

IN THE DISTRICT COURT OF TETON COUNTY, WYOMING

NINTH JUDICIAL DISTRICT

*)	
)	Civil Action No. *
Plaintiff,)	
)	ORDER ADMITTING ATTORNEY
vs.)	PRO HAC VICE
)	
*)	
)	
Defendant.)	

[N]o court is justified in permitting an appearance before it by persons outside its jurisdiction and control or unaccountable for acts committed in processes before that court. . . *Brown v. Riner*, 496 P.2d 907, 908 (Wyo. 1972).

While [Wyo. Stat. §33-5-111 (2009)], provides that out-of-state counsel may be admitted for the purposes of a particular case, such non-resident practitioner must have associated with him an active member of the Wyoming State Bar. . . . The function of local counsel is something more than a matter of form or protocol; it is not intended that he be only a figurehead. It is expected that he take an active part in the representation of the client concerned and be available to share responsibility as well as actively participate in the case at hand, in the absence of out-of-state counsel. *Dorador v. State*, 573 P.2d 839, 841 (Wyo. 1978).

Local counsel will perform all duties and satisfy all requirements set forth in Rule 104 of the Uniform Rules for the District Courts of the State of Wyoming or Rule 19.01 of the Wyoming Rules of Appellate Procedure. . . . An attorney admitted pro hac vice shall comply with and is subject to Wyoming statutes, rules of the Wyoming Supreme Court, including but not limited to, the Rules of Professional Conduct, the Disciplinary Code for the Wyoming State Bar, the Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming, and the rules of the court, tribunal or agency in which the attorney appears. Rules 11(C)(5) & (6). *Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming*.

Accordingly, the Motion of * to admit *, a non-resident attorney, to practice before this Court for purposes of this case is granted, subject to the following terms and conditions:

1. Resident counsel shall actively participate in all aspects of this case.
2. Resident counsel shall review, and by his signature approve, all pleadings or other papers filed in this case.
3. Resident counsel shall appear at all hearings conducted by the Court.

4. Resident counsel shall be directly responsible, and accountable, for all acts committed in processes before the Court.

5. Resident counsel shall have direct access to, and shall maintain communication with, his client.

6. Resident counsel may be held jointly responsible by the Court for making all legal or tactical decisions in this case.

7. In the event resident counsel fails to discharge the responsibilities set forth above, or in the event resident counsel is prevented, or not allowed to discharge such obligations, then this Order shall be rescinded and vacated.

8. Out-of-state counsel is reminded that (s)he is appearing in this case pro hac vice with permission of this Court. He/She is to conduct himself in this case in a manner consistent with the practice of law in the state of Wyoming. If the conduct of counsel falls below that standard, his admission pro hac vice will be revoked by this Court.

9. The following rules shall be observed by all counsel in this case:

a. In fulfilling his or her primary duty to the client, each lawyer shall be conscious of the broader duty to the judicial system that serves both attorney and client.

b. Each lawyer shall extend to opposing counsel courtesy and cooperation, the observance of which is necessary for the efficient administration of our system of justice and the respect of the public it serves.

c. Each lawyer owes to the administration of justice the fundamental duties of courtesy, civility and professional integrity, which they shall extend to each other, the litigants, and the Court in this matter.

d. No lawyer shall use any form of discovery, or the scheduling of discovery, as a means of harassing opposing counsel or counsel's client.

e. The lawyers shall be punctual in communications with each other and in honoring scheduled appearances.

f. If a lawyer makes a just request for cooperation or seeks scheduling accommodations, the other lawyer shall not arbitrarily or unreasonably withhold consent.

g. Counsel shall cooperate with opposing counsel in all respects not clearly inconsistent with the client's interest, specifically including scheduling and discovery matters, extensions of time, continuances, adjournments and admissions of fact.

h. Counsel shall scrupulously observe all mutual understandings and strictly adhere to all express promises and agreements with other lawyers and shall adhere in good faith to all agreements implied by circumstances or custom.

DATED this * day of *, 2015.

Timothy C. Day
District Judge