



FREQUENTLY ASKED QUESTIONS: PRO HAC VICE

These FAQs are a living document. They are subject to revision and will be supplemented and updated as needed.

1. What does it mean to appear as counsel *pro hac vice* (PHV)?

An out-of-state attorney, who is in good standing in their jurisdiction, and does not live, work, or conduct regular business in California can request permission from a California state court (superior court, Court of Appeal, or Supreme Court) to represent their client as counsel *pro hac vice*, which is a Latin term meaning "for this occasion." PHV is approved for a particular case, and an active licensee of the State Bar of California must be associated as attorney of record for the case. Please refer to [rule 9.40](#) of the California Rules of Court.

2. How do I gain approval to appear as PHV?

You must file an application with the court to appear on behalf of the client in the related case. Please refer to [rule 9.40\(c\)](#) of the California Rules of Court. The filing submitted to the court must include a copy of a proof of service showing that all parties and the State Bar of California have been served. You must also remit the fee to the State Bar of California with a copy of the application.

The application must state:

- The applicant's residence and office address;
- The courts to which the applicant has been admitted to practice and the dates of admission;
- That the applicant is a licensee in good standing in those courts;
- That the applicant is not currently suspended or disbarred in any court;
- The title of each court and cause in which the applicant has filed an application to appear as counsel *pro hac vice* in California in the preceding two years, the date of each application, and whether or not it was granted; and
- The name, address, and telephone number of the active licensee of the State Bar of California who is the attorney of record.

3. Can my assistant, paralegal, or associated California attorney submit a PHV application on my behalf?

Yes. Paralegals and assistants must create their own account in the Office of Admissions' [Applicant Portal](#) using their own credentials (email address and name). Once the paralegal or assistant has access to the Applicant Portal, they may submit a PHV application with the fee on behalf of the out-of-state attorney.

A licensed California attorney may also submit a PHV application on behalf of the out-of-state attorney. The California attorney must sign into the [Applicant Portal](#) using their credentials or contact the Office of Admissions at 800-843-9053 to reset their login information for the Applicant Portal.

4. Can I return to my pending PHV application in the Applicant Portal?

Maybe. If you click "Pause" while you are in the application, you will be able to return to the pending PHV application.

To return to the paused PHV application:

- Log in to the Applicant Portal
- Click "Special Admissions"
- Click "Pro Hac Vice"
- Under drafted applications, locate your PHV application and click "Resume."

You cannot return to a pending PHV application if you exited the application without clicking "Pause" or if a technical issue occurred that prevented you from clicking "Pause" before exiting the application. If this happens, you'll have to start over from the beginning.

5. Do I need to submit a Certificate of Admission or Certificate of Good Standing with my PHV application to the State Bar of California?

No. However, you may submit Certificates of Admission or Certificates of Good Standing for each court to which you are admitted in lieu of listing each court and your standing in that court.

6. Can I omit my residential address from the PHV application?

No. Pursuant to rule 9.40 of the California Rules of Court, the application must include the out-of-state attorney's residence and office address.

7. Who approves my application for PHV?

The court must approve your application in order for you to appear as PHV in a case. While the State Bar's Applicant Portal may show that your PHV case is "approved," this refers to the internal processing of your application and **should not** be taken as the court's approval of your appearance as PHV.

8. Is there a limit on the number of times I can appear as PHV?

Rule 9.40 of the California Rules of Court does not set a limit on the number of appearances an out-of-state attorney may make as PHV. However, the court determines if the applicant is ineligible for PHV due to multiple appearances.

9. Does the State Bar of California accept PHV renewal applications and fees?

No. All documentation and fees related to a PHV renewal must be submitted to the court and not the State Bar of California. Please contact the court if you have questions regarding PHV renewals.

10. Does the State Bar of California accept PHV applications for cases in federal courts?

No. You must contact the federal court clerk to ascertain if the filing must be served on a specific custodial record keeper.

11. Can I print a receipt after paying the State Bar's processing fee?

You will automatically receive a receipt via email after you remit payment. Please ensure that you complete the final step and submit the application.

Please do not click "Print Receipt" since it will eject you from the application and prevent you from submitting it. If you accidentally click the link before submitting your application, please contact the Office of Admissions at prohac@calbar.ca.gov or 800-843-9053.