Rule 2090-1

ATTORNEYS – ADMISSION TO PRACTICE AND PRO HAC VICE ADMISSION

(a) ***Admission to the District Court Required.*** Except as set forth in sections (b) and (c) herein, an attorney who wishes to appear or be heard as counsel for another in any case or proceeding in the Court must first be admitted to practice in the United States District Court for the Middle District of Florida pursuant to Rule 2.01 of the Local Rules of the United States District Court for the Middle District of Florida.

(b) ***Limited Appearances by Attorneys Not Admitted to the Middle District.*** An attorney residing outside the Middle District of Florida who is not admitted to practice in the United States District Court for the Middle District of Florida may appear without general or special admission to practice in the following limited instances:

(1) the preparation and filing of a notice of appearance and request for service of notices pursuant to Fed. R. Bankr. P. 2002;

(2) the preparation and filing of a proof of claim;

(3) the preparation and filing of a motion for payment of unclaimed funds;

(4) the attendance and inquiry at the meeting of creditors held under 11 U.S.C. § 341; and

(5) the attendance and representation of a creditor at a hearing that has been noticed to all creditors other than the representation of a party in a contested matter or adversary proceeding.

(c) ***Special Admission to Practice.***

(1) ***Attorneys Not Admitted to Practice in the Middle District.*** An attorney who is a member in good standing of the bar of a District Court of the United States other than the Middle District of Florida ("Non-Resident Attorney") may appear pro hac vice upon motion to the Court provided that such privilege is not abused by frequent or regular appearances in separate cases to such a degree as to constitute the maintenance of a regular practice of law in the Middle District of Florida. Motions to appear pro hac vice must substantially conform to the form posted on the Court's website, www.flmb.uscourts.gov, and must include:

(A) the state(s) where the attorney is admitted to practice and associated bar number(s);

(B) the United States District Court(s) where the attorney is admitted;

(C) a list of all prior pro hac vice appearances in the Middle District of Florida; and

(D) a written designation of an attorney admitted to practice in the Middle District and that attorney's consent to act as local counsel.

(2) ***Government Attorneys.*** An attorney employed by the United States (or any agency thereof) or any state or local government (or any agency thereof) may appear and participate in cases or proceedings on behalf of such entity in the attorney's official capacity. Any attorney appearing under this subsection is subject to these Local Rules.

(3) ***Separate Requirements for Electronic Filing Users.*** A Non-Resident Attorney who is admitted to practice pro hac vice and wishes to file papers with the Court must be an Electronic Filing User as set forth in Local Rule 1001-2. Otherwise, local counsel may file papers on behalf of Non-Resident Attorneys who do not wish to become Electronic Filing Users.

(4) ***Admission Fees.*** The Non-Resident Attorney must pay to the District Court any admission fee required by the District Court of the Middle District of Florida.

(d) ***Conduct of Attorneys.*** All attorneys who appear in this Court are deemed to be familiar with and are governed by these Local Rules, the Rules of Professional Conduct, and other requirements governing the professional behavior of members of The Florida Bar. Such attorneys are subject to the disciplinary powers of the Court, including the processes and procedures set forth in Local Rule 2090-2. Attorneys must conduct themselves with civility and in a spirit of cooperation in order to reduce unnecessary cost and delay.

(e) ***Attorneys Who Become Ineligible to Practice Law.***

(1) ***Voluntary Resignation.*** An attorney admitted to appear or be heard as counsel for another who resigns from the practice of law in the State of Florida, or from the bar of any state, the District of Columbia or territory upon whose admission the attorney's eligibility to practice law in this Court relies, must immediately notify the Court of such resignation. Upon such notification, the Court will suspend the attorney's right to practice before the Court in accordance with Local Rule 2090-2(b).

(2) ***Involuntary Ineligibility to Practice Law.*** An attorney admitted to appear or be heard as counsel for another who becomes ineligible to practice law because of disbarment or suspension by the bar of any state, the District of Columbia, or territory, or any federal district court or other court of competent jurisdiction, must immediately notify the Court of such disbarment or suspension. Upon such notification, the Court will suspend the attorney's right to practice before this Court in accordance with Local Rule 2090-2(b).

Notes of Advisory Committee

2025 Amendment

This amendment revises section (c)(1) to specify what information is required in a motion to appear pro hac vice. Other changes are stylistic. This amendment to the rule is effective August 15, 2025.

2021 Amendment

This amendment revises section (c)(1) to require motions for pro hac vice admission include the state(s) where the attorney is admitted to practice and associated bar number(s). The amendment also revises section (c)(2) to set forth requirements for government attorneys who are not admitted in Middle District. This amendment to the rule is effective August 1, 2021.

2020 Amendment

This amendment clarifies that admission to practice in the Middle District is not required for an attorney to prepare and file a motion for payment of unclaimed funds. The title of the rule is also revised to include the words "Pro Hac Vice Admission" so that the Court's requirements for pro hac vice admission are more easily located in the Local Rules' Table of Contents. This amendment to the rule is effective August 1, 2020.

2016 Amendment

This amendment clarifies the procedure to be followed by attorneys who wish to appear before the Court but who are not admitted to practice in the Middle District of Florida. The amendment also instructs counsel that the District Court requires a filing fee to be paid for special admission to practice. This amendment to the rule is effective July 1, 2016.

2015 Amendment

New section (d) was previously section (a) of Local Rule 2090-2 Attorneys – Discipline. This amendment to the rule is effective July 1, 2015.

2014 Amendment

This amendment adds new section (d), requiring any attorney admitted to practice before the Court who becomes ineligible to practice law to so advise the Court. This amendment to the rule is effective July 1, 2014.

2004 Amendment

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment to the rule was effective on April 15, 1997.

This rule was formerly Local Rule 1.07(a)-(c)(1)-(2). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

The reference in paragraph (a) of this rule is to District Court Local Rule 2.01. At the time of this amendment, the District Court had not taken action to renumber its local rules. In the event the District Court renumbers its local rules, this rule should be interpreted to refer to the renumbered successor to current District Court Local Rule 2.01.

1995 Amendment

The amendment to Local Rule 1.07(b) is stylistic. No substantive change is intended.

The amendment to Local Rule 1.07 (c)(1) specifies that the attorney executing the written designation and consent-to-act on behalf of the non-resident attorney be resident in the Middle District of Florida.

The amendment to Local Rule 1.07(c)(3) is intended to clarify that an attorney appearing specially is subject to the same disciplinary process as a member of the bar of the District Court.

These amendments to the rule were effective on February 15, 1995.