

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2004

IN THE SUPREME COURT
STATE OF WYOMING
FILED

*In the Matter of the Adoption of
Amendments to the Uniform
Rules for District Courts of the
State of Wyoming*

)
)
)
)

OCT 28 2004

Judy Pacheco
JUDY PACHECO, CLERK

**ORDER APPROVING AMENDMENTS TO RULE 104 OF
THE UNIFORM RULES FOR DISTRICT COURTS OF
THE STATE OF WYOMING**

The Wyoming State Bar having recommended to the Court amendments to Rule 104 of the Uniform Rules of the District Courts of the State of Wyoming, attached hereto; and the Court having examined the proposed amendments and deeming the amendments advisable; it is,

ORDERED that the amendments to Rule 104 of the Uniform Rules of the District Courts of the State of Wyoming, attached hereto, be and hereby are adopted by the Court to be effective March 1, 2005; and it is further

ORDERED that the amendments to Rule 104 of the Uniform Rules of the District Courts of the State of Wyoming, attached hereto, shall be published in the advance sheets of the Pacific Reporter, the Wyoming Reporter, and in the Wyoming Court Rules; and that the amendments to Rule 104 of the Uniform Rules of the District Courts of the State of Wyoming shall thereupon be spread at length upon the journal of the Court.

DATED this 28TH day of October, 2004.

BY THE COURT:

William U. Hill

WILLIAM U. HILL

Chief Justice

Uniform Rules for the District Courts of the State of Wyoming

Rule 104. Admission pro hac vice.

- (a) Definitions.
- (1) "Applicant" means a member of the bar of any state, district or territory of the United States applying for admission pro hac vice.
 - (2) "Local counsel" means an active member of the Wyoming State Bar.
 - (3) "Rule 11" means Rule 11 of the Rules Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming.
- (a b) ~~Members of the bar of any other state, district or territory of the United States may All nonresident attorneys, except those nonresidents who already have been admitted to practice in the State of Wyoming, must seek~~ apply for admission pro hac vice. ~~An upon a motion made by an resident~~ active member of the Wyoming State Bar, in compliance with Rule 11, must move a Wyoming trial court to allow the applicant ~~in order~~ to appear in a specific ~~any~~ matter in a Wyoming trial court.
- (b c) Unless otherwise ordered, a motion to appear pro hac vice ~~shall~~ may be granted only if the applicant complies with Rule 11 and associates with local counsel, who must ~~an active resident member of the bar who shall~~ participate in the preparation and trial of the case to the extent required by the court. The applicant must also be a member in good standing of the bar of another jurisdiction ~~state~~.
- (e d) ~~An attorney who applies for admission pro hac vice~~ Applicants consents to the exercise of disciplinary jurisdiction by ~~that~~ the court over any alleged misconduct which occurs during the progress of the case in which the attorney so admitted participates.
- (e) Prior to the filing of any pleadings or other documents, ~~there shall be filed in the clerk's office~~ an entry of appearance and certificate of compliance with Rule 11 must be filed in the clerk's office by local counsel ~~an active resident member of the bar with whom the applicant has become associated. The clerk of court shall not accept any documents for filing from the non resident attorney until resident counsel has filed an entry of appearance.~~
- (f) ~~The resident member of the bar~~ Local counsel will perform the following duties:
- (1) ~~shall~~ move the applicant's admission at the commencement of the first hearing to be held before the court.;
 - (2) ~~The resident attorney shall~~ sign the first pleading filed and ~~shall~~ continue in the case unless another ~~active resident~~ local counsel is substituted.;
 - (3) ~~The resident attorney shall~~ be present in court during all proceedings in connection with the case, unless excused, and ~~shall~~ have full authority to act for and on behalf of the client in all matters, including pretrial conferences, as well as trial or any other hearings.

- (g) Any notice, pleading or other paper shall must be served upon all counsel of record, including ~~resident~~ local counsel, whenever possible, but it shall will be sufficient for purposes of notice if service of any motion, pleading, order, notice, or any other paper is served only upon ~~resident~~ local counsel, who shall will assume responsibility for advising the applicant ~~non-resident-associate~~ of any such service. If the court se orders or the parties stipulate, service of any notice, pleading, or other paper may be made directly upon the applicant ~~nonresident-associate-counsel~~ at the ~~out-of-state~~ business address of the applicant ~~associate-counsel~~.
- (h) For each case in which they are admitted or seek admission pro hac vice, and pursuant to Rule 11, applicants must follow the procedures set out in Rule 11(c).