

83.5 BAR ADMISSION

- (a) **Roll of Attorneys.** The Bar of this District consists of those attorneys admitted to appear and practice before the District. Except as otherwise provided in this Rule, only members of the Bar of this District, attorneys admitted pro hac vice, and individuals representing themselves may appear or practice before this District.
- (b) **Eligibility and Qualifications.** An attorney is eligible for admission to the Bar of this District if he or she is a member in good standing of either the Missouri Bar or the Bar of the United States District Court for the District of Kansas.
- (c) **Procedure for Admission.**
 - 1. **Admission Materials.** To apply for admission, an eligible attorney must submit to the Clerk, on the forms provided by the Clerk:
 - A. A written petition setting forth: the applicant's name, age, and office address; the date the applicant was admitted to practice by the Supreme Court of Missouri or the United States District Court for the District of Kansas; an attestation that applicant is not in default in payment of any fee required by the Rules of the Supreme Court of Missouri or the United States District Court for the District of Kansas;
 - B. Two certificates, each signed by a member of this Bar who has 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. If the applicant has passed the Missouri Bar Examination and been admitted to the Missouri Bar in the current calendar year, then the applicant may instead submit a form indicating, unless the Court en banc orders otherwise, that he or she does currently, or intends to:
 - i. Maintain a law office:
 - ii. Associate with, or be employed by, an attorney admitted to this Bar; or
 - iii. Serve as a law clerk to any state or federal judge.
 - C. The appropriate admission fee as set by the Court en banc; and
 - D. A completed registration form for the District's Case Management/Electronic Case Files system.
 - 2. **Notification of Ceremony.** If the submitted materials comply with Rule 83.5(c)(1), the Clerk must notify the applicant of a date and time for the admission ceremony.

3. **Procedure at Ceremony.** The applicant must attend the admission ceremony. When his or her petition is called in open court, a member of this Bar must move the admission of the applicant. If admitted, the applicant must, in open court, take an oath in the form prescribed by the Court en banc and provided by the Clerk. The Clerk must enter the attorney's name into the rolls and the Case Management/Electronic Case Files system. The applicant is now a member of the Bar of the District.

(d) **Annual Fee.**

1. **Annual Fee Required.** Every member of this Bar must pay an annual fee as set by the Court en banc. This fee must be paid in the manner designated by the Clerk. The Clerk may establish a deadline for these payments. If a fee is received after the deadline, the Clerk may assess a reinstatement fee.
2. **Failure to Comply.** If an attorney fails to pay the annual fee, the Clerk must place the attorney on inactive status and disable the attorney's Case Management/Electronic Case Files account, if applicable. While on inactive status, the attorney may not appear or practice before the District.
3. **Bar Fund.** The Clerk must maintain the collected annual fees in a separate account, and disburse these fees under the direction of the Court en banc.

(e) **Disciplinary Registration Fees.**

1. **Disciplinary Registration Fees Required.** Upon admission, every member of this Bar must pay the Clerk an initial disciplinary registration fee, in an amount set by the Court en banc. The Clerk must maintain these fees in a separate account, as trustee, for the payment of expenditures incurred for the payment of costs incurred in the disciplinary administration and enforcement under Rule 83.6.
2. **Payment of Disciplinary Registration Fee to Another Court.** If an attorney demonstrates that he or she has paid a disciplinary registration fee in another court of the United States pursuant to that court's adoption of disciplinary rules similar to this local rule, then the attorney need not pay the registration fee required under Rule 83.5(d).

(f) **Inactive Status.**

1. **Process.** Any member of this Bar who desires to become inactive in the practice of law before the District may advise the Clerk, in writing, that the attorney desires to assume inactive status. Members also become inactive automatically upon failure to pay any annual fees.
2. **Effect.** Upon the filing of a notice to assume inactive status, or upon the nonpayment of annual fees, the attorney may not appear or practice before the District and is no longer required to pay the annual fees.

3. **Reinstatement.** If a member of this Bar has been placed on inactive status and desires to be reinstated to active status, the attorney must submit a request through the Case Management/Electronic Case Filing system and pay the required fee electronically. Once the Clerk accepts this request, the attorney is again a member of this Bar.
- (g) **Local Counsel.** If an attorney appearing in a case maintains his or her office a great distance from the courthouse of the division assigned to the case, then the Court may require the attorney to retain a local attorney who is also a member in good standing of this Bar and who can be available for unscheduled meetings and hearings.
- (h) **Pro Hac Vice Admission.** Any attorney who is not a member of this Bar may nonetheless appear and practice in a particular case if admitted pro hac vice.
1. **Eligibility.** The attorney seeking pro hac vice admission must:
 - A. Reside outside the District;
 - B. Be admitted to practice in any United States District Court; and
 - C. Be a member in good standing in all bars of which he or she is a member.
 2. **Limited Initial Appearance before Application.** An attorney that is not a member of this Bar may appear in a case, but must comply with Rule 83.5(h)(3) within 14 days after entering the appearance. If the attorney fails to do so, then the Court, upon motion or sua sponte, may remove the attorney from the case.
 3. **Procedures for Admission.** The applicant must:
 - A. Associate with an active member in good standing of this Bar;
 - B. File a written Petition for Admission *Pro Hac Vice* via the Case Management/Electronic Case Files system;
 - C. Submit an admission fee in an amount set by the Court en banc; and
 - D. Submit the disciplinary registration fee under Rule 83.5(e).
 4. **Admission.** If the submitted materials comply with Rule 83.5(h)(3), the Clerk must enter the applicant's name into the rolls and notify the applicant. The applicant may then participate as an attorney in the specified case only.
 5. **Role of Sponsoring Attorney.** As soon as the visiting attorney complies with the foregoing and enters an appearance, the Court may excuse the Rule 83.5(h)(3)(A) attorney from further attendance in the case. Even if such attorney is so excused from attendance, he or she retains all of the responsibilities of an attorney of record and must continue to accept service of papers and to serve as a point of contact or communication between the Court and the party he or she represents.

6. **Discipline.** Whenever an attorney applies for pro hac vice admission, the attorney thereby consents to disciplinary jurisdiction by this District for any alleged misconduct of that attorney arising in the course of or in the preparation for such proceeding.
- (i) **Government Attorneys and Federal Public Defenders.** An attorney who is not a member of this Bar may nonetheless practice in a particular case in the attorney's official capacity if he or she represents the United States, any of its agencies, or the Office of the Federal Public Defender, and completes a Petition for Admission of a Government Attorney. If the attorney represents the United States and does not reside within the District, the attorney must designate the United States Attorney or an Assistant United States Attorney for this District to receive service. Service of notice upon such designated attorney constitutes service upon the non-resident Government attorney.
- (j) **Certificates of Good Standing.** A Certificate of Good Standing issued by this District attests that a particular attorney is admitted to this Bar, is not currently suspended or disbarred, has registered timely with the Clerk, and is current with payment of the annual fee. To obtain a Certificate of Good Standing, a person must make a request in writing via the Case Management/Electronic Case Filing system and submit a fee to the Clerk in an amount set by the Court en banc.
- (k) **Duty to Report Contact Information.** An attorney admitted to practice under this Rule has a continuing duty to promptly notify the Clerk of any change of name, business address, telephone number, or e-mail address. An attorney may do so through the Case Management/Electronic Case Filing system.