

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

MARGARET CARTER
CLERK

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UNITED STATES COURTHOUSE
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NOTICE OF PROPOSED AMENDMENT TO LOCAL RULE 46.0(a)(1)
AND INTERNAL OPERATING PROCEDURE II(A)

The United States Court of Appeals for the First Circuit hereby provides notice that it proposes the attached amendments to Local Rule 46.0(a)(1) and Internal Operating Procedure II(A). Additions are noted in *italic* print; deletions are noted in ~~strikeout~~ print.

The amended rule and operating procedure require that attorneys seeking admission to the First Circuit bar submit their bar application and pay the admission fee electronically through CM/ECF. Currently, applications must be submitted in paper accompanied by a check. Upon adoption of the amendments, the Clerk's Office will enable the utility feature in CM/ECF that permits submission and payment electronically. Attorneys will be able to pay by credit/debit card or by electronic debit from a checking or savings account using a routing number.

The Court of Appeals invites public comment on the proposed amendments. Comments should be received by May 5, 2013, and addressed to:

Office of the Clerk
U.S. Court of Appeals for the First Circuit
United States Courthouse
1 Courthouse Way, Suite 2500
Boston, MA 02210

April 4, 2013

/s/ Margaret Carter, Clerk

Local Rule 46.0. Attorneys

(a) Admission.

- (1) Admission Fee. Upon being admitted to practice, an attorney other than government counsel, and court-appointed counsel, must pay a local admission fee of \$50.00 to the clerk. The clerk must maintain the proceeds as a court's discretionary fund for the reimbursement of expenses of noncompensable court-appointed counsel and such other purposes as the court may order. This fee is in addition to the \$176.00 national admission fee imposed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U. S. C. § 1913. *Absent a waiver, the admission fee must be paid electronically using the court's Case Management/Electronic Case Files ("CM/ECF") system.* Attorneys may be admitted in open court on motion or otherwise as the court shall determine.

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Internal Operating Procedure II. Attorneys

- A. **Admission.** Attorneys seeking admission to the bar of the First Circuit Court of Appeals should obtain an application from the court's website at www.cal.uscourts.gov or write to the Clerk's Office. The admission fee imposed by Local Rule 46.0(a) (1) is \$50.00. There is an additional \$176.00 admission fee prescribed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913. ~~The combined fee of \$226.00 should be paid in a single check or money order, made payable to: "Clerk, United States Court."~~ *Qualified attorneys should mail the completed application, along with the admission fee to the Clerk's Office. Absent a waiver from the Clerk's Office, attorneys must file their application form electronically and pay the combined fee of \$ 226.00 electronically using the Court's Case Management/Electronic Case Files ("CM/ECF") system.* Once verification of the application is complete, which may take up to ~~14~~ 7 days, a Certificate of Admission will be returned by mail. Incomplete applications will not be considered. Requests to be admitted in person must be made on the application form and will be allowed at the Court's discretion. Successful applicants to be admitted in court will be electronically notified of the time and place of admission. Such applicants will receive their Certificate of Admission by mail at a later date. Where an application raises questions about the applicant's qualification for admission, the Clerk will refer the matter to the Chief Judge. If the Chief Judge concludes that denial may be warranted, the matter will be referred to a panel for determination.