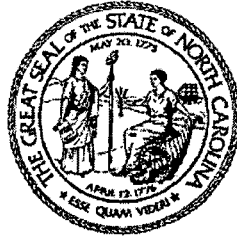


Beverly Eaves Perdue, Governor
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, Commissioner
Staci Meyer, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner

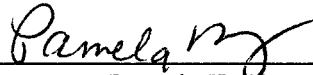
North Carolina Industrial Commission

MINUTES


ADOPTION OF PROCEDURE FOR PRO HAC VICE ADMISSIONS (LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS)

Pursuant to North Carolina General Statute § 84-4.1, the Industrial Commission memorializes the attached procedure for *pro hac vice* admission motions filed with the Commission. A sample proposed Order is also attached. The procedure and sample proposed Order will also be posted on the Industrial Commission website.

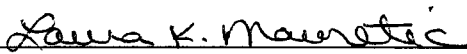
This the 27 day of January 2009.



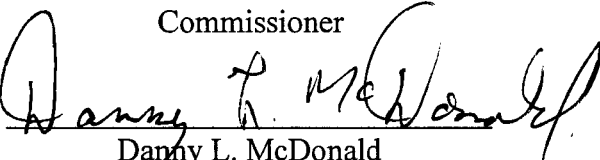
Pamela T. Young
Chair



Bernadine S. Ballance
Commissioner




Laura Kranifeld Mavretic
Commissioner



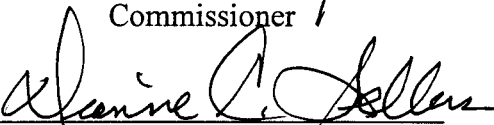
Danny L. McDonald
Commissioner



Staci Meyer
Commissioner



Christopher L. Scott
Commissioner



Dianne C. Sellers
Commissioner

North Carolina Industrial Commission Procedures for *Pro Hac Vice* Admissions (Limited Practice of Out-of-State Attorneys)

Please note the following procedures regarding *pro hac vice* admission motions filed and fees to be paid for proceedings before the North Carolina Industrial Commission:

1. The North Carolina Responsible Attorney or the out-of-state attorney shall file a Motion with the Executive Secretary of the North Carolina Industrial Commission for the out-of-state attorney to practice before the Commission, as per the requirements stated in N.C. Gen. Stat. § 84-4.1. Exceptions include the following:

- If the pertinent claim is set for hearing before or pending decision by a Deputy Commissioner or the Full Commission, the *pro hac vice* motion shall be filed with the Deputy Commissioner or chair of the Full Commission panel, respectively.
- If the *pro hac vice* motion is filed in a case involving a form application regarding a death claim, the motion shall be filed with the Director of Claims Administration.
- If the *pro hac vice* motion is filed in a case involving a stipulated Opinion and Award regarding a death claim, the motion shall be filed with the Chief Deputy Commissioner.

2. Attorneys must provide all of the information required by N.C. Gen. Stat. § 84-4.1 in the Motion in order to be admitted. The Motion must include a proposed Order. Please see the sample proposed Order available on the Commission's website.

3. After the Executive Secretary issues an Order granting the motion for admission to practice before the Commission, the North Carolina Responsible Attorney should submit the *Pro Hac Vice* Admission Registration Statement, accompanied by a \$25 check made payable to the NC State Bar and a copy of the Commission's Order, to the North Carolina State Bar within 30 days. Please see: www.ncbar.com for further details.

4. In addition to the \$25 fee paid to the State Bar, a fee of \$200 (increased from \$100, effective July 1, 2007) shall be paid to the General Court of Justice (accompanied by a copy of the Commission's Order for reference) at the following address:

Administrative Office of the Courts
Attention: Keshia Howell
PO Box 2448
Raleigh, NC 27602
Telephone #: 919 890-1066

5. DO NOT SEND CHECKS OR MONEY TO THE INDUSTRIAL COMMISSION.

Any checks sent to the Industrial Commission will be returned, resulting in a delay in the admission process.

6. Finally, the North Carolina Responsible Attorney or the out-of-state attorney should then file a statement with the North Carolina Industrial Commission documenting the payment of these two fees and the submission of the *Pro Hac Vice* Admission Registration Statement to the NC State Bar.

Below is the text of the relevant statutory provision:

“§ 84-4.1. Limited practice of out-of-state attorneys.

Any attorney domiciled in another state, and regularly admitted to practice in the courts of record of and in good standing in that state, having been retained as attorney for a party to any civil or criminal legal proceeding pending in the General Court of Justice of North Carolina, the North Carolina Utilities Commission, the North Carolina Industrial Commission, the Office of Administrative Hearings of North Carolina, or any administrative agency, may, on motion, be admitted to practice in that forum for the sole purpose of appearing for a client in the proceeding. The motion required under this section shall be signed by the attorney and shall contain or be accompanied by:

- (1) The attorney's full name, post-office address, bar membership number, and status as a practicing attorney in another state.
- (2) A statement, signed by the client, setting forth the client's address and declaring that the client has retained the attorney to represent the client in the proceeding.
- (3) A statement that unless permitted to withdraw sooner by order of the court, the attorney will continue to represent the client in the proceeding until its final determination, and that with reference to all matters incident to the proceeding, the attorney agrees to be subject to the orders and amenable to the disciplinary action and the civil jurisdiction of the General Court of Justice and the North Carolina State Bar in all respects as if the attorney were a regularly admitted and licensed member of the Bar of North Carolina in good standing.
- (4) A statement that the state in which the attorney is regularly admitted to practice grants like privileges to members of the Bar of North Carolina in good standing.
- (5) A statement to the effect that the attorney has associated and is personally appearing in the proceeding, with an attorney who is a resident of this State and is duly and legally admitted to practice in the General Court of Justice of North Carolina, upon whom service may be had in all matters connected with the legal proceedings, or any disciplinary matter, with the same effect as if personally made on the foreign attorney within this State.
- (6) A statement accurately disclosing a record of all that attorney's disciplinary history. Discipline shall include (i) public discipline by any court or lawyer regulatory organization, and (ii) revocation of any pro hac vice admission.
- (7) A fee in the amount of *two hundred twenty-five dollars (\$225.00)*, of which *two hundred dollars (\$200.00)* shall be remitted to the State Treasurer for support of the General Court of Justice and twenty-five dollars (\$25.00) shall be transmitted to the North Carolina State Bar to regulate the practice of out-of-state attorneys as provided in this section.

Compliance with the foregoing requirements does not deprive the court of the discretionary power to allow or reject the application. (1967, c. 1199, s. 1; 1971, c. 550, s. 1; 1975, c. 582, ss. 1, 2; 1977, c. 430; 1985 (Reg. Sess., 1986), c. 1022, s. 8; 1991, c. 210, s. 2; 1995, c. 431, s. 5; 2003-116, s. 1; 2004-186, s. 4.2; 2005-396, s. 1.)

NORTH CAROLINA INDUSTRIAL COMMISSION

I.C. No. ***, ***, Employee, Plaintiff v. ***, Employer, and ***, Carrier,
Defendants.

Order Allowing Motion for Admission *Pro Hac Vice*, by Executive Secretary Tracey
H. Weaver.

FILED:

This matter is before the undersigned on a Motion for Admission *Pro Hac Vice* pursuant
to N.C. Gen. Stat. § 84-4.1.

A P P E A R A N C E S

Plaintiff: [Out of State Attorney]

[Associated North Carolina Attorney]

Defendants: [Counsel of Record for Defendants or service information for the
carrier representative]

* * * * *

Upon careful review, it appears that the Motion is in compliance with the provisions of
N.C. Gen. Stat. § 84-4.1 and should be ALLOWED. Therefore, IT IS HEREBY
ORDERED that _____ is admitted to appear in this matter
pro hac vice on behalf of the plaintiff.

The admitted out-of-state attorney or the associated North Carolina attorney SHALL
promptly remit the required fees to the North Carolina State Bar and the General Court of
Justice and register with the North Carolina State Bar, as required by N.C. Gen. Stat. §
84-4.1. Thereafter, documentation of these payments and registration SHALL be filed
with the Commission prior to any appearance before the Commission.

No costs are assessed at this time.

TRACEY H. WEAVER
EXECUTIVE SECRETARY