PROPOSAL

PROPOSED AMENDMENT TO
THE RULES CONCERNING THE STATE BAR OF MICHIGAN

(Pro Hac Vice – Temporary Permission to Appear)

It is proposed that a new rule (Rule 18) be added to the Rules Concerning the State Bar of Michigan, to set forth the conditions under which out-of-state attorneys may temporarily provide legal services in Michigan, without being admitted as a member of the Bar. The new rule implements the policy contained in proposed Michigan Rule of Professional Conduct 5.5, which the Representative Assembly approved in November of 2003. Additional details provided in Memo with Proposed Criteria and Draft Rule. (Exhibit A.)

STATE BAR OF MICHIGAN POSITION
By vote of the Representative Assembly on April 16, 2005

Should a new rule be added to the Rules Concerning the State Bar of Michigan governing *pro hac vice* practice and granting jurisdiction over out-of-state attorneys, to the Attorney Grievance Commission and Attorney Discipline Board?

(a). Yes
(b). No

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Should the new rule specifically incorporate a provision requiring the out of state attorneys to affiliate with an active member of the State Bar of Michigan who appears of record in the proceeding in which the out-of-state attorney is seeking *pro hac vice* permission to appear?

(a). Yes
(b). No

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Should the new rule specifically incorporate a provision defining temporary practice for out-of-state attorneys as "no more than three separate representations within a 365 day period?"

(a). Yes
(b). No.

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Should the new rule require a fee to be paid by out-of-state attorneys to cover the administrative costs incurred by the State Bar of Michigan to monitor compliance?

(a). Yes
(b). No