov/court_rules/adopted/RPC.doc (1) Rule 5.5: Unauthorized Practice of Law; Multijurisdictional Practice of Law Identical to ABA Model Rule 5.5. (2) Rule 8.5: Disciplinary Authority; Choice of Law Identical to ABA Model Rule 8.5. (3) Conducting review. Have a rule already: Washington State Supreme Court Rules, Admission to Practice Rules, Rule 8(b). http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=APR&ruleid=gaapr08 (4) No Rule but Idaho and Oregon lawyers can apply for Admission by Motion. Admission to Practice Rule 18 http://www.courts.wa.gov/rules/display.cfm?group=ga&set=APR&ruleid=gaapr18 (5) Conducting review. Have a rule: Washington Admission to Practice Rule 14. (6) Conducting review. Do not have a rule.</p>
<p>WV</p>	<p>State Bar’s Board of Governors and the Lawyer Disciplinary Board set up a joint committee to review the ABA Ethics 2000 recommendations. The Committee has a draft that will be circulated for comment shortly. (As of August 2005). 1) Under review. 2) Under review. 3) Not under review. Have a Rule: West Virginia Rules for Admission to the Practice of Law, Rule 8.0. Admission <i>pro hac vice</i>. http://www.state.wv.us/wvsca/rules/rule8.htm 4) Not under review. Have a Rule: Rules 4.0 to 4.5, West Virginia Supreme Court of Appeals Rules for Admission to the Practice of Law in West Virginia http://www.state.wv.us/wvsca/Bd%20of%20Law/lawprac.htm. 5) Not under review. Do not have a Rule. 6) Not under review. Do not have a Rule.</p>

<p>WI</p> <p>On November 20, 2006, the State Bar of Wisconsin filed a petition seeking to amend SCR 20:5.5, SCR 20:8.5, and SCR 10.03(4) of the Supreme Court Rules. More specifically, the petition proposes amending SCR 20:5.5 to allow for the temporary practice of law by lawyers not licensed to practice in the State of Wisconsin as exceptions to the prohibition against the unauthorized practice of law; amending SCR 20:8.5 to modify the Rules regarding the applicability of Rules of Professional Conduct to lawyers engaged in the temporary practice of law in the State of Wisconsin; and amending SCR 10.03(4) to modify the Rules on <i>pro hac vice</i> admission. On December 20, 2006, the Wisconsin Supreme Court ordered that a public hearing on the petition shall be held in the Supreme Court Room in the State Capitol, Madison, Wisconsin, on April 12, 2007, at 9:30 a.m.</p> <p>(1) SCR 20:5.5: UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW Report recommends adoption of a rule similar to ABA Model Rule 5.5. In-house counsel excluded but report recommends adoption of a rule providing for the limited admission of in-house counsel. Proposed rule makes it clear that a WI lawyer would not be disciplined in WI for engaging in MJP.</p> <p>(2) SCR 20:8.5: Disciplinary authority; choice of law Effective July 1, 2007, the Wisconsin Supreme Court adopted of a rule similar to ABA Model Rule 8.5.</p> <p>(3) SCR 10.03(4) Only Active Members May Practice Law Report recommends amendments to the current <i>pro hac vice</i> rule. Revised rule similar to ABA Model Rule. Fee required; part of fee to client security fund and disciplinary authority. Administrative proceedings would be covered. No determination yet on whether to limit appearances.</p> <p>(4) SCR 40.05 Legal competence requirement; proof of practice elsewhere. Report recommends adding a reciprocity requirement to the current admission by motion rule.</p> <p>(5) Not addressed. Do not have a rule.</p> <p>(6) Not addressed. Do not have a rule.</p>

<p>WY</p> <p>Wyoming has adopted amended Rules of Professional Conduct, effective July 1, 2006.</p> <p>1) Rule 5.5 Unauthorized Practice of Law Similar to ABA Model Rule 5.5 but amended Rule 5.5 only allows temporary practice by out-of-state lawyers in three situations: a) on a temporary basis in Wyoming in a pending proceeding before a tribunal, if the lawyer, is authorized by law or order to appear in such proceeding with a lawyer who is admitted to practice in Wyoming; b) legal services provided to the lawyer's employer or its organizational affiliates and are not services for which the forum requires <i>pro hac vice</i> admission; or (c) legal services that the lawyer is authorized to provide by federal law or tribal law of this jurisdiction.</p> <p>Rule 8.5: Disciplinary Authority; Choice of Law Similar to ABA Model Rule 8.5 but uses term "court" instead of "tribunal" and deletes second sentence from Model Rule 8.5(a) and deletes last sentence from (b)(2).</p> <p>3) Not addressed. Have a Rule: Rules of the Supreme Court of Wyoming Providing for the Organization of the Bar Association and Attorneys at Law of the State of Wyoming, Rule 11(b). http://www.courts.state.wy.us/RULES/15Rules_of_the_Supreme_Court_of_Wyoming_Providing_for_the_Organization_and_Government_of_the_Bar_Association_and_Attorneys_at_Law_of_the_State_of_Wyoming.html#Rule_11</p> <p>4) Not addressed. Have a Rule: Wyoming Statute 33-5-110 and Rules 301 to 305 of the Wyoming Rules and Procedures Governing Admission to the Practice of Law. http://courts.state.wy.us/RULES/Rule%20and%20Procedures%20Governing%20Admiss.html</p> <p>5) Not addressed. Do not have a Rule.</p> <p>6) Not addressed. Do not have a Rule.</p>

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