

## *United States Bankruptcy Court, Southern District of Florida*

*Note: Local Rule 2090-1 is reproduced below for your information regarding requirements for attorney appearances for appearing before this court. There is no “bankruptcy bar” to which attorneys must be admitted. Pro Hac Vice appearances pursuant to Local Rule 2090-1(B)(2) must be initiated by submitting a motion substantially conforming to local form 44 “Motion to Appear Pro Hac Vice” along with a proposed order substantially conforming to local form 45 “Order Admitting Attorney Pro Hac Vice”. Copies of the Local Rules, Local Forms, Clerk’s Instructions and Court Guidelines can be obtained from any of the three bankruptcy court clerk’s offices or the court website [www.flsb.uscourts.gov](http://www.flsb.uscourts.gov).*

*See also Local Bankruptcy Rules 2090-2, 2091-1, and 9010-1.*

*Information about admission to the Federal Bar of the U.S. District Court, Southern Florida may be obtained by calling the district court attorney admission clerk at (305) 523-5265.*

### **Rule 2090-1. Attorneys.**

**(A) Qualifications to Practice.** Except as provided in subdivision (B) of this rule, to be qualified to practice in this court an attorney must:

- (1) be a member of the Bar of the United States District Court for the Southern District of Florida under the Special Rules Governing the Admission and Practice of Attorneys in the District Court;
- (2) read and remain familiar with these rules, administrative orders, the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, The Florida Bar’s Rules of Professional Conduct, and the Bankruptcy Code; and
- (3) earn at least 12 credit hours from The Florida Bar for attending or participating in CLE courses related to the subject area of “Bankruptcy Law” during each attorney’s Florida Bar three-year CLE reporting requirement. This provision will not preclude an attorney from appearing who is within a three-year CLE reporting period but has not yet earned the required 12 credit hours for that period.

Attorneys appearing pursuant to this subdivision who are not registered users of CM/ECF must include on all papers the certification contained in Local Rule 9011-4(B).

☞ 2008 Amendment: Amended to reflect procedural changes due to implementation of electronic filing under AO 05-2.

**(B) Appearances Permitted as Exceptions to Qualification Requirements.** An attorney who has not fulfilled the qualifications to practice set forth in subdivision (A) above, may only appear as set forth in this subdivision. Any attorney who appears pursuant to this rule shall be deemed to be familiar with, and shall be governed by, these rules, and the Rules of Professional Conduct and other ethical limitations or requirements governing the professional behavior of members of The Florida Bar.

- (1) **Appearances in Limited Instances.** An attorney may appear in the following limited instances without resort to the requirements contained in subdivision (A) or (B)(2) of this rule: (a) the preparation and filing of a notice of appearance (pursuant to Bankruptcy Rule 9010); (b) a request for service of notices (pursuant to Bankruptcy Rule 2002); (c) the preparation and filing of a proof of claim in chapter 7, 11, 12 or 13 cases, or ballots in chapter 11 cases; (d) the filing of notices under Local Rule 3070-1(B); (e) attendance and inquiry at the meeting of creditors held under 11 U.S.C. §341; and (f) attendance and representation of a creditor at a hearing which has been noticed to all creditors generally, except for representation of a party in a contested matter governed by Bankruptcy Rule 9014, or an adversary proceeding governed by Part VII of the Bankruptcy Rules.

 2008 Amendment: Subdivision (B)(1) was amended to add notices filed pursuant to Local Rule 3070-1(B)(1).

- (2) **Pro Hac Vice Appearances.** Any attorney who is a member in good standing of the bar of any state or territory or insular possession of the United States, who is qualified to practice in this court but is not admitted to practice in the United States District Court for the Southern District of Florida, shall file the Local Form “Motion to Appear Pro Hac Vice” and proposed Local Form “Order Admitting Attorney Pro Hac Vice” and, upon the entry of the order, shall be permitted to appear and participate in a particular case or proceeding. The motion shall designate an attorney who is qualified to practice in this court and who maintains an office in this district for the practice of law, with whom the court and opposing attorneys may readily communicate regarding the conduct of the case or proceeding and upon whom papers shall be served. The motion must be accompanied by a written statement of the local attorney who consented to the designation, and the name, address and telephone number of the named designee. The motion shall (a) indicate all bars or courts to which the attorney is admitted; (b) indicate all bars or courts, if any, from which the visiting attorney has been disbarred, suspended or prohibited from appearing in front of and the dates of the foregoing; and (c) certify that the visiting attorney is familiar with and shall be governed by these rules, the Rules of Professional Conduct and all other requirements governing the professional behavior of members of The Florida Bar. Visiting attorneys appearing under this subdivision shall include on all papers filed with the court the certification contained in Local Rule 9011-4(B)(2). Upon written motion and for good cause shown, the court may waive or modify the requirements of designation of a qualified local attorney.
- (3) **Appearances by Government Attorneys.** Any attorney who is an employee of the United States government, an agency thereof, or a state, municipality or agency or political subdivision thereof, may appear and participate in particular actions or proceedings before the court on behalf of such entity in the attorney’s official capacity. Any attorney so appearing is subject to all of the rules of this court.