

Supreme Court of Louisiana

Order

Emergency Pro Bono Civil Legal Assistance Rule

Acting in accordance with Article V, Sections 1 and 5 of the 1974 Louisiana Constitution, and the inherent power of this Court, and considering the request of the Louisiana State Bar Association to promulgate a temporary rule allowing non-admitted lawyers to render *pro bono* general civil legal advice to victims of Hurricane Katrina and Hurricane Rita,

It is hereby ordered, adjudged, and decreed that:

The following Emergency Rule shall govern the ability of non-admitted lawyers to provide *pro bono* civil legal assistance in Louisiana.

A. LAWYERS AFFECTED. A lawyer not admitted to practice law in Louisiana but who is admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide temporary emergency *pro bono* legal assistance in Louisiana to persons residing in or located in Louisiana as of August 29, 2005, up to and through February 28, 2006.

B. LEGAL SERVICES LIMITATION. The legal services to be provided pursuant to this rule:

1. Must be with respect to civil, and not criminal, issues arising out of or relating to rights, remedies, claims, defenses, injury or damages resulting from Hurricane Katrina and Hurricane Rita and their aftermath or evacuation pursuant to official warnings regarding Hurricane Katrina and Hurricane Rita and may only be rendered through the Louisiana State Bar Association/American Bar Association Young Lawyers Division Legal Assistance Program; and
2. Must not consist of representation in Louisiana courts or administrative proceedings, by enrolling as counsel of record, on behalf of any person with any such claim, unless and until that lawyer has additionally complied with Rule 5.5 of the Louisiana Rules of Professional Conduct concerning the multijurisdictional practice of law and/or Louisiana Supreme Court Rule XVII, Sec. 13, concerning *pro hac vice* admission, as applicable.

C. APPLICATION. Each attorney providing services under the authority of this Order shall first present to the Louisiana Attorney Disciplinary Board an application for a limited license containing the following information:

1. the attorney's full name, firm name, residence address, principal business address, e-mail address, telephone numbers, FAX numbers, jurisdiction or jurisdictions in which the attorney is admitted, and bar identification numbers;
2. affirmation that the attorney is duly licensed and in good standing and authorized to practice law in each stated jurisdiction and that the attorney's license is not subject to suspension or restriction;

3. affirmation that in performing all services under the authorization of this Order, the attorney will be acting as a volunteer;
4. affirmation that all services to be performed will be at no charge or expense to the client;
5. affirmation that the attorney has read and will abide by the Louisiana Rules of Professional Conduct, including the rules prohibiting solicitation of cases or clients, will faithfully perform the duties of an attorney, and will not place his or her personal interests ahead of the interests of the client;
6. affirmation that the attorney has read and will familiarize himself/herself with the Emergency/Disaster Training Manual for Volunteer Lawyers prepared by the Louisiana State Bar Association (available at <http://www.lsba.org>);
7. affirmation that the attorney consents to the lawyer disciplinary jurisdiction of the State of Louisiana;
8. affirmation that the attorney will not undertake, under this limited temporary license, to represent any person other than a legal assistance client under the Louisiana State Bar Association/American Bar Association Young Lawyers Division Legal Assistance Program, shall not offer to provide legal assistance in this State to any person or for any matter other than through the Louisiana State Bar Association/American Bar Association Young Lawyers Division Legal Assistance Program, and shall not hold himself or herself out in this State to be authorized to provide legal services to any person other than through the Louisiana State Bar Association/American Bar Association Young Lawyers Division Legal Assistance Program; and
9. a certificate of good standing in each state of licensure that the attorney is presently licensed to practice in.

An Application Form to be used in applying for a limited license is appended to this Order.


D. UNAUTHORIZED PRACTICE RULES. The rendition of legal or other services under this Rule shall not be deemed the unauthorized practice of law by the out-of-state attorney, as prohibited by Rule 5.5 of the Louisiana Rules of Professional Conduct, Louisiana Supreme Court Rule XVII, and relevant Louisiana Rules of Court.


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This Emergency, Temporary Rule shall become effective upon signing, and shall remain in full force and effect through February 28, 2006, unless amended through future Order of this Court.

Baton Rouge, Louisiana, this 10th day of October, 2005.

SUPREME COURT OF LOUISIANA
 A TRUE COPY OF DOCUMENTS AS
 SAME APPEARS IN OUR RECORDS


 Jeffrey C. Collins
 Chief Deputy Clerk of Court


 Pascal F. Calogero, Jr.
 For the Court

