

FILED

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CAROL G. GREEN  
CLERK APPELLATE COURTS

IN THE SUPREME COURT OF THE STATE OF KANSAS

West & Miss  
Mailed 3-10-05  
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2005 SC 25  
Amended

RULES RELATING TO  
SUPREME COURT, COURT OF APPEALS,  
AND APPELLATE PRACTICE

**New Rule 1.10**  
ADMISSION *PRO HAC VICE* OF OUT-OF-STATE ATTORNEY  
BEFORE THE KANSAS APPELLATE COURTS

Supreme Court Rule 1.10 is hereby enacted, effective July 1, 2005.

(a) Any attorney not admitted to the practice of law in Kansas but who is regularly engaged in the practice of law in another state, territory of the United States, or the District of Columbia, and who is in good standing pursuant to the rules of the highest appellate court in that jurisdiction, may on motion be admitted to practice law in the appellate courts of this state for the purposes of a particular case only, upon showing that he or she has associated an attorney of record in the case who is regularly engaged in the practice of law in Kansas and who is in good standing under all of the applicable rules of the Kansas Supreme Court. The Kansas attorney of record shall be actively engaged in the conduct of the case; shall sign all pleadings, documents, and briefs; and shall be present at oral argument, if scheduled. Service may be had upon the associated Kansas attorney in all matters connected with the case with the same effect as if personally made on the out-of-state attorney within this state.

(b) The A motion filed by the Kansas attorney of record, accompanied by a the out-of-state attorney's verified application, shall be in writing and shall be filed with the clerk of the appellate courts at the time of docketing or, if the motion relates to briefing or oral argument, not later than 15 days before the brief due date or oral argument date. The motion and verified application shall be served on all counsel of record and on the out-of-state attorney's client.

- (c) The out-of-state attorney's verified application shall include:
- (1) a statement identifying the party or parties represented;
  - (2) the name, business address, telephone number, and Kansas attorney registration number of local counsel;
  - (3) the applicant's residence address, business address, and business telephone number;
  - (4) the bar(s) to which the applicant is admitted, the date(s) of admission,

and the applicable attorney registration number(s);

(5) a statement that the applicant is a member in good standing of each bar;

(6) a statement that the applicant has not been the subject of prior public discipline, including but not limited to suspension or disbarment, in any jurisdiction;

(7) a statement that the applicant is not currently the subject of a disciplinary action or investigation in any jurisdiction or, if the applicant is currently the subject of a disciplinary action or investigation, the application shall provide a detailed description of the nature and status of the action or investigation as well as the address of the disciplinary authority in charge; and

(8) the case name, case number, and the court in which the applicant has been granted permission to appear *pro hac vice* in Kansas within the preceding 12 months.

The applicant has a continuing obligation to notify the clerk of the appellate courts if a change occurs in any of the information provided.

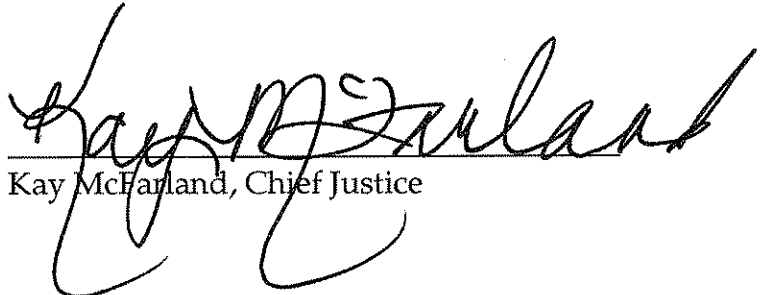
(d) A non-refundable fee of \$100, payable to the clerk of the appellate courts, shall accompany the motion and verified application in each case. An attorney employed by a governmental agency or an attorney who represents an indigent party may move for waiver of the fee for good cause shown.

(e) Any out-of-state attorney admitted pursuant to this rule shall be subject to the order of, and amenable to disciplinary action by, the appellate courts of this state.

(f) A separate motion shall be filed for each case, and the motion may be granted or denied in the discretion of the appellate court. If the motion is denied, reasons shall be stated.

(g) Nothing in this rule shall be construed to prohibit any party from appearing personally before the appellate courts on his or her own behalf.

By order of the Court, this 9<sup>th</sup> day of March 2005.

  
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Kay McFarland, Chief Justice

West + Man  
Mailed 2-17-05  
JL

FILED

2005 SC 25

2005 FEB 17 A 9:34

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(7) a statement that the applicant is not currently the subject of a disciplinary action or investigation in any jurisdiction or, if the applicant is currently the subject of a disciplinary action or investigation, the application shall provide a detailed description of the nature and status of the action or investigation as well as the address of the disciplinary authority in charge; and

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By order of the Court, this 17<sup>th</sup> day of February 2005.

  
Kay McFarland, Chief Justice