

LOCAL RULE 2090-1

Admission to Practice

A. Bar of the Court: Those attorneys who are admitted to practice before this Court shall comprise the Bar of the United States Bankruptcy Court for the Western District of Virginia.

B. Qualifications to Practice: To practice before this Court, an attorney shall at all times be a member in good standing of the Bar of the State of Virginia and have been administered the oath of admission by the Court upon the filing of an acceptable application or as otherwise authorized in this rule.

C. Application and Procedure for Admission: Every attorney desiring admission to practice before this Court shall file with the Clerk written application thereof accompanied by an endorsement by one qualified member of the Bar of this Court stating that the applicant is of good moral character and professional reputation and is qualified to practice bankruptcy law. The Clerk of this Court shall supply such application upon request (See Form 2090-1A). As a part of the application, the applicant shall certify that the said applicant has read the Rules of Bankruptcy Procedure and the Local Rules of this Court and is familiar with the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

D. Presentation in Court:

1. Presentation in Court: After approval of the application by the Court, the endorser of the applicant ~~shall~~ **may** present himself/herself in open court and by oral motion move for his/her admission to practice, ~~and if admitted, the applicant shall~~, in open Court, take the oath required for admission and sign the roll of the Bar of this Court. Presentation may take place in chambers with leave of the Court.

2. Waiver of Appearance: Upon motion and for good cause shown, the court may waive appearance in open court.

E. Other Attorneys:

1. Eastern District of Virginia: Any attorney who is a member in good standing of the Virginia State Bar and the Bar of the United States Bankruptcy Court for the Eastern District of Virginia shall be permitted to practice in the Bankruptcy Court for the Western District of Virginia upon filing with the Clerk of this Court:

(a) a certificate of the Clerk of the United States Bankruptcy Court for the Eastern District of Virginia stating that said attorney is a member in good standing of the Bar of that District, and

(b) a certification from the applicant stating that said attorney has, within the preceding sixty (60) days, read the Local Rules of this Court (Form 2090-1B).

Local Rule 2090-1, continued

2. Foreign Attorneys: Attorneys who are not qualified and licensed to practice under the laws of Virginia, but who are qualified and licensed to practice before the Supreme Court of the United States, or before the highest Court of any state in the United States, or before the Courts of the District of Columbia, may not become members of the Bar of this Court, but may appear on a *pro hac vice* basis only in association with a member of the Bar of this Court, upon motion of such member, and only for the conduct of a case in which associated and then pending before the Court. If said motion is granted, the member of the Bar of this Court that made said motion, will be required to sign all pleadings and appear at all hearings and proceedings before this Court, unless these provisions are waived by the presiding Judge. Such appearance shall not be withdrawn without leave of the Court. Service of notice, process, or any other paper upon the foreign attorney shall be equivalent to such service on the parties for whom appearance has been noted, provided that the foregoing provisions shall not apply to a *pro se* party. A *pro se* party shall file a memorandum showing an address where notice can be served.

3. Governmental Attorneys: Any attorney authorized to represent the interest of the United States pursuant to 28 U.S.C. § 517 is authorized to appear in this Court. In addition, any attorney: (i) licensed to practice and in good standing before the highest court of any State in the United States or before the Courts of the District of Columbia, and (ii) who is regularly employed by the United States or any agency or department thereof or of any State or any political subdivision thereof or any agency or department of any of them as an attorney therefore, may file pleadings and appear in this Court on behalf of that governmental unit, agency or department by which he or she is employed without regard to the requirements contained in section E.2 of this rule.

F. Student Practice. To the extent the United States District Court for the Western District of Virginia has in effect a rule authorizing third-year law student practice, the provisions of said rule apply equally to such practice before this Court.

G. Previous Practice Clause: All members in good standing of the United States Bankruptcy Court for the Western District of Virginia prior to February 28, 1988, shall be deemed to be members of the Bar of the United States Bankruptcy Court for the Western District of Virginia.

H. Activities Not Requiring Admission: The following activities shall not require admission to the bar of this Court:

1. Filing a notice of appearance with a request to be served with pleadings filed in the case.
2. Filing a proof of claim on behalf of a client or an employer.
3. Filing a response on behalf of a client or an employer to any objection to claim or to any pre-hearing order issued by the Court with respect to any objection or motion filed in a case affecting such client's or employer's interest, but not including an appearance in Court in any hearing resulting therefrom except in compliance with section B of this Rule.
4. Such other activities as the Court from time to time for cause shown may authorize.