

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

**EXCERPTS FROM THE LOCAL RULES OF THE UNITED STATES
DISTRICT COURT SPECIFICALLY RELATING TO ATTORNEY**

ADMISSION TO PRACTICE

(Effective: December 2, 1991, and
re-numbered as of August 18, 1997)

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Rule 83.3

**Attorneys - Admission to Practice
Standards of Conduct - Duties**

- a. **Definitions.** For convenience, attorneys, proctors, advocates, solicitors, and counselors of this court will be referred to in these rules by the designation, "attorneys."
- b. **Practice.** Only a member of the bar of this court may enter appearances for a party, sign stipulations or receive payment or enter satisfaction of judgment, decree or order.
- c. **Admission of Attorneys to Practice.**
 1. **Requirements and procedures.**
 - a. **Admission to the Bar of this Court.** Admission to and continuing membership in the bar of this court is limited to attorneys of good moral character who are active members in good standing of the State Bar of California.
 - b. **Procedure for Admission.** Each applicant for admission shall present to the clerk a written petition for admission, on the form supplied by the court, stating the applicant's residence and office addresses and by what courts the applicant has been admitted to practice and the respective dates of admission to those courts.

The petition shall be accompanied by a certification that the attorney is a member in good standing of the State Bar of California.

Upon qualification, the applicant may be admitted, upon oral motion or

without appearing, as determined by the court, by signing the prescribed oath and paying the prescribed fee, together with any required assessment, which the clerk shall place to the credit of the Court Non-appropriated Funds.

2. **Practice in this court.** Except as herein otherwise provided, only members of the bar of this court shall practice in this court.
3. **Attorneys for the United States.** An attorney who is not eligible for admission under Civil Local Rule 83.3.c hereof, but who is a member in good standing of, and eligible to practice before, the bar of any United States Court or of the highest court of any state, or of any territory or insular possession of the United States, and who is of good moral character, may practice in this court in any matter in which the attorney is employed or retained by the United States or its agencies and is representing the United States or any of its officers or agencies, provided that the attorney shall apply for and pass the next succeeding California bar examination for which the attorney may be eligible after receiving permission to practice before this court and thereafter obtain admission to the State Bar of California. Attorneys so permitted to practice in this court are subject to the jurisdiction of the court with respect to conduct to the same extent as members of the bar of this court.
4. **Special Assistant United States Attorneys.** Special Assistant United States Attorneys whose practice before this court is restricted to prosecution of misdemeanors and petty offenses before the several United States magistrate judges shall not be required to apply for and pass the next succeeding bar examination for admission to the State Bar of California as otherwise specified in Civil Local Rule 83.3(c.3). Attorneys so permitted to practice in this court are subject to the jurisdiction of the court with respect to their conduct to the same extent as members of the bar of this court.
5. **Pro Hac Vice.** An attorney not eligible for admission under Civil Local Rule 83.3.c hereof, but who is a member in good standing of, and eligible to practice before, the bar of any United States Court or of the highest court of any state or of any territory or insular possession of the United States, who is of good moral character, and who has been retained to appear in this court, may, upon written application and in the discretion of the court, be permitted to appear and participate in a particular case. Unless authorized by the Constitution of the United States or acts of Congress, an attorney is not eligible to practice pursuant to this local rule if any one or more of the following apply to the attorney: (1) resides in California, (2) is regularly employed in California, or (3) is regularly

engaged in business, professional, or other activities in California.

The pro hac vice application shall be presented to the clerk, along with an admission fee of eighty dollars (\$80.00). The fees shall be distributed pursuant to Civil Local Rule 83.3.h. The application shall state under penalty (1) the attorney's residence and office addresses, (2) by what court(s) the attorney has been admitted to practice and the date(s) of admission, (3) that the attorney is in good standing and eligible to practice in said court, (4) that the attorney is not currently suspended or disbarred in any other court, and (5) if the attorney has concurrently or within one year preceding the current application made any pro hac vice application to this court, the title and the number of each matter wherein the application was made, and the date of application, and whether or not the application was granted. The attorney shall also designate in the application a member of the bar of this court with whom the court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers shall be served. The attorney shall file with such application the address, telephone number and written consent of such designee.

6. **Designation of Local Counsel.** A judge to whom a case is assigned may in that case, in the judge's discretion, require an attorney appearing in this court pursuant to the provisions of this rule and who maintains an office outside of this district to designate a member of the bar of this court who does maintain an office within this district as co-counsel with the authority to act as attorney of record for all purposes. The attorney shall file with such designation the address, telephone number and written consent of such designee.

d. **Notice of Change of Status.** An attorney who is a member of the bar of this court, or who has been permitted to practice in this court under Civil Local Rule 83.3.c hereof, shall promptly notify the court of any change in status in another jurisdiction which would make the attorney ineligible for membership in the bar of this court under Civil Local Rule 83.3.c hereof, or ineligible to practice in this court under Civil Local Rule 83.3.c hereof. In the event the attorney is no longer eligible to practice in another jurisdiction by reason of suspension for nonpayment of fees or enrollment as an inactive member, the attorney shall forthwith be suspended from practice before this court without any order of court and until the attorney becomes eligible to practice in such other jurisdiction.

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Admission to Practice Fee:

Full Admission - \$80.00 payable to Clerk, U.S. District Court
Pro Hac Vice - \$80.00 payable to Clerk, U.S. District Court

Application, fee and petition should be mailed directly to

**Clerk, U.S. District Court
880 Front Street, Rm. 4290
San Diego, CA 92101-8900**