

### **Proposed Rule 3:15**

#### Rule 3:15. *PRO HAC VICE* REGISTRATION FEE

1. Out-of-state attorneys who seek to be admitted *pro hac vice* pursuant to the practices of a Massachusetts court shall pay a non-refundable *pro hac vice* registration fee of \$300 per case to the Board of Bar Overseers (Board), except when the out-of-state attorney is providing *pro bono publico* legal assistance to an indigent client. For purposes of this Rule, a case shall include the appeal of a case. Only individual lawyers, not law firms, may seek such admission.

A. Payment may be made by check, money order or online pursuant to policies to be established by the Board.

B. Payment will be accompanied by a form to be proscribed by the Board including at least the following information:

(1) The name, business address, telephone number, email address and attorney license number and states in which the attorney is licensed;

(2) The court in which the application for *pro hac vice* admission is to be sought, the name of the party to be represented, and the docket number if it is known; .  
and

(3) a statement, made under the pains and penalties of perjury, that the attorney is admitted to practice and in good standing in every jurisdiction where the attorney is admitted, and an acknowledgment that the attorney is subject to discipline by the Supreme Judicial Court.

C. Within seven days of receipt of a *pro hac vice* registration fee the Board will send an acknowledgment to the attorney seeking admission.

D. Attorneys who are exempt from paying a registration fee because they will provide *pro bono publico* legal assistance to an indigent client must complete and submit to the Board the form required by paragraph B, along with a statement that they will be providing services *pro bono* to an indigent client .

2. Applications to a court for admission *pro hac vice* shall be on motion of a member of the bar of the Commonwealth of Massachusetts and must aver that the admission fee required by Rule 3:15 has been paid or include, as an attachment, a copy of the Board acknowledgment. Attorneys who are exempt from paying a registration fee because they will provide *pro bono publico* legal assistance to an indigent client must aver that they will provide such assistance.

3. The Board may retain a portion of each *pro hac vice* registration fee to cover its costs in administering the fee and will pay the balance to the IOLTA Committee on a quarterly basis. The IOLTA Committee shall disburse the fees in the same manner as other IOLTA funds are

disbursed in accordance with Rule 1.15(g)(4) and (5) of Rule 3:07, Supreme Judicial Court Rules of Professional Conduct.