

WDMO Local Rule 83.5
(Provisions dealing with fees only)

83.5 BAR ADMISSION

- (d) **Procedure for Admission and Admission Fee.** Each applicant for admission shall file with the Clerk a written petition in form provided by the Clerk, setting forth name, age, and office address; the date the applicant was admitted to practice by the Supreme Court of the State of Missouri or the United States District Court for the District of Kansas, and that applicant is not in default in payment of any fee required by the Rules of the Missouri Supreme Court or the United States District Court for the District of Kansas, for the then current year. The petition shall be accompanied by the certificate of two members of this Bar, of at least five years' good standing, stating when they were admitted to this Bar, and what they know of the applicant's character and experience at the Bar. The Clerk will examine the petition and certification and, if in compliance with this Rule, the petition will be presented to a judge. The applicant will make suitable arrangement thereafter with the Court for appearance and admission in open court. When a petition is called in open court, one of the members of this Bar shall move the admission of the petitioner. If admitted, the applicant shall, in open court, take the following oath:

"I do solemnly swear (or affirm) that:

I will support the Constitution of the United States and the Constitution of the State of Missouri. I will maintain the respect due to Courts of Justice and judicial officers.

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land.

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law.

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with my client's business except from my client or with my client's knowledge and approval.

I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged.

I will never reject from any consideration personal to myself the cause of the defenseless or oppressed, or delay any person's cause for lucre or malice.

SO HELP ME GOD !"

After taking the oath, the attorney shall sign the Roll of Attorneys ~~and pay to the Clerk the fee as posted in the Clerk's Office.~~ As part of the admissions procedure, the applicant shall also remit the admission fee prescribed by the Judicial Conference of the United States plus an additional fee of \$14.00 as prescribed by this Court. The total amount of the attorney admission fee shall be posted on the Court's website.

- (f) **Annual Fee.** Every attorney admitted to practice in the Western District of Missouri shall pay an annual fee as set from time to time by the Court en banc, but not to exceed ~~\$2040.00~~. This fee shall be paid in the manner designated by the Clerk of Court. (A reinstatement fee of ~~\$10050.00~~ will be required for all fees received after March 31st.)
- (g) **Failure to Comply.** Failure to pay the Annual Fee (Local Rule 83.5(f)) will result in loss of the right to practice before this Court by placing the subject attorney on inactive status and disabling the attorney's CM/ECF password if applicable.
- (h) **Bar Fund.** The fund created by the fees hereinabove required shall be kept by the Clerk in a separate account, and shall be disbursed by the Clerk under the direction and order of the Court en banc.
- (j) **Inactive Status.** If a member of this Bar desires to become inactive in the practice of law before this Court, said member shall submit a request, in writing, to the Clerk of this Court. Members will also be deemed inactive automatically upon failure to pay any annual fees required hereunder.

If a member of this Bar has been granted or placed on inactive status and desires to be reinstated to active status, said member shall submit a request electronically or in writing accompanied by a payment of ~~\$10050.00~~, to the Clerk of this Court. Upon receipt of notification of reinstatement the attorney may again practice in this Court, and will be expected to comply with Local Rule 83.5(f).

- (l) **Visiting Attorneys: Permission to Appear in a Particular Case.** Any attorney not a member of this Bar, but who is a member in good standing of the bar of any court of record, may be permitted to appear and participate in a particular case, civil or criminal, under the following conditions:

Any attorney residing outside of this district and admitted to practice before and then in good standing in the United States District Court in the district of residence, may, upon written motion, be permitted by this Court to appear and participate as an attorney in the trial of any action or the hearing of any motion, petition or other proceeding then pending before this Court, but only if the attorney associates with an active Missouri resident member in good standing of this Bar who shall participate in the preparation and trial of the case or presentation of the matter involved and on whom service of all papers may be made. An attorney seeking admission to practice pursuant to this provision shall

file a Petition for Admission *Pro Hac Vice*, on a form supplied by the Clerk of Court (set forth on Appendix "A" to this Rule), accompanied by payment of the sum of \$~~10050~~.00. The Clerk of Court shall maintain a roll of attorneys so admitted. The Clerk of Court shall not accept for filing papers which do not contain the name of an attorney admitted to practice before this Court.

Unless the statement, *supra*, is filed with the initial pleading, or within 14 days thereafter, the Court, upon motion or on its own motion, may dismiss the action commenced in violation of this Rule. Upon compliance with the foregoing and introduction of the visiting attorney to the Court, the sponsoring attorney may be excused from further attendance and the visiting attorney will be permitted to appear for the purpose of the particular case, without enrollment. After being so excused from attendance, however, the sponsoring attorney shall retain all of the responsibilities of a counsel of record and shall continue to accept service of papers and to serve as a point of contact or communication between the Court and the party represented by the sponsoring attorney.

- (m) **Attorneys Specially Admitted.** Whenever an attorney applies to be admitted or is admitted to this Court for purposes of a particular proceeding (*pro hac vice*), the attorney shall be deemed thereby to have conferred disciplinary jurisdiction upon this Court for any alleged misconduct of that attorney arising in the course of or in the preparation for such proceeding.
- (n) **Government Attorneys and Federal Public Defenders.** Any attorney representing the United States Government, or any agency thereof, or employed by the Office of the Federal Public Defender, may appear and participate in particular cases in the attorney's official capacity without petition for admission. If the Government Attorney is not a resident of this District, the attorney shall designate the United States Attorney or the Assistant United States Attorney for this District, for the purpose of receiving service of all notices or papers in said action. Service of notice upon the designated District Attorney, or an Assistant, shall constitute service upon such non-resident Government Attorney.
- (o) **Withdrawal of Counsel and Entry of Appearance of New Counsel.** Counsel may not be relieved from further representation of a client without obtaining leave of Court. Such leave will ordinarily be denied unless entry of appearance by substitute counsel is assured or has occurred.
- (p) **A Certificate of Good Standing** attests to an attorney's admission to practice and current status of good standing before the bar. "Good Standing" indicates that the attorney is not currently suspended or disbarred, has registered timely with the Clerk's Office, and is current with payment of the \$~~2040~~.00 annual fee.

The fee for a Certificate of Good Standing is \$18.00, and is payable to the Clerk, U.S. District Court. A request for a certificate shall be submitted electronically or mailed to the Clerk's Office and should include the fee. Non-electronic requests shall be in writing and shall contain the following information: (1) name and bar number of the attorney for whom the certificate is requested; and (2) name and mailing address of the requesting party.