

***(r) Revocation of Limited License.** A limited license as a legal intern is granted at the sufferance of the Supreme Court and may be revoked at any time by the Supreme Court upon the Court's own motion, upon motion of the supervising attorney or the Board of Commissioners of the Idaho State Bar, or upon motion of the legal intern and the surrender of his or her limited license. The Supreme Court may rule upon such motion ex parte, without hearing and without notice to any party and with or without stated cause.

***(s) Cessation of Activity as Legal Intern.** An intern shall cease immediately performing any services under this Rule and shall cease holding himself or herself out as a legal intern:

- (1) upon the cessation of any of the conditions upon which the license was issued;
- (2) upon termination for any reason of said intern's limited license under this rule;
- (3) upon the resignation of the intern's supervising attorney;
- (4) upon the suspension or termination by the Board of Commissioners of the Idaho State Bar of the supervising attorney's status as a supervising attorney; or
- (5) upon the withdrawal of approval of the intern pursuant to this Rule.

***(t) Termination of Rule for Intern Limited License.** The effectiveness of this Rule for intern limited license shall be terminated when ordered by the Supreme Court of the State of Idaho.

**(Sections (o)-(t) amended 6-15-01 - Effective 7-1-01)*

***RULE 222. Limited Admission/Pro Hac Vice**

***(a)** Except as otherwise provided in these Rules, only an active member of the Idaho State Bar may enter appearances for a party, sign stipulations or receive payment or enter satisfaction of judgment, decree, or order.

***(b)** Any active member in good standing of the bar of the highest court of any State or any Territory or Insular possession of the United States, who has been retained to appear in the courts of this state, who is not a member of the Idaho State Bar or a resident of the State of Idaho, and who currently maintains an ongoing law practice with offices located in another jurisdiction, may be permitted, after motion to the affected court and without previous notice, to appear and participate in a particular case, subject to any limitations imposed by any jurisdiction of which the applicant is a member of the bar, and subject to the limitations set forth below.

**(Sections (a), & (b) amended 3-1-88)*

***(c)** An applicant for limited admission shall designate, in his or her motion to so appear, an active member of the Idaho State Bar with whom the court and opposing counsel may readily communicate regarding the conduct of the case. He or she shall also include with such motion the address, telephone number and written consent of such designee and shall include reference to the Bar of which he/she is a member.

**(Section (c) amended 3-1-88; and amended 5-28-02 - effective 7-1-02)*

(d) Since permission to appear is limited, no certificate of admission shall be issued by the court.

(e) The lawyer designated as local counsel shall personally appear with the limited admittee on all matters tried and heard before the court, unless the trial judge specifically excuses local counsel from attendance.

(f) By his or her application, an attorney who applies for limited admission consents to the exercise of disciplinary jurisdiction by the court and the Idaho State Bar over any alleged misconduct which occurs during the progress of the case in which the attorney so admitted participates.

***(g)** Any attorney seeking or granted limited admission shall state, upon any court filing on which the attorney's name appears, his or her current office address in the jurisdiction where the attorney is an active member.

***(h)** "Active member" means any person who is not a judge and who is licensed to practice law before the highest court of any State, or any Territory or Insular possession or the United States, and who is engaged in the active practice of law in that jurisdiction.

**(Sections (g) & (h) added 3-1-88)*

***(i)** The Idaho State Bar shall maintain a record of all limited admission applications as a public record, and shall promptly provide such record, upon request, to any judge seeking to know whether the applicant has previously sought limited admission.

***(j)** Each application for limited admission shall be by written motion. The original shall be filed with the trial court, with copies to be served on all parties to the action. A copy of the motion shall be submitted to the Idaho State Bar, accompanied by a \$200 fee in each case. Local counsel shall be jointly responsible for payment of the fee.

***(k)** This rule does not quantify the number of limited admissions that may be granted to an individual, except for any lawyer applying by virtue of

active membership in a jurisdiction that limits the number of limited admissions of Idaho lawyers. For those lawyers, there shall be a reciprocal limitation on the number of admissions.

***(l)** The application shall be in substantially the following form:

Local Counsel
Office Address
Business Phone
Bar Number
Applying Counsel
Out of State Office Address
Business Phone
IN THE _____ COURT OF THE STATE OF IDAHO

Case Caption _____ Case # _____

Motion for Limited Admission

The undersigned *local counsel* petitions the court for admission of the undersigned *applying counsel*, pursuant to Idaho Bar Commission Rule 222, for the purpose of the above-captioned matter.

Applying counsel certifies that he/she is an active member, in good standing, of the bar of _____, that he/she maintains the regular practice of law at the above-noted address, and that he/she is not a resident of the State of Idaho or licensed to practice in Idaho. *Applying counsel* certifies that he/she has previously been admitted under IBCR 222 in the following matters:

[If *applying counsel* has been denied admission under this rule in this or any jurisdiction, a separate affidavit explaining the circumstances of such denial shall accompany this motion].

Both undersigned counsel certify that a copy of this motion has been served on all other parties to this matter and that a copy of the motion, accompanied by a \$200 fee, has been provided to the Idaho State Bar.

Local counsel certifies that the above information is true to the best of his/her knowledge, after reasonable investigation. *Local counsel* acknowledges that his/her attendance shall be required at all court proceedings in which *applying counsel* appears, unless specifically excused by the trial judge.

DATED this _____ day of _____,

/s/ _____ /s/ _____
Applying Counsel *Local Counsel*

**(Rule 222 amended and Sections (i)-(l) added 3-31-00 - Effective 10-1-00)*

***RULE 223. Emeritus License**

(a) Purpose. To provide a licensing status to allow attorneys retired from the active practice of law, or who are or were admitted to practice law before the highest court of Idaho or any other state, territory of the United States or the District of Columbia, to provide pro bono legal services to the indigent through recognized pro bono, legal aid, or legal assistance programs.

(b) Definitions.

(1) Active Practice of Law, for the purposes of this Rule, means that an attorney has been engaged in the practice of law, which includes, but it not limited to, private practice, house counsel, public employment, or academic employment.

(2) Emeritus Attorney is any affiliate member of the Idaho State Bar or an attorney who is or was admitted to practice law before any other state or territory of the United States of the District of Columbia; and

(A) Has been engaged in the active practice of law for a minimum of ten out of the fifteen years immediately preceding the application to participate in the emeritus program; and

(B) Has been a member in good standing of the Idaho State Bar or the entity governing the practice of law of any other state, territory, or the District of Columbia and has not been disciplined for professional misconduct by the bar or courts of any jurisdiction with the past fifteen years; and