



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Office of the District Court Executive

LORETTA A. PRESKA
Chief Judge

EDWARD A. FRIEDLAND
District Court Executive

COURT NOTICE TO THE BAR
August 1, 2013

CONTACT
EDNY, 718-613-2600
SDNY, 212-805-0500

**EASTERN AND SOUTHERN DISTRICTS ADOPT REVISIONS TO LOCAL CIVIL RULE 1.3(c),
INVITE PUBLIC COMMENT**

The United States District Courts for the Eastern and Southern Districts of New York have adopted amendments to Local Civil Rules 1.3(c). The revisions are available at <https://www.nyed.uscourts.gov/> or www.nysd.uscourts.gov; they also follow this notice.

Prior to the revised rule taking effect, the public is invited to comment. Comments are to be submitted in writing on or at the close of business on Friday, August 30, 2013 to either:

Edward A. Friedland
District Court Executive
U.S. District Court for the Southern District of New York
500 Pearl Street, Room 820
New York, NY 10007-1312

or

Douglas C. Palmer
Clerk of Court
U.S. District Court for the Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

The revisions will become effective upon approval by the Second Circuit Judicial Council.

###

Local Civil Rule 1.3(c) Admission to the Bar.

(c) A member in good standing of the bar of any state or of any United States District Court may be permitted to argue or try a particular case in whole or in part as counsel or advocate, upon motion (which may be made by the applicant) and upon filing with the Clerk of the District Court a certificate of the court for each of the states in which the applicant is a member of the bar, which has been issued within thirty (30) days of filing and states that the applicant is a member in good standing of the bar of that state court, and upon paying the required fee. Attorneys appearing for the Department of Justice may appear before the Court without requesting pro hac vice admission. Attorneys appearing for other federal agencies must move for pro hac vice admission but the fee requirement is waived and the certificate(s) of good standing may have been issued within one year of filing. Only an attorney who has been so admitted or who is a member of the bar of this Court may enter appearances for parties, sign stipulations or receive payments upon judgments, decrees or orders.

COMMITTEE NOTE

2013 NOTES

The amendments to Local Civil Rule 1.3(c) have two purposes. First, to conform the rule to local practice, *i.e.*, to reflect the required fee for pro hac vice admission and the practice, mandated by 28 U.S.C. ' 517, of not requiring Department of Justice attorneys, who are not members of the bar of this Court, to be admitted pro hac vice before appearing. The second purpose of the rule is to make pro hac vice admission less onerous for other federal agency attorneys by waiving the fee requirement and easing the certificate of good standing requirement. It was the considered judgment of the Court that pro hac vice admission remains necessary to ensure recourse in the event of any violation of the rules of court.

2011 NOTES

The Committee recommends that Local Rule 1.3(c) be amended to clarify that a motion for admission pro hac vice be made by the applicant, and does not need to be made by a member of the Court=s bar. This is a logical corollary to the fact that the Southern and Eastern Districts no longer require that attorneys admitted pro hac vice be associated with local counsel who are members of the Court=s bar.

###