

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**NOTICE OF PROPOSED LOCAL RULE CHANGE  
AND OPPORTUNITY TO COMMENT**

Pursuant to Local Civil Rule 1.1(b) and Local Criminal Rule 1.1, the United States District Court for the District of Columbia is publishing for comment a proposed change to one Local Rule.

The proposed rule change, which is set forth below, will be adopted and become effective unless modified or withdrawn by the Court after receiving comments from organized bar associations, members of the bar and public. Such comments must be made in writing with 45 days of the publication of this Notice and should be address to Kevin M. Hodges, Esq., Chairman, Advisory Committee on Local Rules, Williams & Connolly LLP, 725 Twelfth St., N.W. Washington, DC 20005.

Angela D. Caesar, Clerk

[New language is underlined]

**LCvR 83.8  
(with parallel changes to be made in LCrR 57.21)**

**ADMISSION TO THE BAR**

**(a) WHO MAY BE ADMITTED.**

Admission to and continuing membership in the Bar of this Court are limited to: (1) attorneys who are active members in good standing in the District of Columbia Bar; or (2) attorneys who are active members in good standing of the Bar of any state in which they maintain their principal law office; or (3) in-house attorneys who are active members in good standing of the Bar of any state and who are authorized to provide legal advice in the state in which they are employed by their organization client.

*COMMENT TO LCvR 83.8(a): The new subsection (3) addresses situations in which an in-house counsel, although licensed to practice in one state, is employed by her organization client elsewhere. For example, if an attorney is licensed in Illinois, but works as an internal or corporate counsel in the District of Columbia, D.C. Court of Appeals Rule 49(c)(6) permits her to provide certain legal advice here. Article 10-206(d) of the Maryland Code is similar as applied to in-house counsel in Maryland. Such lawyers would now be eligible for admission to this Court's Bar.*

**(b) PETITION FOR ADMISSION.**

Each applicant for admission shall file with the Clerk at least 14 days prior to hearing thereon (unless for good cause shown the judge shall shorten the time) a written petition for admission on a form supplied by the Clerk stating:

- (1) applicant's residence and office addresses and office telephone number;
- (2) the court where and date when admitted;
- (3) applicant's legal training and experience;
- (4) whether the applicant has ever been held in contempt of court and, if so, the nature of the contempt and the final disposition thereof;
- (5) whether the applicant has ever been convicted of any crime (other than minor traffic offenses) or publicly reprimanded, publicly censured, suspended, disciplined or disbarred by any court, and, if so, the facts and circumstances connected therewith; and
- (6) that the applicant is familiar with:
  - (i) the provisions of the Judicial Code (Title 28 U.S.C.) which pertain to the jurisdiction of and practice in the United States District Courts;
  - (ii) the Federal Rules of Civil or Criminal Procedure;
  - (iii) the Rules of the United States District Court for the District of Columbia;
  - (iv) the Rules of Professional Conduct as adopted by the District of Columbia Court of Appeals except as otherwise provided by specific rule of this Court, and that he/she will faithfully adhere thereto; and
  - (v) D.C. Bar Voluntary Standards for Civility in Professional Conduct, adopted by the Bar on June 18, 1996 (attached as Appendix C).

**(c) AFFIDAVIT OF A MEMBER OF THE BAR.**

The petition shall be accompanied by an affidavit or declaration of an attorney who is a member in good standing of the Bar of this Court who has known the applicant for at least one year stating when the affiant was admitted to practice in this Court and how long and under what circumstances the attorney has known the applicant and a statement of the applicant's character and experience at the bar. The affidavit shall be on a form supplied by the Clerk. The affidavit requirement does not apply to current law clerks of Judges of the U.S. Courts of the D.C. Circuit.

**(d) HEARING ON THE PETITION.**

The petition for admission shall be placed on the calendar of the Motions Judge and shall be heard on the first Monday of each month. If the first Monday is a holiday, the petition

shall be heard on the following Monday. If the petition is granted, the applicant shall take the oath of office.

**(e) OATH.**

The oath which each applicant for admission to the Bar of this Court shall take shall be as follows:

I do solemnly swear (or affirm) that I will support the Constitution of the United States; that I will respect courts of justice and judicial officers; that I will well and faithfully discharge my duties as an attorney and as an officer of the court; and in the performance of those duties I will conduct myself with dignity and according to both the law and the recognized standards of ethics of our profession.

**(f) ADMISSION FEE.**

Each petition shall be accompanied by payment in such amount and form as determined by the Court, which the Clerk shall deposit to the credit of a fund to be used for such purposes as inure to the benefit of the members of the bench and the Bar in the administration of justice which are determined to be appropriate by the Court from time to time. This fee shall be in addition to the statutory fee for administering the oath of office and issuing the certificate of admission. No fee shall be charged to current law clerks of Judges of the U.S. Courts of the D.C. Circuit.

**(g) CLERK AS AGENT FOR SERVICE.**

By being admitted to the Bar of this Court or by being permitted to practice in this Court under LCvR 83.2 and 83.12 or in fact practicing in this Court, the attorney shall be deemed to have designated the Clerk of the Court as agent for service of process in any disciplinary proceeding before this Court.

***COMMENT TO LCvR 83.8:** This Rule clarifies the intention that continuing membership in the bar is premised on a continuing duty to meet the requirements of this Rule. Section (a) parallels revised LCvR 83.2 regarding practice by attorneys.*

***COMMENT TO LCvR 83.8(b)(6)(ii):** Section (v) was added to LCvR 83.8(b)(6) to stress the importance that the Court places on the need for civility among lawyers who practice in the Court.*