

**UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA**

**INSTRUCTIONS – *PRO HAC VICE* ADMISSION**

Complete and file with the court the Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney. The application must be accompanied by the required fee of \$150.00 for each case in which the attorney is permitted to participate as counsel [see D.Ak. LR 83.1(k)].

The Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney are available on-line on the court's website [www.akd.uscourts.gov](http://www.akd.uscourts.gov) in the Reference: General section.

The Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney may be filed electronically or mailed to the court.

If the non-eligible attorney is a registered CM/ECF user with this court, the Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney should be filed electronically as a single document in the case in which the non-eligible attorney desires to appear.

If the non-eligible attorney is not a registered CM/ECF user with this court, the non-eligible attorney should first complete and submit the Attorney Registration Form for CM/ECF, available on-line on the court's website, [www.akd.uscourts.gov](http://www.akd.uscourts.gov) in the CM/ECF: Reference section. Once a CM/ECF login registration with the assigned user information is assigned by the court, the Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney may be filed electronically in the case in which the non-eligible attorney desires to appear.

NOTE: If the Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney is filed electronically, it will not be processed and an order granting the motion entered until such time as the court has received the application fee. Payment must be accompanied by a paper copy of the Motion and Application of Non-Eligible Attorney for Permission to Appear and Participate in the United States District for the District of Alaska and the Declaration of Non-Eligible Attorney filed electronically.

In the event the party is represented by more than one attorney, only counsel who have consented to electronic service will be served by the court.

The Local Rules for the District of Alaska are available online at this court's web site [www.akd.uscourts.gov](http://www.akd.uscourts.gov) in the Reference: Rules section.

The Alaska Rules of Professional Conduct are available online at the Alaska Court System web site [www.state.ak.us/courts/](http://www.state.ak.us/courts/).

#### **D.AK. LR 83.1 ATTORNEYS [EXCERPT]**

##### **(d) Non-Eligible Attorneys.**

(1) [A] A member in good standing of the bar of another jurisdiction, who is not an active member of the bar of this court, may, upon motion, be permitted by the court to appear and participate on behalf of a party, but non-local counsel will ordinarily be required to associate with an active member of the bar of this court.

[B] The court may permit a member in good standing of the bar of another jurisdiction, on a sufficient showing, to appear and participate without association with an active member of the bar of this court.

(2) [A] Unless otherwise ordered by the court:

(i) the attorney applying may appear and participate from the time of filing as though it had been approved, and

(ii) approvals will be deemed to be effective as of the time of filing of the motion.

[B] The motion must either designate a member of the bar of this court in accord with the above paragraphs or show cause why, in accord with the above paragraphs, no association should be required.

[C] Motions for leave to participate without local counsel will not be approved as a matter of course, and if denied, a party represented by non-local counsel will be given a reasonable period within which to associate local counsel.

(3) If a non-local attorney appears for a party, whether from outside the district of Alaska or outside the location within the district where the proceeding is located, the court may at any time during the proceeding, on motion of a party or its own motion, for good cause, require association of local counsel.

(4) The motion must be accompanied by the affidavit or declaration of the attorney seeking admission, which affidavit or declaration must:

[A] Contain—

(i) all names by which the applicant is known,

(ii) the applicant's office and residence addresses,

(iii) name and address of each jurisdiction or court to which the applicant has been admitted to practice and the year of admission to each,

(iv) a statement that the applicant is not the subject of any pending disciplinary action in any jurisdiction or before any court to which the applicant has been admitted to practice,

(v) all relevant information, including dates, of any suspension, disbarment, or similar action, on account of disability or other reason, in any jurisdiction or court to which the applicant has been admitted to practice, and

(vi) certification that the applicant has read the local rules of this court; and

[B] Be accompanied by a certificate of good standing from a jurisdiction or court to which the applicant has been admitted to practice.

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**(g) Disbarment and Suspension.**

(1) [A] Whenever it appears to the court that any member of the bar of this court or any non-resident attorney permitted to appear or who has applied to appear before this court has been disbarred, suspended from practice, or convicted of a serious crime as defined by the Alaska Bar Rules, or similar authority in a state other than Alaska, the attorney will be immediately suspended from practice before this court.

[B] Unless good cause to the contrary is shown within five (5) days after notice has been mailed to the attorney's last known place of business or residence, an order of suspension or disbarment will be entered for such time as the court fixes.

(2) If a suspended attorney requests, in writing, reinstatement to practice before the court, and the court has received notification that the attorney has been reinstated to practice before the courts of the State of Alaska or such other courts where the suspended attorney practices, an order of reinstatement may be entered.

**(h) Contact with Trial Jurors.**

(1) No attorney admitted to practice or appear before this court may:

[A] seek out, contact, or interview at any time any juror of the jury venire of this court; or

[B] without prior approval of the court, allow, cause, permit, authorize or in any way participate in any contact or interview with any juror relating to any case in which the attorney has entered an appearance.

(2) This subsection will be posted in the jury rooms of this District and jurors will be instructed fully as to this matter.

**(i) Professional Conduct.** Every member of the bar of this court and any attorney admitted to practice or appear in this court must:

(1) be familiar with and comply with the Standards of Professional Conduct required of the members of the State Bar of Alaska and contained in the Alaska Rules of Professional Conduct and decisions of any court applicable thereto, except insofar as those rules and decisions are otherwise inconsistent with federal law;

(2) maintain the respect due courts of justice and judicial officers; and

(3) perform with the honesty, care, and decorum required for the fair and efficient administration of justice.

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(k) **Admission Fee.** Each attorney applying for admission to practice in this district must pay at the time of application for admission the following fee, which includes the fee required to be paid under the District Court Miscellaneous Fee Schedule promulgated by the Judicial Conference of the United States:

- (1) \$100.00 for admission under subsection (c); or
- (2) \$150.00 for admission under subsection (d).

#### **D. AK. LR 11.1 APPEARANCES, SUBSTITUTION, AND WITHDRAWAL**

##### **(a) Entry of Appearance.**

(1) Unless the context clearly indicates otherwise, the filing of a pleading, paper, or document by an attorney for or on behalf of a party constitutes an entry of appearance on behalf of the party by the attorney signing the pleading, document, or paper, and no separate entry of appearance need be filed.

(2) Partnerships, corporations, and associations must be represented by an attorney.

(3) [A] A party that has appeared by counsel may not thereafter appear or act in the party's own behalf in the action unless an order of substitution has been entered by the court, after notice to the attorney of the party and all other parties.

[B] The court may, in its discretion, hear a party in open court notwithstanding the fact that the party is represented by counsel.

(4) [A] Parties appearing without an attorney are bound by these rules and the Federal Rules of Civil Procedure.

[B] A party proceeding without an attorney must at all times keep the court and other parties advised of the party's current address and telephone number.

(b) **Notification of Change of Address.** Not more than seven (7) days after a change of address, telephone number, facsimile number, or e-mail address, an attorney who has entered an appearance in a matter must file and serve on all parties to the proceeding a notice of change of address, telephone number, facsimile number and/or e-mail address.

(c) **Substitution and Withdrawal.** Withdrawal as counsel requires leave of the court.

(1) A motion for leave to withdraw must be accompanied by:

- [A] (i) written consent of the client;
- (ii) substitution of counsel and formal appearance of substituting counsel; or
- (iii) a showing of good cause.

(2) [A] Any party or attorney may oppose the motion, and

[B] the court may deny the motion even if consented to or unopposed.

(3) If the withdrawal would leave the party without an attorney of record, the motion must:

[A] provide the party's last known address and telephone number, and

[B] the attorney proposing to withdraw must arrange a hearing and give the client at least twenty-one (21) days written notice of the hearing, unless good cause is shown why a hearing should not be required.

(4) Notwithstanding the foregoing, attorneys employed by a governmental entity may substitute as counsel without leave of court and without written consent of the client provided all parties to the action are immediately notified of the substitution, with notice including the full name, mailing address, telephone and facsimile numbers and e-mail address of the substituting attorney.