

Rule 1.10

ADMISSION PRO HAC VICE OF OUT-OF-STATE ATTORNEY BEFORE THE KANSAS APPELLATE COURTS

- (a) **Eligibility for Admission Pro Hac Vice.** An attorney not admitted to practice law in Kansas may be admitted on motion to practice law in a Kansas appellate court—for a particular case only—if the attorney:
 - (1) is regularly engaged in practicing law in another state, United States territory, or the District of Columbia;
 - (2) is in good standing under the rules of the highest appellate court in that jurisdiction; and
 - (3) shows association with an attorney of record in the case who:
 - (A) is regularly engaged in practicing law in Kansas; and
 - (B) is in good standing under the Kansas Supreme Court Rules.
- (b) **Kansas Attorney's Duties.** The Kansas attorney of record under subsection (a) must:
 - (1) be actively engaged in the case;
 - (2) sign all pleadings, documents, and briefs; and
 - (3) be present at a prehearing conference or oral argument, if scheduled.
- (c) **Service.** Service of a paper in a case on the Kansas attorney of record under subsection (a) has the same effect as if personally served on the attorney admitted pro hac vice.
- (d) **Pro Hac Vice Motion.** A separate motion for admission pro hac vice must be filed for each case.
 - (1) **Requirements.** The motion must be:
 - (A) filed by the Kansas attorney of record;
 - (B) accompanied by the out-of-state attorney's verified application, complying with subsection (e);
 - (C) filed with the clerk of the appellate courts when the case is docketed or, if the motion relates to briefing or oral argument, no later than 15 days before the brief due date or oral argument date; and
 - (D) served on all parties and on the out-of-state attorney's client.
 - (2) **Denial of Motion.** If the court denies the motion, it must state reasons for the denial.
- (e) **Verified Application.**
 - (1) **Contents.** An out-of-state attorney's verified application for admission pro hac vice must include:
 - (A) a statement identifying the party or parties represented;

- (B) the name, business address, telephone number, fax number, e-mail address, and Kansas attorney registration number of the Kansas attorney of record;
 - (C) the applicant's residence address and business address, telephone number, fax number, and e-mail address;
 - (D) the bar(s) to which the applicant is admitted, the date(s) of admission, and the applicable attorney registration number(s);
 - (E) a statement that the applicant is a member in good standing of each bar;
 - (F) a statement that the applicant has not been the subject of prior public discipline, including suspension or disbarment, in any jurisdiction;
 - (G) 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 must provide a detailed description of the nature and status of the action or investigation and the address of the disciplinary authority in charge; and
 - (H) if applicable, 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.
- (2) **Obligation to Report Changes.** The applicant has a continuing obligation to notify the clerk of the appellate courts if a change occurs in any of the information provided in the application.
- (f) **Fee.** A non-refundable fee of \$100, payable to the clerk of the appellate courts, must accompany a motion for admission pro hac vice in each case. An attorney representing the government or an indigent party may move—for good cause—for waiver of the fee.
 - (g) **Consent to Disciplinary Jurisdiction.** By applying for admission pro hac vice under this rule, an out-of-state attorney consents to the exercise of disciplinary jurisdiction by the Kansas appellate courts.
 - (h) **Appearance Pro Se.** This rule does not prohibit a party from appearing before an appellate court on the party's own behalf.
- [History:** New rule effective July 1, 2005; Restyled rule and amended effective July 1, 2012.]