

Proposed Amendment to Rule .0905, Pro Bono Practice by Out of State Lawyers

27 N.C.A.C Chapter ID - Section .0900 Procedures for Administrative Committee

Rule .0905 Pro Bono Practice by Out of State Lawyers

(a) A lawyer licensed to practice in another state but not North Carolina who desires to provide legal services free of charge to indigent persons may file a petition with the secretary addressed to the council setting forth:

1. The petitioner's name and address;

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(h) Emergency Rule Permitting Temporary Pro Bono Practice by Lawyers not Licensed in North Carolina. A lawyer licensed to practice in another state but not in North Carolina who desires to provide legal services free of charge to indigent victims of Hurricane Florence under the supervision of a member employed by a nonprofit corporation qualified to render legal services pursuant to G.S. 84-5.1 may do so notwithstanding paragraphs (a) through (g) of this rule under the following conditions:

1. The lawyer's practice of law in North Carolina under Rule .0905(h) is limited to pro bono assistance of indigent victims of Hurricane Florence and must be rendered under the supervision of a member employed by a nonprofit corporation qualified to render legal services pursuant to G.S. 84-5.1.

2. The lawyer must file with the North Carolina State Bar the Registration for Temporary Pro Bono Practice of North Carolina Law form containing:

i. the lawyer's mailing address, telephone number, and email address;

ii. identification of all jurisdictions in which the lawyer is licensed to practice law, dates of licensure and license number(s);

iii. a statement that the lawyer is in good standing with the entity that governs the practice of law in each jurisdiction where the lawyer is licensed to practice law;

iv. a statement that the lawyer's license to practice law has not been revoked or suspended in any jurisdiction in which the lawyer has ever been licensed to practice law;

v. a statement that the lawyer agrees to abide by the North Carolina Rules of Professional Conduct and submits to the disciplinary jurisdiction of the courts of North Carolina and of the North Carolina State Bar in regard to any acts or omissions of the lawyer related to the practice of law in North Carolina;

vi. a statement that the lawyer will only engage in the limited pro bono practice of law authorized by this emergency rule; and

vii. a certification that all information contained on the form is true and complete.

3. Permission to practice law in North Carolina under Rule .0905(h) terminates on January 16, 2019. A lawyer practicing law under Rule .0905(h) who desires to continue to provide pro bono services after January 16, 2019 must submit a petition to the State Bar Council pursuant to paragraphs (a) through (g) of this rule on or before January 4, 2019 in order for the petition to be considered by the Administrative Committee of the State Bar at the January meeting of the State Bar Council.