

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

ADOPTION OF REVISION TO LOCAL BANKRUPTCY RULES

PUBLIC NOTICE

The following is a summary of the Court-approved revision to the Local Bankruptcy Rules (LBR) of the United States Bankruptcy Court for the Eastern District of Virginia, which, through the entry of Standing Order No. 09-11, takes effect December 1, 2009.

LBR 2090-1(E)(2): ATTORNEYS – RIGHT TO PRACTICE BEFORE THE COURT. LBR 2090-1(E)(2) has been reorganized into three subparagraphs, (a), (b) and (c).

Subparagraph (a) incorporates current and new text regarding making application to appear and practice *pro hac vice* before the Court. New text requires that an applicant complete a written application, available upon request from the Clerk of Court and attached to this Notice, which must be appended to a motion filed by a member of the Bar requesting the applicant's *pro hac vice* admission.

Subparagraph (b) is new and addresses adversary proceedings. It provides that, "An attorney intending to appear in an Adversary proceeding shall file the motion only in the case in which an Adversary proceeding is pending. Admission shall apply to the case and all related Adversary Proceedings."

Subparagraph (c) is new and addresses reopened cases. It provides that, "A foreign attorney wishing to appear in a reopened case shall file a separate motion to appear in the case notwithstanding entry of any order in the case granting admission."

William C. Redden
Clerk of Court

Date: November 23, 2009

Attachments

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

In re:

Revision of Local Rules)
)
) Standing Order No. 09-11
)
)

ORDER ADOPTING REVISION OF LOCAL RULES

After giving appropriate public notice and an opportunity for comment, pursuant to delegation of authority from the United States District Court, the accompanying revision of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia is hereby adopted, effective December 1, 2009.

Local Bankruptcy Rule 2090-1(E)(2) shall take effect on the 1st day of December 2009, and shall govern procedures in all cases pending on that date or filed thereafter.

Dated: November 23, 2009

FOR THE COURT:

/s/ Douglas O. Tice Jr.
DOUGLAS O. TICE JR.
Chief United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY
COURT
for the
EASTERN DISTRICT OF VIRGINIA**

**AMENDMENT TO
LOCAL BANKRUPTCY RULE 2090-1(E)(2)**



Effective December 1, 2009
(Version 11/05/09)

RULE 2090-1 ATTORNEYS – RIGHT TO PRACTICE BEFORE THE COURT

(E) *Other Attorneys*

....

(2) *Foreign Attorneys:*

(a) *Application:* An attorney from another state, the District of Columbia or a territory of the United States may appear and practice in cases *pro hac vice* before this Court upon motion of a member of the Bar of this Court, provided that in all appearances said attorney shall be accompanied by a member of this Bar. Applicants for *pro hac vice* admission shall complete a written application, which shall be appended to and incorporated by reference in the aforesaid motion. As a part of the application, the applicant shall certify that the said applicant has within 90 days prior to the application read or reread (1) the Federal Rules of Civil Procedure (FRCP), (2) the Federal Rules of Evidence, (3) the Federal Rules of Bankruptcy Procedure (FRBP), and (4) the Local Bankruptcy Rules of this Court. If the Court finds the application otherwise appropriate, the Court may order the *pro hac vice* admission of the applicant. Except where a party is not represented by counsel, any pleading or notice required to be signed by counsel must be signed by counsel who is a member of the Bar of this Court, who shall have entered an appearance of record in the case, with the office address in the state where notice can be served, and who shall have such authority that the Court can deal with that attorney alone in all matters connected with the case. Such appearance shall not be withdrawn without leave of the Court. Service of notice or other proceedings on the attorney shall be equivalent to service on the client. Where a party is not represented by counsel, the party shall include on each pleading an address within the district where notice can be served.

(b) *Adversary Proceedings:* An attorney intending to appear in an Adversary Proceeding shall file the motion only in the case in which an Adversary Proceeding is pending. Admission shall apply to the case and all related Adversary Proceedings.

(c) *Reopened Cases:* A foreign attorney wishing to appear in a reopened case shall file a separate motion to appear in the case notwithstanding entry of any order in the case granting admission.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

APPLICATION TO QUALIFY AS A FOREIGN ATTORNEY UNDER
LOCAL BANKRUPTCY RULE 2090-1(E)(2)

In Case No.: _____,* Case Name _____

PERSONAL STATEMENT

FULL NAME (no initials, please) _____
Bar Identification Number _____ State _____
Firm Name _____
Firm Phone # _____ Direct Dial # _____ FAX # _____
E-Mail Address _____
Office **Mailing** Address _____
Name(s) of federal court(s) in which I have been admitted _____

I certify that the rules of the federal court in the district in which I maintain my office extend a similar *pro hac vice* admission privilege to members of the bar of the Eastern District of Virginia.

I have not been reprimanded in any court nor has there been any action in any court pertaining to my conduct or fitness as a member of the bar.

I hereby certify that, within 90 days before the submission of this application, I have read the Local Rules of this Court and that my knowledge of the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Federal Rules of Evidence is current.

(Applicant's Signature)

I, the undersigned, do certify that I am a member of the bar of this Court, not related to the applicant; that I know the applicant personally, that the said applicant possesses all of the qualifications required for admission to the bar of this Court; that I have examined the applicant's personal statement. I affirm that his/her personal and professional character and standing are good, and petition the court to admit the applicant *pro hac vice*.

(Signature)

(Date)

(Typed or Printed Name)

**Pro hac vice* admission in a case shall include an adversary proceeding(s) in the case.

Court Use Only:

The motion for admission is GRANTED _____ or DENIED _____

(Judge's Signature)

(Date)