

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

**PUBLIC NOTICE**

**INVITATION FOR COMMENT ON PROPOSED AMENDMENT TO LOCAL  
BANKRUPTCY RULE 2090-1(I)**

Comment is invited regarding a proposed amendment to the Local Bankruptcy Rules, United States Bankruptcy Court, Eastern District of Virginia—Local Bankruptcy Rule 2090-1(I). The purpose of the proposed amendment is two-fold: first, to provide a mechanism, where the circumstances so require, for the discipline and sanction of a member of the Bar of the United States Bankruptcy Court for the Eastern District of Virginia; and second, consistent with a like amendment to Local Civil Rule 83.1(L) and Local Criminal Rule 57.4(L) of the United States District Court for the Eastern District of Virginia, to implement presumptive reciprocal enforcement of another court's attorney sanction orders, including that of the United States District Court for the Eastern District of Virginia, as part of the reciprocal discipline process.

Comments may be submitted, by mail, to:

Local Rules Changes  
c/o William C. Redden  
U.S. Bankruptcy Court  
701 East Broad Street  
Suite 4000  
Richmond, VA 23219-1888

Or, by e-mail, at:

[localrules@vaeb.uscourts.gov](mailto:localrules@vaeb.uscourts.gov)

Comments will be received by mail or at the Court's web site, via the above referenced e-mail address, until 5:00 P.M., Local Time, Thursday, March 1, 2018.

William C. Redden  
Clerk of Court

Date: January 31, 2018

Attachment

**UNITED STATES BANKRUPTCY COURT**

**for the**

**EASTERN DISTRICT OF VIRGINIA**

**AMENDED LOCAL BANKRUPTCY RULE 2090-1(I)**



**Effective \_\_\_\_\_, 2018**

**(Proposed Ver. 01/03/18)**

**Proposed Amendment to Local Bankruptcy Rule 2090-1(I)**

(Proposed amended text underscored)

**RULE 2090-1 ATTORNEYS - RIGHT TO PRACTICE BEFORE THE COURT;  
PRO SE PARTIES**

(I) ***Professional Ethics***: The ethical standards relating to the practice of law in this Court shall be the Virginia Rules of Professional Conduct now in force and as hereafter modified or supplemented (“Virginia Rules”). Nothing contained herein shall in any manner be construed as limiting the inherent authority and power of the Court to discipline, sanction, or hold in contempt attorneys who appear before it pursuant to 11 U.S.C. § 105, Federal Rule of Bankruptcy Procedure 9011, or otherwise, or providing an exclusive procedure for the discipline of attorneys who appear before the Court.

***(1) Discipline and Sanctions:***

***(a) Definitions:*** The following definitions apply:

(i) “Misconduct” means any act or omission by an attorney that violates the Virginia Rules. Such an act or omission constitutes misconduct regardless of:

a. whether the attorney performed the act or omission individually or in concert with any other person or persons; or

b. whether the act or omission occurred in the course of an attorney-client relationship.

(ii) “Discipline” includes, but is not limited to, temporary or permanent suspension or disbarment from practice before the Court, or reprimand, censure, or such other disciplinary action as the circumstances may warrant, including but not limited to restitution of funds, imposition of monetary fines (whether payable to the Court or otherwise), satisfactory completion of educational programs, compliance with treatment programs, or community service.

***(2) Imposition of Sanctions:*** An attorney who commits or engages in Misconduct may be subject to the imposition of Discipline by the Court after notice of such Misconduct and an opportunity to be heard.

***(3) Imposition of Sanctions by Other Courts; Attorneys Convicted of Serious Crimes:*** All counsel admitted to practice before this Court on any basis shall be admitted subject to the rules, conditions, and provisions of the Federal Rules of Disciplinary Enforcement Rule I, Rule II and Rule III, a copy of which is appended as Exhibit 11 to these Local Bankruptcy Rules, except that any attorney disciplined or suspended, whether temporary

or permanent, by the United States District Court for the Eastern District of Virginia shall be subject to the immediate imposition of the identical discipline in this Court.