

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 11th day of February 2010, the following order was made and entered:

RE: Amendment to Rule 8.0 of the West Virginia Rules of Admission to the Practice of Law

On a former day, to wit, November 24, 2009 the Court published for comment the proposed amendments to the Rules for Admission to the Practice of Law, Rule 8.0, increasing the fee from \$250.00 to \$350.00 for each individual applicant in each individual pro hac vice admission. Comments were filed by David Burton, Esq., Burton Kilgore & Lazenby, P.L.L.C. and Karn Kahle, Esq., Steptoe & Johnson, PLLC.

On this day came the Court, on its own motion and proceeded to consider the proposed amendment, after review of the comments filed. Upon consideration whereof, the Court is of opinion to and does hereby adopt the following rule with said amendment, effective July 1, 2010. Deletions are indicated by strikethroughs and insertions are indicated by underscoring, to read as follows:

“Rule 8.0 Admission pro hac vice.

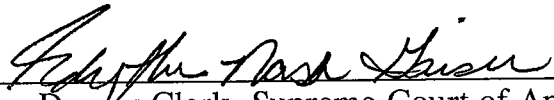
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(b) *Admission process.* – Before such privilege of appearance is granted, the applicant shall provide to the judge, tribunal or other body before which the applicant desires to appear, as well as to The West Virginia State Bar, a verified statement of application for pro hac vice admission listing (1) the action, suit, proceeding or other matter which is the subject of the application; (2) the name, address and telephone number of the registration or disciplinary agency of all state courts, the District of Columbia or of the country in which such person is admitted; (3) the name and address of the member of The West Virginia State Bar who will be a responsible local attorney in the matter; (4) all matters before West Virginia tribunals or bodies in which such person is or has been involved in the preceding 24 months; (5) all matters before West Virginia tribunals or bodies in which any member of the petitioner's firm, partnership, corporation or other operating entity is or has been involved in the preceding 24 months; (6) a representation by the applicant for each State, the District of Columbia or any other country where said

applicant has been admitted to practice, stating whether the applicant is in good standing with the bar of every such jurisdiction and that he or she has not been disciplined in any such jurisdiction within the preceding 24 months; (7) an agreement to comply with all laws, rules and regulations of West Virginia state and local governments, where applicable, including taxing authorities and any standards for pro bono civil and criminal indigent defense legal services. A fee of ~~two-hundred fifty dollars (\$250)~~ three-hundred fifty dollars (\$350) shall be paid to The West Virginia State Bar for each individual applicant in each individual pro hac vice admission. The fee shall accompany the verified statement of application for pro hac vice admission which is sent to The West Virginia State Bar, and the applicant's motion for pro hac vice admission shall include a verified statement that the fee of ~~two-hundred~~ three-hundred fifty dollars has been paid to The West Virginia State Bar. Separate pro hac vice admission shall be required in every case in which the applicant seeks to act as counsel. For purposes of this rule, each civil action with a case number shall constitute a single case.”

A True Copy

Attest:


Deputy Clerk, Supreme Court of Appeals

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 11th day of February, 2010, the following order was made and entered:

**RE: APPROVAL OF AMENDMENT TO WEST VIRGINIA TRIAL COURT
RULE 4.02.**

On this day, to-wit, February 11, 2010, after expiration of the comment period, the Court adopted an amendment to Rule 8.0 of the West Virginia Rules for Admission to the Practice of Law, increasing the fee to be paid to the West Virginia State Bar for each individual applicant in each individual pro hac vice admission.

On this day came the Court, on its own motion, and proceeded to consider the proposed amendment to West Virginia Trial Court Rule 4.02. Upon consideration whereof, the Court is of the opinion to and does hereby approve and adopt the proposed amendment to read as follows, insertions are indicated by underscoring, deletions by strikethrough.

"4.02 Visiting Attorneys; Pro Hac Vice Admission.

Any person who has not been admitted to practice before the Supreme Court of Appeals of West Virginia, but who is a member in good standing of the bar of the Supreme Court of the United States, the bar of the highest court of any other state in the United States, or the bar of the District of Columbia (which bar shall extend like privileges to members of The West Virginia State Bar), shall be permitted to appear pro hac vice as a visiting attorney in a particular case, in association with a person admitted to practice before the Supreme Court of Appeals of West Virginia and in good standing as a member of its bar, in accordance with Rule 8.0 of the Rules for Admission to the Practice of Law and as herein provided. In addition to the other requirements of Rule 8.0 of the Rules for Admission to the Practice of Law, the verified statement of application shall contain an explicit statement that notice has been sent and the ~~\$250~~ 350 fee has been paid to The West Virginia State Bar."

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A True Copy

Attest: *Edythe Nash Heiser*
Deputy Clerk, Supreme Court of Appeals