

April 29, 2014

John Aldock
Chairman
Advisory Committee on Local Rules
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sent via email to jaldock@goodwinprocter.com

**Proposed revisions to Local Civil Rule 83.8 and Local Criminal
Rule 57.21 to eliminate reciprocal admission requirement**

Dear Mr. Aldock:

On behalf of the Washington Metropolitan Area Corporate Counsel Association (“WMACCA”) and the Association of Corporate Counsel (“ACC”), we would like to express our sincere gratitude for the United States District Court for the District of Columbia’s proposed changes to its bar admission rules. Working for national and global businesses, our members find themselves increasingly maintaining cross-border practices. The Court’s decision to eliminate its reciprocity requirement aids those lawyers in their efforts to more effectively represent their organization-clients.

WMACCA is a 501(c)(6) non-profit corporation established in 1980 and is the leading professional association for the in-house bar throughout Virginia, in Washington, D.C. and in suburban Maryland. WMACCA has approximately 2,300 members from more than 800 private-sector organizations. WMACCA is also one of the largest chapters of ACC, a global bar association that promotes the common professional and business interests of in-house counsel. Since its founding in 1982, ACC has grown to become the world’s largest organization serving the professional and business interests of lawyers who practice in private-sector legal departments. ACC now has over 30,000 members employed by over 10,000 organizations in more than 75 countries.

That diverse membership is harmed by a reciprocal bar admission requirement. Not all of our members have court admissions in jurisdictions that have seen fit to permit this Court's members to join. Naturally, WMACCA and ACC believe those courts should expand their admission requirements. However, as the proposed rules make clear, our members' ability to practice in this Court should not be dependent on the vagaries of other courts' bar rules.

While we support the proposed rules and believe that they are a clear improvement over their current variants, we do propose one modification. Many corporate counsel practice outside of their home jurisdictions pursuant to corporate counsel registrations (in jurisdictions such as Virginia). Still others are authorized to practice as in-house counsel without registration in a manner akin to that suggested by the ABA's Model Rule 5.5(d) (such as in-house counsel in Georgia and Texas). In both of these situations, the proposed rule's principal law office requirement makes it difficult for in-house counsel to be admitted to this Court's bar.

A simple example should help elucidate the situation. A lawyer admitted in the Illinois via bar exam begins work as an in-house counsel for a Maryland business, pursuant to Article 10-206(d) of the Annotated Code of Maryland. That Illinois lawyer does not have to take the Maryland bar exam, but can still actively practice law on behalf of, and provide legal advice to, her Maryland employer.

We therefore suggest the following revision:

Admission to and continuing membership in the Bar of this Court are limited to attorneys who are (1) active members in good standing in the District of Columbia Bar; or (2) active members in good standing of the highest court of any state in which the attorney maintains his/her principal law office; OR (3) ACTIVE MEMBERS IN GOOD STANDING OF THE HIGHEST COURT OF ANY STATE AND ARE AUTHORIZED TO PRACTICE IN THE STATE IN WHICH THE ATTORNEY REPRESENTS HIS/HER ORGANIZATION-CLIENT.

This revision would assist both types of non-locally licensed in-house counsel (registered or otherwise authorized), without undermining the purposes of the rule itself. We hope that the Court will adopt this proposed revision. But even

if it doesn't, WMACCA and ACC strongly support the proposed rule, as written.

We appreciate the opportunity to comment and are available for any questions.

Sincerely,



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