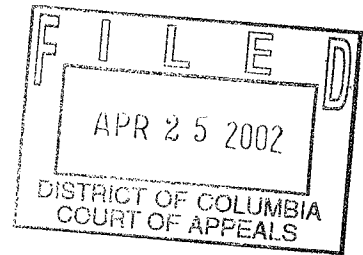


District of Columbia
Court of Appeals



No. M-212-01

BEFORE: Wagner, Chief Judge; Terry, Steadman, Schwelb, Farrell, Ruiz, Reid, Glickman, and Washington, Associate Judges.

ORDER

On consideration of the proposed amendments to D.C. App. Rule 49 (c), which proposed amendments were transmitted to the Court by the Chairman of the Committee on Unauthorized Practice of Law, and the comment received thereto, it is

ORDERED that D.C. App. Rule 49 (c) is amended, effective April 30, 2002, to read as follows:

Rule 49 (c) Exceptions. The following activity in the District of Columbia is excepted from the prohibitions of section (a) of this Rule, provided the person is not otherwise engaged in the practice of law or holding out as authorized or competent to practice law in the District of Columbia.

(1) Unchanged

(2) United States Government Practitioner: Providing legal services to members of the public solely before a special court, department or agency of the United States, where:

(A) Unchanged

(B) Unchanged

(C) If the practitioner has an office in the District of Columbia, the practitioner expressly gives prominent notice in all business documents of the practitioner's bar status and that his or her practice is limited consistent with this section (c).

(3) Unchanged

(4) Unchanged

(5) District of Columbia Practitioner: Providing legal services to members of the public solely before a department or agency of the District of Columbia government, where:

(A) Unchanged

(B) Such representation is authorized by statute, or the department or agency has authorized it by rule and undertaken to regulate it;

(C) If the practitioner has an office in the District of Columbia, the practitioner expressly gives prominent notice in all business documents of the practitioner's bar status and that his or her practice is limited consistent with this section (c); and

(D) If the practitioner does not have an office in the District of Columbia, the practitioner expressly gives written notice to clients and other parties with respect to any proceeding before tribunals of that department or agency and any conduct reasonably ancillary to such proceedings of the practitioner's bar status and that his or her practice is limited consistent with this section (c).

(6) Unchanged

(7) Unchanged

(8) Limited Duration Supervision by D.C. Bar Member: Practicing law from a principal office located in the District of Columbia, while an active member in good standing of the highest court of a state or territory, under the direct supervision of an enrolled, active member of the District of Columbia Bar, for one period not to exceed 360 days from the commencement of such practice, during pendency of a person's first application for admission to the District of Columbia Bar; provided that the practitioner has submitted the application for admission within ninety (90) days of commencing practice in the District of Columbia, that the District of Columbia Bar member takes responsibility for the quality of the work and complaints concerning the services, that the practitioner or the District of Columbia Bar member gives notice to the public of the member's supervision and the practitioner's bar status, and that the practitioner is admitted *pro hac vice* to the extent he or she provides legal services in the courts of the District of Columbia.

(9) Pro Bono Legal Services: Providing legal services *pro bono publico* in the following circumstances:

(A) Unchanged

(B) Unchanged

(C) Where the person is an officer or employee of the United States, is a member in good standing of the highest court of a state or territory, and is assigned or referred by an organization that provides legal services to the public without fee; provided that the person is supervised by an enrolled, active member of the District of Columbia Bar.

An attorney practicing under this section (c)(9) shall give notice of his or her bar status, and shall be subject to the District of Columbia Rules of Professional Conduct and the enforcement procedures applicable thereto to the same extent as if he or she were an enrolled,

active member of the District of Columbia Bar.

An attorney may practice under Part (B) of this section (c)(9) for no longer than 360 days from the date of employment by or affiliation with the Public Defender Service or the non-profit organization, or until admitted to the Bar, whichever first shall occur.

(10) Specifically Authorized Court Programs: Providing legal services to members of the public as part of a special program for representation or assistance that has been expressly authorized by the District of Columbia Court of Appeals or the Superior Court of the District of Columbia, provided that the person gives notice of his or her bar status.

(11) Unchanged

FOR THE COURT:

A handwritten signature in black ink, appearing to read "Garland Pinkston, Jr.", written in a cursive style.

GARLAND PINKSTON, JR.
Clerk of the Court