

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2019

In the Matter of Amendments to the)
Rules Governing the)
Wyoming State Bar and the)
Authorized Practice of Law)

**ORDER AMENDING RULE 8 OF THE RULES GOVERNING THE
WYOMING STATE BAR AND THE AUTHORIZED PRACTICE OF LAW**

The Officers and Commissioners of the Wyoming State Bar have recommended that the Wyoming Supreme Court amend Rule 8 of the Rules Governing the Wyoming State Bar and the Authorized Practice of Law. That recommendation was made after the proposed amendments were submitted to the members of the Wyoming State Bar for comment. Now, having carefully reviewed the proposed amendments to Rule 8, the Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to Rule 8 of the Rules Governing the Wyoming State Bar and the Authorized Practice of Law, attached hereto, be, and hereby are, adopted by the Court to be effective December 1, 2019; and it is further

ORDERED that this order and the amendments be published in the advance sheets of the Pacific Reporter; the amendments be published in the Wyoming Court Rules Volume; and that this order and the amendments be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments to Rule 8 of the Rules Governing the Wyoming State Bar and the Authorized Practice of Law shall also be recorded in the journal of this Court.

DATED this 4th day of September, 2019.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice

**RULES GOVERNING THE WYOMING STATE BAR
AND THE AUTHORIZED PRACTICE OF LAW**

Rule 8. Pro hac vice admission.

Members of the bar of any other state, district or territory of the United States may be admitted to practice pro hac vice, in compliance with Rule 104 of the Uniform Rules for the District Courts of the State of Wyoming or Rule 19.01 of the Wyoming Rules of Appellate Procedure. This rule also applies to proceedings before administrative tribunals which require admission pro hac vice.

(a) Admission pro hac vice under this rule and any other rule concerning admission pro hac vice is discretionary with the court or administrative tribunal in which the application is made. A ~~judge, hearing officer or person presiding over an administrative hearing or other state tribunal court or administrative tribunal~~ is not obligated to admit an applicant pro hac vice nor is a ~~judge, hearing officer or person presiding over an administrative hearing~~ court or administrative tribunal bound by a prior decision to admit an applicant pro hac vice. Admission pro hac vice may be revoked by the court or administrative tribunal upon its own motion or the motion of a party if, after notice and a hearing, the court or administrative tribunal determines that admission pro hac vice is inappropriate. Admission pro hac vice will be denied or, if granted, will be revoked if the court or administrative tribunal determines that the process is being used to circumvent the ~~normal requirements for the admission of attorneys to the practice of law in this state~~ Rules and Procedures Governing Admission to the Practice of Law in Wyoming.

(b) In determining whether to enter or revoke the order of admission pro hac vice, the court or administrative tribunal may consider any information it considers relevant, including but not limited to whether the applicant:

- (1) is familiar with Wyoming rules of evidence and procedure, including uniform court rules;
- (2) is available to opposing parties;
- (3) has particular familiarity with the legal affairs of the party relevant to the case;
- (4) complies with the rulings and orders of the court;
- (5) has caused delay or been disruptive; and
- (6) has been disciplined in any other jurisdiction within the prior seven years publicly disciplined or placed on disability inactive status, has had pro hac vice admission denied or revoked, or has any pending disciplinary or disability proceeding.

(c) The applicant must submit the following to the Wyoming State Bar for each case in which the applicant seeks pro hac vice admission:

- (1) ~~a~~Application ~~on a form~~ prescribed by the Wyoming State Bar which must include:
 - (A) A statement identifying all jurisdictions in which the applicant has been licensed;
 - (B) A statement identifying by date, case name, and case number all other matters in Wyoming in which the applicant has sought pro hac vice admission in the preceding five years, and whether such admission was granted or denied;
 - (C) A statement identifying all jurisdictions in which the applicant has been publicly or privately disciplined or placed on disability inactive status, in which pro hac vice admission was denied or revoked, or in which the applicant has any pending disciplinary or disability proceeding, including, in any of the three instances described above, the date of the action, the nature of the violation, and the penalty

imposed;

- (D) A statement that the applicant acknowledges he or she is subject to the Wyoming Rules of Professional Conduct, the Wyoming Rules of Civil Procedure, and other court rules, and that the applicant will comply with those rules throughout the pro hac vice admission;
- (E) The name, address, and membership status of a member of the Wyoming State Bar who shall serve as local counsel for purposes of the representation;
- (F) The applicant's certification that all information in the application is complete and accurate, under penalty of perjury; and
- (G) Such other information as the Wyoming State Bar may from time to time request.
- (2) To be eligible for pro hac vice admission in Wyoming, an applicant must be authorized to engage in the active practice of law in another jurisdiction. Each application shall be accompanied by certificate(s) of good standing from the state(s) highest court for each jurisdiction in which the applicant is licensed, dated no more than 30 days prior to the date of the application is received by the Wyoming State Bar, along with the application fee, determined by and payable to the Wyoming State Bar.
- (3) application fee, determined by and payable to, the Wyoming State Bar Incomplete applications will not be accepted.

(d) Upon approval Following review of the application for admission pro hac vice and such investigation as it deems appropriate, the Wyoming State Bar will issue a certificate of compliance with Rule 8 certificate which shall include all information relevant to the court or administrative tribunal's determination of whether the applicant should be admitted pro hac vice. This The Rule 8 certificate must be filed in the court or administrative tribunal along with the motion of the local counsel to admit the applicant pro hac vice and entry of appearance of local counsel.

(e) Local counsel will perform all duties and satisfy all requirements set forth in Rule 104 of the Uniform Rules for the District Courts of the State of Wyoming or Rule 19.01 of the Wyoming Rules of Appellate Procedure. Local counsel shall be deemed to have ratified all conduct of pro hac vice counsel and shall be responsible for pro hac vice counsel's violation of the Rules of Professional conduct. See Rule 5.1, W.R.Prof.Cond.

(f) An attorney admitted pro hac vice shall comply with and is subject to Wyoming statutes, rules of the Wyoming Supreme Court, including but not limited to, the Rules of Professional Conduct, the ~~Disciplinary Code for the Wyoming State Bar~~ Rules of Disciplinary Procedure, these rules and the rules of the court, ~~tribunal or agency~~ or administrative tribunal in which the attorney appears.

(g) This rule does not apply to an employee of the Justice Department who is appearing solely on behalf of the United States so long as 28 U.S.C. §§ 515-519, 28 U.S.C. § 530B or similar laws are in force.
