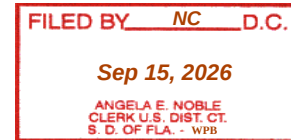


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2026-78

**IN RE: AMENDMENTS TO THE LOCAL RULES
NOTICE OF PROPOSED AMENDMENTS,
OF OPPORTUNITY FOR PUBLIC COMMENTS,
AND OF HEARING TO RECEIVE COMMENTS**

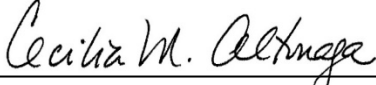


The Court's Ad Hoc Committee on Rules and Procedures has recommended that the Court amend the Local General Rules. In accordance with Fed. R. Civ. P. 83(a)(1) and Fed. R. Crim. P. 57(a)(1), it is:

ORDERED that the Clerk of the Court shall alert the public of the opportunity to comment on the proposed rules in the following ways: (a) post prominently on the Court's website this Order and the attached proposed rule amendments; (b) provide notice to the Court's bar through the *CM/ECF* electronic noticing system; and (c) offer every person who files any papers in any action in this Court, and to give to anyone who so desires, a copy of this Order with the attached proposed rule amendments.

IT IS FURTHER ORDERED that the Court will conduct an *en banc* public hearing on the proposed rule amendments on Thursday, October 8, 2026, at 1:00 p.m. at the Paul G. Rogers Federal Building and United States Courthouse, 701 Clematis Street, West Palm Beach, Florida 33401. Those who desire to appear and offer oral comments on the proposed rule amendments at this hearing shall file written notice to that effect with the Clerk of the Court no later than five days prior to the hearing. Those who desire to offer only written comments on the proposed rule amendments should do so in accordance with the mechanism provided on the Court's website in connection with the publication of the proposed rule amendments.

DONE AND ORDERED in Miami, Florida this 15th day of September, 2026.



CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished to:

Hon. William H. Pryor, Jr., Chief Judge, Eleventh Circuit
All Southern District Judges, Bankruptcy Judges and Magistrate Judges
Ashlyn Beck, Circuit Executive, Eleventh Circuit
Angela E. Noble, Court Administrator • Clerk of Court
Scott M. Dimond, Chair, Ad Hoc Committee on Rules and Procedures
All members of the Ad Hoc Committee on Rules and Procedures
Library

RULE 7.1 MOTIONS, GENERAL

(a) Filing.

(1) Every motion when filed and served shall incorporate a memorandum of law citing supporting authorities, except that the following motions need not incorporate a memorandum:

(A) petition for writ of habeas corpus ad testificandum or ad prosequendum;

(B) motion for out-of-state process;

(C) motion for order of publication for process;

(D) application for default;

~~(E)~~ motion for judgment upon default;

~~(F)~~(E) motion to withdraw or substitute counsel;

~~(G)~~(F) motion for continuance, provided the good cause supporting it is set forth in the motion and affidavit required by Local Rule 7.6;

~~(H)~~(G) motion for confirmation of sale;

~~(I)~~(H) motion to withdraw or substitute exhibits;

~~(J)~~(I) motion for extensions of time providing the good cause supporting it is set forth in the motion;

~~(K)~~(J) motion for refund of bond, provided the good cause supporting it is set forth in the motion;

~~(L)~~(K) application for leave to proceed in forma pauperis;

~~(M)~~(L) motion for admission pro hac vice; and

~~(N)~~(M) motion for court approval of a stipulation between any parties.

(2) Those motions listed in (a)(1) above, as well as any motion seeking emergency or ex parte relief or a temporary restraining order, shall be accompanied by a proposed order that is filed and served submitted via e-mail to the Court as prescribed by Section 3I(6) of the CM/ECF Administrative Procedures.

~~(2)~~(3) *Motions for Judgment Upon Default.* Any motion for default judgment must be accompanied by: (1) a memorandum of law which, where applicable, must address any issues of joint and several liability; (2) a proposed order granting the motion; (3) a proposed final judgment; (4) affidavits or declarations of any sum certain due and any other supporting documentation necessary to determine Plaintiff's measure of damages; and (5) the necessary affidavit under the Servicemembers Civil Relief Act, 50 U.S.C. § 3931(b), if applicable.

~~(3)~~(4) *Pre-filing Conferences Required of Counsel.* Prior to filing any motion in a civil case, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, for pro hac vice admission, or to involuntarily dismiss an action, for garnishment or other relief under Federal Rule of Civil Procedure 64, or otherwise properly filed ex parte under the Federal Rules of Civil Procedure and these Local Rules, or a petition to enforce or vacate an arbitration award, counsel for the movant shall confer (orally or in writing), or make reasonable effort to confer (orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion. Counsel conferring with movant's counsel shall cooperate and act in good faith in attempting to resolve the dispute. At the end of the motion, and above the signature block, counsel for the moving party shall certify either: (A) that counsel for the movant has conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and has been unable to do so; or (B) that counsel for the movant has made reasonable efforts to confer with all parties or non-parties who may be affected by the relief sought in the motion, which efforts shall be identified with specificity in the statement (including the date, time, and manner of each effort), but has been unable to do so. If certain of the issues have been resolved by agreement, the certification shall specify the issues so resolved and the issues remaining unresolved. Failure to comply with the requirements of this Local Rule may be cause for the Court to grant or deny the motion and impose on counsel an appropriate sanction, which may include an order to pay the amount of the reasonable expenses incurred because of the violation, including a reasonable attorney's fee. See forms available on the Court's website (www.flsd.uscourts.gov).

(b) Hearings.

- (1) No hearing will be held on motions unless set by the Court.
- (2) A party who desires oral argument or a hearing of any motion shall request it within the motion or opposing memorandum in a separate section titled "request for hearing." The request shall set forth in detail the reasons why a hearing is desired and would be helpful to the Court and shall estimate the time required for argument.

The Court in its discretion may grant or deny a hearing as requested, upon consideration of both the request and any response thereto by an opposing party.

(3) Discovery motions may be referred to and heard by a United States Magistrate Judge.

(4) With respect to:

(A) any motion in a civil case or any post-conviction motion in a criminal case that has been pending and fully briefed with no hearing set thereon for a period of ninety (90) days, and

(B) any motion in a civil case or any post-conviction motion in a criminal case as to which the Court has conducted a hearing but has not entered an order or otherwise determined the motion or matter within ninety (90) days of the hearing, the movant, whether party or non-party;

shall file and serve on all parties and any affected non-parties within fourteen (14) days thereafter a “Notice of Ninety Days Expiring,” which shall contain the following information:

(i) the title and docket entry number of the subject motion, along with the dates of service and filing;

(ii) the title and docket entry number of any and all responses or opposing memoranda, along with the dates of service and filing, or if no such papers have been filed, the date on which such papers were due;

(iii) the title and docket entry number of any reply memoranda, or any other papers filed and served in connection with the motion, as well as the dates of service and filing; and

(iv) the date of any hearing held on the motion.

(C) any motion filed in a proceeding pursuant to 28 U.S.C. §2255 is not subject to the ninety (90) day notice provision set forth above.

(c) Memorandum of Law.

(1) *Requirements and Timing.* For all motions, except motions served with the summons and complaint, each party opposing a motion shall file and serve an opposing memorandum of law no later than fourteen (14) days after service of the motion. Failure to do so may be deemed sufficient cause for granting the motion by default. The movant may, within seven (7) days after service of an opposing memorandum of law, file and serve a reply memorandum in support of the motion,

which reply memorandum shall be strictly limited to rebuttal of matters raised in the memorandum in opposition without reargument of matters covered in the movant's initial memorandum of law. No further or additional memoranda of law shall be filed and served without prior leave of Court. All materials in support of any motion, response, or reply, including affidavits and declarations, shall be served with the filing. For a motion served with the summons and complaint, the opposing memorandum of law shall be due on the day the response to the complaint is due.

Time shall be computed under this Local Rule in accordance with applicable federal rules of procedure (e.g., Fed. R. Civ. P. 6(a) and Fed. R. Crim. P. 45(a)).

(2) *Length.* Absent prior permission of the Court, neither a motion and its incorporated memorandum of law nor the opposing memorandum of law shall exceed twenty (20) pages; a reply memorandum shall not exceed ten (10) pages. As long as no substantive part of the submission appears on the same page(s), the following items do not count toward page limitations for purposes of this rule and any other rules or orders setting forth page limitations: title pages preceding the first page of text, tables of contents, tables of citations, "request for hearing" sections, signature pages, certificates of good faith conferences, and certificates of service.

(d) Emergency Motions and Expedited Motions. The Court may, upon written motion and good cause shown, waive the time requirements of this Local Rule and grant an immediate or expedited hearing on any matter requiring such expedited procedure. A filer may seek expedited consideration through either an emergency motion or an expedited motion in accordance with the following requirements:

(1) *Emergency Motions.* A filer requesting emergency action must include the words "Emergency Motion" in the title of the motion and must set forth in detail the nature of the emergency, the date by which a ruling is necessary, and the reason the ruling is needed by the stated date. The unwarranted designation of a motion as an emergency motion may result in sanctions. The filer must certify that the matter is a true emergency by including the following certification before the motion's signature block:

After reviewing the facts and researching applicable legal principles, I certify that this motion in fact presents a true emergency (as opposed to a matter that may need only expedited treatment) and requires an immediate ruling because the Court would not be able to provide meaningful relief to a critical, non-routine issue after the expiration of seven days. I understand that an unwarranted certification may lead to sanctions.

As prescribed by Section 10 of the CM/ECF Administrative Procedures, a party seeking to file an emergency motion must file and serve the documents electronically via CM/ECF using the events specifically earmarked for emergency

matters. Motions are not considered emergencies if the urgency arises because of the attorney's or party's own dilatory conduct. Generally, unless a motion will become moot if not ruled on within seven (7) days, the motion should not be filed as an emergency motion.

(2) *Expedited Motions.* A filer whose time-sensitive motion does not qualify as an emergency motion but who nonetheless requires an expedited ruling by a date certain may file an expedited motion in lieu of an emergency motion. The motion must include the words "Expedited Motion" in the title and must set forth in detail the date by which an expedited ruling is needed and the reason the ruling is needed by the stated date.

In criminal cases, emergency motions and expedited motions that are also ex parte must be conventionally filed.

A party appearing pro se must conventionally file emergency motions and expedited motions.

(e) Applications Previously Refused. Whenever any motion or application has been made to any Judge or Magistrate Judge and has been refused in whole or in part, or has been granted conditionally, and a subsequent motion or application is made to a different District Judge or Magistrate Judge for the same relief in whole or in part, upon the same or any alleged different state of facts, it shall be the continuing duty of each party and attorney seeking such relief to present to the District Judge or Magistrate Judge to whom the subsequent application is made an affidavit setting forth the material facts and circumstances surrounding each prior application, including: (1) when and to what District Judge or Magistrate Judge the application was made; (2) what ruling was made thereon; and (3) what new or different facts and circumstances are claimed to exist which did not exist, or were not shown, upon the prior application. For failure to comply with the requirements of this Local Rule, any ruling made on the subsequent application may be set aside sua sponte or on ex parte motion.

Effective December 1, 1994. Amended effective April 15, 1996; April 15, 1997; April 15, 2000; April 1, 2004; April 15, 2005; April 15, 2006; April 15, 2007; April 15, 2009; April 15, 2010; April 15, 2011; December 1, 2011; December 1, 2014; December 1, 2015; December 1, 2016; December 1, 2017; December 3, 2018; December 2, 2019; December 1, 2020; December 1, 2021; December 2, 2024; December 1, 2025; [December 1, 2026](#).

RULE 7.3 ATTORNEYS FEES AND COSTS

(a) Motions for Attorneys' Fees and/or Non-Taxable Expenses and Costs. This rule provides a mechanism to assist parties in resolving attorneys fee and costs disputes by agreement. A motion for an award of attorneys' fees and/or non-taxable expenses and costs arising from the entry of a final judgment or order shall not be filed until a good faith effort to resolve the motion, as described in paragraph (b) below, has been completed. The motion shall:

- (1) be filed and served within sixty (60) days of the entry of the final judgment or order giving rise to the claim, regardless of the prospect or pendency of supplemental review or appellate proceedings;
- (2) identify the judgment or other order which gives rise to the motion, as well as the statute, rule, or other grounds entitling the moving party to the award;
- (3) state the amount sought;
- (4) disclose the terms of any applicable fee agreement;
- (5) provide:
 - (A) the identity, experience, and qualifications for each timekeeper for whom fees are sought;
 - (B) the number of hours reasonably expended by each such timekeeper;
 - (C) a description of the tasks done during those hours; and
 - (D) the hourly rate(s) claimed for each timekeeper;
- (6) describe and document with invoices all incurred and claimed fees and expenses not taxable under 28 U.S.C. § 1920;
- (7) be verified; and
- (8) certify that a good faith effort to resolve issues by agreement occurred pursuant to Local Rule 7.3(b), describing what was and was not resolved by agreement and addressing separately the issues of entitlement to fees and amount.

Within fourteen (14) days after service of the motion, the respondent shall describe with reasonable particularity each time entry or nontaxable expense to which it objects, both as to issues of entitlement and as to amount, and shall provide supporting legal authority. If a party objects to an hourly rate, its counsel must submit an affidavit giving its firm's hourly rates for the matter and include any contingency, partial contingency, or other arrangements that could change the effective hourly rate. Pursuant to Federal Rule of Civil Procedure 54(d)(2)(C), either party may move the Court to determine entitlement prior to submission on the issue of

amount. This Local Rule's requirements of disclosure are not intended to require the disclosure of privileged, immune, or protected material.

A party shall seek costs that are taxable under 28 U.S.C. § 1920 by filing and serving a bill of costs and supporting memorandum in accordance with paragraph 7.3(c) below. The costs and expenses sought in a motion under this paragraph shall not include any cost sought in a bill of costs.

(b) Good Faith Effort to Resolve Issues by Agreement. Except as to any aspect of a fee claim upon which the parties agree, a draft motion compliant with Local Rule 7.3(a)(1)-(8) must be served but not filed at least thirty (30) days prior to the deadline for filing any motion for attorneys' fees and/or costs that is governed by this Local Rule. Within twenty-one (21) days of service of the draft motion, the parties shall confer and attempt in good faith to agree on entitlement to and the amount of fees and expenses not taxable under 28 U.S.C. § 1920. The respondent shall describe in writing and with reasonable particularity each time entry or nontaxable expense to which it objects, both as to issues of entitlement and as to amount, and shall provide supporting legal authority. If a federal statute provides a deadline of fewer than sixty (60) days for a motion governed by Local Rule 7.3(a), the parties need not comply with this paragraph's requirements.

(c) Bill of Costs. A bill of costs pursuant to 28 U.S.C. § 1920 shall be filed and served within thirty (30) days of entry of final judgment or other appealable order that gives rise to a right to tax costs under the circumstances listed in 28 U.S.C. § 1920. Prior to filing the bill of costs, the moving party shall confer with affected parties under the procedure outlined in S.D.Fla.L.R.7.1(a)(3) in a good faith effort to resolve the items of costs being sought.

An application for a bill of costs must be submitted on form (or in form substantially similar to) AO 133 of the Administrative Office of the United States Courts and shall be limited to the costs permitted by 28 U.S.C. § 1920. Expenses and costs that the party believes are recoverable although not identified in § 1920 shall be moved for as provided in paragraph 7.3(a) above. The bill of costs shall attach copies of any documentation showing the amount of costs and shall be supported by a memorandum not exceeding ten (10) pages. The prospects or pendency of supplemental review or appellate proceedings shall not toll or otherwise extend the time for filing a bill of costs with the Court.

Effective December 1, 1994. Amended effective April 15, 1999; April 15, 2001; April 15, 2005; April 15, 2006; April 15, 2007; April 15, 2010; April 15, 2011; December 1, 2011; December 3, 2012; December 1, 2015; December 2, 2019; December 1, 2020.

Authority

(1993) Former Local Rule 10F, renumbered per Model Rules.

RULE 7.4 APPLICABILITY OF SUPPLEMENTAL RULES FOR SOCIAL SECURITY ACTIONS

Unless otherwise ordered by the Court, the Supplemental Rules for Social Security Actions under 42 U.S.C. § 405(g) shall be followed in all proceedings seeking review on the record of a final decision of the Commissioner of Social Security that presents only an individual claim notwithstanding any inconsistency with these Local Rules.

Effective December 1, 2026.

RULE 7.6 CONTINUANCES OF TRIALS AND HEARINGS

A continuance of any trial, pretrial conference, or other hearing will be granted only on exceptional circumstances. No such continuance will be granted on stipulation of counsel alone. However, upon written notice served and filed at the earliest practical date prior to the trial, pretrial conference, or other hearing, and supported by affidavit setting forth a full showing of good cause, a continuance may be granted by the Court.

Effective December 1, 1994.

RULE 87.4 BANKRUPTCY APPEALS

Bankruptcy appeals to the District Court are governed by the Federal Rules of Bankruptcy Procedure, particularly Rules 8001 through 8028, and the Local Rules of the Bankruptcy Court. As is authorized by Federal Rule of Bankruptcy Procedure 8026, those rules are supplemented as follows:

(a) Assignment. Appeals from orders or judgments entered by the Bankruptcy Court shall generally be assigned in accordance with the Court's Internal Operating Procedures. Appeals from orders in a bankruptcy case or proceeding in which appeals have been taken from prior orders in the same case or proceeding shall be regarded as similar actions and proceedings under Local Rule 3.8 and it will be the continuing obligation of the Clerk of the District Court and the attorneys of record to comply with Local Rule 3.8.

(b) Docketing of Notice of Appeal in District Court. All notices of appeal filed in the Bankruptcy Court under Federal Rule of Bankruptcy Procedure 8003 and 8004 shall be electronically transmitted promptly to the Clerk of the District Court by the Bankruptcy Clerk resulting in the opening of a new civil case in District Court's automated case management system CM/ECF.

(c) Limited Authority of Bankruptcy Court to Enter Orders Prior to Transmittal of Record to District Court. After the notice of appeal is electronically transmitted to the District Court and a civil case is opened but before the record is transmitted to the District Court, the Bankruptcy Court is authorized and directed to dismiss an appeal for appellant's: (1) failure to pay the prescribed filing fees; (2) failure to comply with the time limitations specified in Federal Rule of Bankruptcy Procedure 8002; or (3) failure to file a designation of the items for the record or copies thereof or a statement of the issues as required by Federal Rule of Bankruptcy Procedure 8009, ~~and Local Bankruptcy Rule 8009-1~~. The Bankruptcy Court is further authorized and directed to hear, under

Federal Rule of Bankruptcy Procedure 9006(b), motions to extend the foregoing deadlines and to consolidate appeals that present similar issues from a common record. The Bankruptcy Court is also authorized to consider motions for stay pending appeal filed under Federal Rule of Bankruptcy Procedure 8007(a). Bankruptcy Court orders entered under this subsection shall be docketed in the Bankruptcy Court docket and transmitted to the District Court for docketing in the District Court case. Bankruptcy Court orders entered under this subsection may be reviewed by the District Court on motion filed in the District Court within fourteen (14) days after entry of the order on the District Court docket. A motion seeking review shall be filed pursuant to section (d) of this Local Rule.

(d) Motions for Stay and Other Intermediate Requests for Relief. Motions for stay pending appeal filed in the District Court pursuant to Federal Rule of Bankruptcy Procedure 8007(b), motions to review Bankruptcy Court orders entered under Federal Rule of Bankruptcy Procedure 9006(b), and other motions requesting intermediate relief as set forth in Federal Rule of Bankruptcy Procedure 8010(c), shall be filed in the District Court case opened upon

transmittal to the District Court of the notice of appeal and served on all parties. The movant shall designate any relevant portions of the Bankruptcy Court record necessary for the District Court to rule on the motion. It shall be the duty of the Clerk of the District Court immediately to transmit a copy of the order ruling on said motion to the Clerk of the Bankruptcy Court. Local Rules 5.1 and 7.1 shall apply to motions for stay and other motions seeking intermediate appellate relief from the District Court.

(e) Motions for Leave to Appeal. A motion for leave to appeal and notice of appeal shall be filed in the Bankruptcy Court pursuant to ~~Local Bankruptcy Rule~~ [Federal Rule of Bankruptcy Procedure](#) 8004-4 and served on all parties. Upon transmittal of the notice, motion, and related documents to the District Court, a civil case shall be opened as provided in subsection (b) of this Local Rule.

Upon disposition of the motion, the Clerk of the District Court immediately shall transmit a copy of the District Court order to the Clerk of the Bankruptcy Court. If the motion for leave to appeal is granted, the appeal will proceed under the original case number and the Clerk of the Bankruptcy Court will prepare and transmit the record on appeal.

(f) Briefs.

(1) *Briefing Schedule.* The briefing schedule specified by Federal Rule of Bankruptcy Procedure 8018 may be altered only by order of the District Court or by the Bankruptcy Court in accordance with Rule 9038. If the Clerk of the District Court does not receive appellant's brief within the time specified by Federal Rule of Bankruptcy Procedure 8018, and there is no motion for extension of time pending, the Clerk of the District Court shall furnish to the judge to whom the appeal is assigned a proposed order for dismissal of the appeal.

(2) *Form and Length of Briefs.* The form and length of briefs specified by Federal Rule of Bankruptcy Procedure 8015, and summarized in the Federal Rules of Bankruptcy Procedure Part VIII *Appendix: Length Limits Stated in Part VIII of the Federal Rules of Bankruptcy Procedures*, may be altered only by the order of the District Court. Failure to comply with Federal Rule of Bankruptcy Procedure 8015 may result in the striking of a brief. District Court Local Rules 5.1 and 7.1 do not apply to briefs governed by Federal Rule of Bankruptcy Procedure 8015.

(g) Oral Argument. Any party requesting oral argument shall make the request within the body of the principal or reply brief, not by separate motion. The setting of oral argument is within the discretion of the District Court.

(h) Judgment. Upon receipt of the District Court's opinion, the Clerk of the District Court shall enter judgment in accordance with Federal Rule of Bankruptcy Procedure 8024(a) and, in accordance with Federal Rule of Bankruptcy Procedure 8024(b), immediately shall transmit

to each party and to the Clerk of the Bankruptcy Court a notice of entry together with a copy of the District Court's opinion.

(i) Appeal. If an appeal remains pending three (3) months after its entry on the District Court docket, the appealing party shall file and serve on all parties a "Notice of 90 Days Expiring" in the manner prescribed by Local Rule 7.1(b)(4).

(j) Notice. The Clerk of the Bankruptcy Court shall provide reference to this Local Rule with the notice of appeal provided to each party in accordance with Federal Rule of Bankruptcy Procedure 8003(c)(1). Failure to receive such a copy will not excuse compliance with all provisions of this Local Rule.

(k) Court Discretion. This Local Rule is not intended to exhaust or restrict the District Court's discretion as to any aspect of any appeal.

(l) Sealed Documents. Pursuant to Federal Rule of Bankruptcy Procedure 8009(f), if a document sealed by the Bankruptcy Court is to be included in the record on appeal, a motion must be filed in the District Court to accept the sealed document and served on all parties. If the motion is granted, the Bankruptcy Clerk promptly will transmit the sealed document to the District Court Clerk.

Effective April 15, 1996. Amended effective April 15, 1999; April 15, 2007; April 15, 2009; April 15, 2010; December 1, 2011; December 1, 2015; December 2, 2019; December 1, 2023; [December 1, 2026](#).

RULES GOVERNING THE ADMISSION, PRACTICE, PEER REVIEW, AND DISCIPLINE OF ATTORNEYS

RULE 3. RETENTION OF MEMBERSHIP IN THE BAR OF THIS COURT

To remain an attorney in good standing of the bar of this Court, each member must remain an active attorney in good standing of The Florida Bar, specifically including compliance with all requirements of the Rules Regulating The Florida Bar, as promulgated by the Supreme Court of Florida. ~~Attorneys~~ Except as provided in Rules 4(b)(1) and (d) or other applicable rule or statute permitting appearance of counsel in this Court, attorneys who are not in good standing of the bar of this Court may not practice before the Court.

Effective December 1, 1994. Amended effective Jan. 1, 1996; April 15, 2007; December 1, 2011; December 1, 2015; December 1, 2017; December 1, 2026.

RULE 4. APPEARANCES

(a) **Who May Appear Generally.** Only members of this Court's bar may appear as attorneys before the Court, except when the Court permits an appearance pro hac vice. Attorneys residing within this District and practicing before this Court are expected to be members of the bar of this Court.

(b) **Appearance Pro Hac Vice.**

- (1) An attorney who is a member in good standing of the bar of any United States Court or of the highest Court of any State or Territory or Insular Possession of the United States but is not admitted to practice in the Southern District of Florida may, upon submission of a pro hac vice motion filed and served by co-counsel admitted to practice in this District, be permitted to appear and participate in a particular case. A certification that the applicant has studied the Local Rules, is a member in good standing of a qualifying bar, and has not filed more than three pro hac vice motions in different cases in this District within the last 365 days shall accompany the pro hac vice motion together with such appearance fee as may be required by administrative order. The certification shall also confirm that the attorney seeking pro hac vice admission has never been permanently or temporarily suspended from the practice of law by any qualifying bar, or, if applicable, shall disclose the circumstances of any such suspension and show good cause why the pro hac vice motion should be granted notwithstanding that prior disciplinary history. If permission to appear pro hac vice is granted, such appearance shall not constitute formal admission or authorize the attorney to file documents via CM/ECF.
- (2) Lawyers who are not members of the bar of this Court shall not be permitted to engage in general practice ~~in~~before the Courts of this District. For purposes of this rule, the filing of more than three motions to appear pro hac vice within a 365-day period in separate cases before the Courts of this District shall be presumed to be a "general practice." Upon written motion and for good cause shown the Court may waive or modify this prohibition.
- (3) A pro hac vice motion shall conform to the form provided for these purposes on the Court's website and designate at least one member of the bar of this Court who is authorized to file through the Court's electronic filing system, with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, upon whom filings shall be served, and who shall be required to electronically file and serve all documents and things that may be filed and served electronically, and who shall be responsible for filing and serving documents in compliance with the CM/ECF Administrative Procedures. See Section 2B of the CM/ECF Administrative Procedures. The pro hac vice motion must be accompanied by a written statement consenting to the designation, and the address and telephone number of the named designee(s). Upon written motion and for good cause shown the Court may ~~waive or~~ modify the requirements of such designation.

- (4) An attorney admitted pro hac vice for one or more parties may appear on behalf of additional parties in the same case by filing a Notice of Appearance Pro Hac Vice. No additional appearance fee is required. The Notice must state that all information provided in support of the initial pro hac vice motion remains current and correct, including the sponsoring co-counsel. If any such information has changed since the filing of the initial pro hac vice motion, the attorney may not use the notice procedure set forth herein and must instead repeat the process described in paragraphs (1) and (3) above.
- (c) **Appearance Ad Hoc.** An attorney acting on behalf of this Court's Volunteer Attorney Program may, upon written motion and by leave of court, be permitted to appear for an individual proceeding pro se in a civil matter for the sole purpose of assisting in the discovery process. If the appearance is permitted, when its purpose has been completed the attorney shall give notice to the Court, the pro se civil litigant, and opposing counsel that the ad hoc appearance is terminated.
- (d) **Government Attorneys.** Any full-time United States Attorney, Assistant United States Attorney, Federal Public Defender and Assistant Federal Public Defender and attorney employed full time by and representing the United States government, or any agency thereof, and any Attorney General and Assistant Attorney General of the State of Florida may appear and participate in particular actions or proceedings on behalf of the attorney's employer in the attorney's official capacity without petition for admission. Any attorney so appearing is subject to all rules of this Court.

Effective December 1, 1994. Amended effective Jan. 1, 1996; April 15, 2007; April 15, 2010; December 1, 2014; December 1, 2015; December 1, 2017; December 3, 2018; December 1, 2022; [December 1, 2026](#).