

205 CMR 107.00: PROFESSIONAL PRACTICE

Section

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107.01: General Provisions

No person may practice law, accountancy, architecture, professional engineering, land surveying or any other profession or occupation regulated by the laws of the Commonwealth of Massachusetts before the commission in any manner other than in accordance with law, the ethical standards applicable to the particular profession and 205 CMR 101.00, ~~et seq. through 131.00~~. Practice shall include any matter connected with the representation of the interest of a client, including the making of any appearance and the preparing or filing of any necessary written document, correspondence or other paper relative to such interests.

107.02: The Practice of Law

(1) No individual, other than a member, in good standing, of the bar of the Commonwealth of Massachusetts, shall practice law before the commission; provided, that a member of the bar, in good standing, of any other state may appear and practice, by permission of the commission, in any particular matter before the commission as set forth in 205 CMR 107.02(2).

(2) Notwithstanding 205 CMR 107.02(1), an attorney who is a member of the bar of the highest court of any state may appear and practice before the commission in a particular matter by leave granted in the discretion of the commission, provided ~~he or she~~ the attorney files a certificate that:

(a) ~~he or she~~ the attorney is a member of the bar in good standing in every jurisdiction where ~~he or she~~ the attorney has been admitted to practice;

(b) there are no disciplinary proceedings pending against ~~him or her~~ the attorney as a member of the bar in any jurisdiction; and

(c) ~~he or she~~ the attorney has read and is familiar with M.G.L. c~~hs.~~ 23K, 23N and 205 CMR 101.00, ~~et seq. through 131.00~~; and provided further, that the attorney's ~~his or her~~ application for leave to practice before the commission is on request of a member, in good standing, of the bar of the Commonwealth of Massachusetts, who shall:

1. represent the client concurrently as its local counsel on the same particular matter;

2. appear of record in the particular matter; and

3. be responsible for the conduct of the out-of-state attorney in the particular matter; and provided further that both such attorneys shall sign all papers submitted or filed by counsel with the commission on behalf of their mutual client.

(3) A natural person who is not a member of the bar and to whom 205 CMR 107.02(1) and (2) are not applicable may appear and practice before the commission only in ~~his or her~~the person's own behalf.

107.03: Notice of Appearance by Attorney

(1) Each attorney practicing law before the commission shall promptly file with the commission a notice of appearance in each particular matter and on behalf of each client represented and may be required to file evidence of ~~his~~the attorney's authority to act in such capacity. The address of each attorney, telephone number, and e-mail address shall be stated. The signature of an attorney to a document shall constitute an appearance by the attorney who signs it, unless the paper states otherwise, and shall constitute a certificate that the attorney has read the document and that to the best of ~~his or her~~the attorney's knowledge, information, and belief there is a good ground to support it.

(2) In the event ~~of a change in the attorney's an attorney changes his or her~~ address during a particular matter in which ~~he or she~~the attorney has appeared, the attorney shall immediately notify the commission in writing. Unless otherwise provided by 205 CMR 107.00, an attorney may withdraw from a particular matter by filing written notice of withdrawal with the commission, together with proof of service on ~~his or her~~the attorney's client and any other parties to the particular matter.