

PRO HAC VICE ATTORNEYS  
FREQUENTLY ASKED QUESTIONS

1. What are the new *pro hac vice* procedures and fee as established by the new Rule 3:15?

The only substantive change to current court procedures is that a per-case *pro hac vice* fee is added. The fees received will be paid to the IOLTA Committee. The rule continues current practice: a motion for admission *pro hac vice* shall be made by a member of the bar and ruled on in the discretion of the court in which the motion is filed. Only individual lawyers, not law firms, may seek such admission.

The *pro hac vice* fee must be paid to the BBO before petition for *pro hac vice* admission is moved at the appropriate court. The Board will register a record of your payment of the fee and send you a document within seven days verifying that the fee has been paid. The motion for admission must aver that the fee was paid to the Board or include, as an attachment, a copy of the Board acknowledgement. Contact the individual court for other requirements as to the motion.

The *pro hac vice* rule is effective for all *pro hac vice* motions filed 9/4/2012 or later.

2. How much is the fee?

The fee is \$355 per case for attorneys who seek *pro hac vice* admission in the Superior Court, Land Court, or any appellate court (not including the Appellate Division of the District Court or of the Boston Municipal Court).

The fee is \$101 per case for attorneys who seek *pro hac vice* admission to any other court.

Please note that, for purposes of this rule, a case shall include an appeal. However, where an attorney has paid the appropriate fee of \$355 or \$101 and the case is removed, transferred, appealed or further appellate review is sought, no additional fee need be paid.

3. If I want to appear *pro hac vice* in a consolidated case, how many filings and fees must I provide to the board's registration department?

In cases that have been consolidated for all purposes and that are, in a practical sense, one case moving forward, counsel seeking to appear *pro hac vice* need file only one form and pay one fee, but should provide all known case captions and docket numbers to permit the board to provide an appropriate acknowledgement to support the motion for admission *pro hac vice*, pursuant to SJC Rule 3:15(1)(C) and (2).

4. How do I pay the fee or affirm that I am exempt?

You must fill out a form available on this website starting 9/4/2012, the start day for the rule, then print and sign it, and send it with your check or money order for the fee, to the address provided on the form. **ONLY THIS FORM, FILLED OUT ON THE WEBSITE, WILL BE ACCEPTED.** Handwritten, annotated, scanned, or otherwise modified forms will be returned. Online payment is not available at this time.

The *pro hac vice* fee is waived for admissions to provide *pro bono* services to an indigent client. In these cases, you must file with the BBO the form described below, and certify on the form that you will be providing *pro bono* services for an indigent client.

5. Is the fee refundable if my application is rejected, or never moved?

No.

6. Must I notify the Board if my application is rejected, or when my involvement in the case is complete?

No. The Board's role is simply to collect the fee for each application and distribute it to the IOLTA Committee. All other aspects of *pro hac vice* admission are controlled, as before, by the individual courts.

7. Will I receive a bar card?

No. As prior to rule 3:15, all *pro hac vice* admissions are granted and controlled by the particular court to which you have applied. Bar cards are only provided to attorneys registered as active in Massachusetts.