

The West Virginia State Bar's Unlawful Practice of Law Committee has been asked to interpret the meaning of the word "transfer" as contained in Rule 8(f) of the Supreme Court's Amended Rules for the Practice of Law. The Committee's interpretation is that the word "transfer" generally would refer to the movement of cases within state court jurisdictions, and not between state and federal courts, such that, if a case were removed from state court to federal court, or remanded from federal court to state court, neither the removal nor the remand would constitute a "transfer." In the context of a remand, however, since the same case has been originally filed in state court and would simply be returned there, the Committee's interpretation is that, for the purpose of Amended Rule 8(f) only, a remand would be included within the meaning of the word "transfer." Consequently, upon remand of an action to state court, no additional motion for pro hac vice admission, nor any additional fee, would be required.

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