

AMERICAN BAR ASSOCIATION

Commission on Multijurisdictional Practice

Multijurisdictional Practice of Law

BIBLIOGRAPHY

Articles

Adams, Gregory B., *Reflections on the Reaction to Proposed Rule 8.5: Consensus or Failure*, 36 S. Texas L. Rev. 1101 (1995).

American Corporate Counsel Association, States' Corporate Counsel Admission Rules (Symposium on the Multijurisdictional Practice of Law, March, 2000) (www.abanet.org/cpr/mjp-home.html and www.acca.com/vl/barad/chart.html).

Attorneys' Liability Assurance Society, Inc., *Statutes and Rules Limiting Multijurisdictional Law Practice from 51 United States Jurisdictions* (Symposium on the Multijurisdictional Practice of Law, March, 2000)(www.abanet.org/cpr/mjp-home.html).

Aultman, Mark H., *A Post Conference Reflection: Does Amended Model Rule 8.5 Help Anyone?*, 36 S. Texas L. Rev. 1055 (1995).

Babb, Diane Leigh, *Take Caution When Representing Clients Across State Lines: The Services Provided May Constitute the Unauthorized Practice of Law*, 50 Alabama L. Rev. 535 (Winter 1999).

Barker, William T., *Extrajurisdictional Practice By Lawyers* (Symposium on the Multijurisdictional Practice of Law, March, 2000) (www.abanet.org/cpr/mjp-home.html).

Bonheimer, Owen and Supple, Paul, *Unauthorized Practice of Law by U.S. Lawyers in U.S.-Mexico Practice*, 15 Geo. J. Legal Ethics 697 (2002).

Brakel & Loh, *Regulating the Multistate Practice of Law*, 50 Wash. L. Rev. 699 (1975).

Carr, Edward A. and Van Fleet, Allan, *Professional Responsibility Law in Multijurisdictional Litigation: Across the Country and Across the Street*, 36 S. Texas L. Rev. 859 (1995).

Clark, Gerard J., *The Two Faces of Multi-Jurisdictional Practice*, 29 N. Ky. L. Rev. 251 (2002).

Clark, Kathleen, *Is Discipline Different? An Essay on Choice of Law and Lawyer Conduct*, 36 S. Texas L. Rev. 1069 (1995).

Collett, Teresa Stanton, *Ethics and the Multijurisdictional Practice of Law*, 36 S. Texas L. Rev. 657 (1995).

Creamer, Robert A., *Registration Revisited: A Practical Proposal for the Multijurisdictional Morass*, The Professional Lawyer (2000 Symposium Issue).

Daly, Mary C., *Resolving Ethical Conflicts In Multijurisdictional Practice -- Is Model Rule 8.5 The Answer, An Answer, Or No Answer At All?*, 36 S. Texas L. Rev. 715 (1995).

D'Attomo, John J., *The \$1 Million Message - Lawyers Risk Fees And More When Representing Out-Of-State Clients*, 39 Santa Clara L.Rev. 456 (1999).

Davis, Anthony E., *Multijurisdictional Practice by Transactional Lawyers-Why the Sky is Falling*, The Professional Lawyer, Vol. 11, No. 2 (Winter 2000).

Davis, Christine R., *Approaching Reform: The Future of Multijurisdictional Practice in Today's Legal Profession*, 29 Fla. St. U. L. Rev. 1339 (Summer 2002).

Dzienkowski, John S., *Legal Malpractice and the Multistate Law Firm: Supervision of the Multistate Offices; Firms as Limited Liability Partnerships; and Predispute Agreements to Arbitrate Client Malpractice Claims*, 36 S. Texas L. Rev. 967 (1995).

Gillers, Stephen, *Lessons from the Multijurisdictional Practice Commission: The Art of Making Change*, 44 Ariz. L. Rev. 685 (2002).

Goebel, Roger J., *The Liberalization of Interstate Legal Practice in the European Union: Lessons for the United States?* International Lawyer, Spring 2000.

Hackett, Susan, *Multijurisdictional Practice Issues: An Overview of the Practical Impact as Seen by the American Corporate Counsel Association* (Symposium on the Multijurisdictional Practice of Law, March, 2000) (www.abanet.org/cpr/mjp-home.html).

Hammoud, Gene, *Multijurisdictional Practice: An Analysis of the ABA's Proposed Changes to Rule 5.5 of the Rules of Professional Conduct*, 26 Seton Hall Legis. J. 533 (2002).

Hartigan, Emily Fowler, *Multiple Unities in the Law*, 36 S. Texas L. Rev. 999 (1995).

Hollenhorst, Pamela Stiebs, *Options for Foreign-Trained Attorneys: FLC Licensing or Bar Admission*, The Bar Examiner, August 1999, Vol. 68, Number 3.

Huffman, Gregory, *UPL, MDP, MJP How Irresistible are these Changes?*, 65 Tex. B.J. 428 (May 2002).

James, La Tanya and Lee, Siyeon, *Adapting the Unauthorized Practice of Law Provisions to Modern Legal Practice*, 14 Geo. J. L.Ethics 1135 (Summer 2001).

Jarvis, Peter R., *Where You Stand Depends on Where You Sit: One Litigator's View of Multijurisdictional Practice Issues and Related Policy Questions* (Symposium on the Multijurisdictional Practice of Law, March, 2000) (www.abanet.org/cpr/mjp-home.html).

Johnston, Mary M., *Multi-Jurisdictional Practice: Emerging Issues from a Delaware Prospective*, 5 Delaware L. Rev. 57 (2002).

Johnstone, Quintin, *Multijurisdictional Practice Of Law: Its Prevalence And Its Risks*, 74 Connecticut B. J. 343 (2000).

Johnstone, Quintin, *Unauthorized Practice of Law and the Power of State Courts: Difficult Problems and Their Resolution*, 39 Willamette L. Rev. 795 (2003).

Luban, David, *A Friendly Amendment to Model Rule 8.5*, 36 S. Texas L. Rev. 1015 (1995).

Lundy, Joseph R. and Creamer, Robert A., *Private Practitioner Problems with Multijurisdictional Law Practice in Transactional and Litigation Matters*, The Professional Lawyer, Vol. 11, No. 2 (Winter 2000).

Maloney, Michael J. and Blizzard, Allison Taylor, *Ethical Issues in the Context of International Litigation: "Where Angels Fear To Tread"*, 36 S. Texas L. Rev. 933 (1995).

Martin, Cindy Reams and Early, Kellie, *Admission on Motion in the Era of Multijurisdictional Practice: Missouri's Experience with "Lawful Practice" vs. "Practice Where Admitted" as Fulfilling the "Active Practice" Requirement*, The Bar Examiner, Vol. 75, No. 3 (August 2006).

MacNaughton, Ann L. and Munneke, Gary A., *Practicing Law Across Geographic and Professional Borders: What Does the Future Hold?* 47 Loyola L. Rev. 665 (2001).

McAuliffe, Daniel J., and Voss, Teresa, *Transactions Go Global: Can Lawyers Follow?* 12 Bus. L. Today 17 (January/February, 2003)

McManus, Pamela A., *Have Law License Will Travel*, 15 Geo. J. Legal Ethics 527 (2002).

Merrill, Jane Hawthorne, *Multijurisdictional Practice of Law Under the Revised South Carolina Rules of Professional Conduct*, 57 S.C. L. Rev. 549 (Spring 2006).

Moriarty, Kristine M., *Law Practice and the Internet: The Ethical Implications That Arise From Multijurisdictional Online Legal Service*, 39 Idaho L. Rev. 431 (2003).

Moulton, H. Geoffrey Jr., *Federalism and Choice of Law in the Regulation of Legal Ethics*, 82 Minn. L. Rev. 73 (November 1997).

Munneke, Gary A., *Multijurisdictional Practice of Law: Recent Developments in the National Debate*, 27 J. Legal Prof. 91 (2002-2003).

Needham, Carol A., *Negotiating Multistate Transactions: Reflections on Prohibiting the Unauthorized Practice of Law*, 12 St. Louis U. Pub. L. Rev. 113 (1993).

Needham, Carol A., *The Multijurisdictional Practice of Law and the Corporate Lawyer: New Rules for a New Generation of Legal Practice*, 36 S. Texas L. Rev. 1075 (1995).

Needham, Carol A., *Splitting Bar Admission Into Federal and State Components: National Admission for Advice on Federal Law*, 45 U. Kan. L. Rev. 453 (1997).

Needham, Carol A., *Multijurisdictional Practice Regulations Governing Attorneys Conducting A Transactional Practice*, 2003 U. ILL. L. Rev. 1331 (2003).

Poser, Susan, *Multijurisdictional Practice for a Multijurisdictional Profession*, 81 Neb. L. Rev. 1379 (2003).

Rensberger, Jeffrey L., *Jurisdiction, Choice of Law, and the Multistate Attorney*, 36 S. Texas L. Rev. 799 (1995).

Restatement of the Law Governing Lawyers, Title B, Authorized and Unauthorized Practice, Section 3, Jurisdictional Scope of the Practice of Law by a Lawyer (American Law Institute, unpublished December 1999 revision).

Reynolds, William L. and Richman, William M., *Multi-Jurisdiction Practice and the Conflict of Laws* (Symposium on the Multijurisdictional Practice of Law, March, 2000, unpublished manuscript)(See, www.abanet.org/cpr/mjp-home.html).

Roach, Arvid E., II, *The Virtues of Clarity: The ABA's New Choice of Law Rule for Legal Ethics*, 36 S. Texas L. Rev. 907 (1995).

Sutton, John F., Jr., *Unauthorized Practice Of Law By Lawyers: A Post-Seminar Reflection on Ethics and the Multijurisdictional Practice Of Law*, 36 S. Texas L. Rev. 1027 (1995).

Vagts, Detlev F., *Professional Responsibility in Transborder Practice: Conflict and Resolution*, 9 Geo. J. L. Ethics 677 (2000).

Wickerham, Elizabeth A., *Behind Bars: Are Corporate Counsel Captive to State Licensure?*, 44 Wm. & Mary L. Rev. 1913 (March, 2003).

Williams, Eric, *A National Bar-Carpe Diem*, 5 Kan. J. L. & Pub. Pol'y 201 (Winter 1996).

Wolfram, Charles W., *Expanding State Jurisdiction to Regulate Out-of-State Lawyers*, 30 HOFLR 1015 (Spring 2002).

Wolfram, Charles W., *Sneaking Around in the Legal Profession: Interjurisdictional Unauthorized Practice by Transactional Lawyers*, 36 S. Texas L. Rev. 665 (1995).

Zacharias, Fred C., *Reform Or Professional Responsibility As Usual: Whither The Institutions Of Regulation And Discipline?* 2003 U. Ill. L. Rev. 1505.

Zacharias, Fred C., *A Nouveau Realist's View of Interjurisdictional Practice Rules*, 36 S. Texas L. Rev. 1037 (1995).

Proposed Rule 5.5, *ABA Model Rules of Professional Conduct* (ABA Commission on Evaluation of the Model Rules of Professional Conduct) (See, <http://www.abanet.org/cpr/ethics2k.html>).

Proposed Rule 8.5, *ABA Model Rules of Professional Conduct* (ABA Commission on Evaluation of the Model Rules of Professional Conduct) (See, <http://www.abanet.org/cpr/ethics2k.html>).

Cases

Attorney Grievance Com'n of Maryland v. Johnson, 770 A.2d 130 (Md. 2001).

Birbrower, Montalbano, Condon & Frank, P.C. v. Superior Court, 17 Cal. 4th 119, 70 Cal. Rptr 2d 304, 949 P.2d 1, cert. den., 525 U.S. 290, 119 S.Ct. 291, 142 L.Ed.2d 226 (1998).

Cappiello, Hofmann & Katz, P.C. v. Boyle, 2001 Cal. App. LEXIS 202 (2001).

Estate of Condon, 65 Cal.App. 4th 1138, 76 Cal. Rptr. 922 (1998).

In re Estate of Waring, 47 N.J. 367, 221 A.2d 193 (1966).

In re Ferrey, 774 A.2d 62, (R.I. 2001).

Florida Bar v. Rapoport, 845 So. 2d 874, (Fla. 2003)

Fought & Co. v. Steel Engineering & Erection, Inc., 951 P. 2d 487 (Haw. 1998).

In re Jackman, 165 N.J. 580, 761 A.2d 1103 (2000).

Koscove v. Bolte, 30 P.3d 784 (Colo. Ct. App. 2001)

Ramirez v. England, 320 F.Supp.2d 368 (D. Md. 2004).

Ranta v. McCarney, 391 N.W.2d 161 (N.D. 1986).

Spivak v. Sachs, 16 N.Y.2d 163, 263 N.Y.S.2d 953, 211 N.E.2d 329 (1965).

Torrey v. Leesburg Regional Medical Center, 769 So. 2d 1040 (Fla. 2000)

Wellmore Coal Corp. v. Harman Mining Corp., 568 S.E.2d 671 (Va. 2002),

Ethics Opinions

Maine Ethics Commission Outlines Limits on Multijurisdictional Practice, Maine Board of Bar Overseers Professional Ethics Comm'n, Op. 189 (November 15, 2005).

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