

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
GENERAL ORDER 20-0031**

The full Court met in executive session on Thursday, November 19, 2020 and approved technical amendments to Local Rules 83.12 Admission of Attorneys Generally and 83.40 Expenses.

The Court's Rules Committee considered the rules at its meeting on Thursday, November 12, 2020. It recommended that the full Court adopt the proposed technical amendments to the Local Rules.

The full Court considered the recommendation of the Rules Committee and agreed to technically modify Local Rules 83.12 and 83.40. Therefore,

By direction of the full Court, which met in executive session on Thursday, November 19, 2020,

IT IS HEREBY ORDERED that Local Rules 83.12 Admission of Attorneys Generally and 83.40 Expenses be technically amended as attached in both redline/strikeout and clean versions (additions shown thus, deletions shown ~~thus~~).

ENTER:

FOR THE COURT

  
\_\_\_\_\_  
Hon. Rebecca R. Pallmeyer, Chief Judge

Dated at Chicago, Illinois this 20th day of November, 2020

## LR83\_12. Appearance of Attorneys Generally

**(a) Who May Appear.** Except as provided in [LR83.14](#) and [LR83.15](#) and as otherwise provided in this rule, only members in good standing of the general bar of this Court may enter an appearance on behalf of a party; file pleadings, motions or other documents; sign stipulations; or receive payments upon judgments, decrees or orders.

Attorneys admitted to the trial bar may appear alone in all matters and serve as the lead attorney should a case go to trial. Attorneys admitted to the general bar, but not to the trial bar, may appear in association with a member of the trial bar in all matters ~~and may appear alone except as otherwise provided by this rule but may not appear as the lead attorney at trial~~.

The following officers appearing in their official capacity shall be entitled to appear in all matters before the court without admission to the trial bar of this Court: the Attorney General of the United States, the United States Attorney for the Northern District of Illinois, the Executive Director of the Federal Defender Program of the United States District Court for the Northern District of Illinois, the Attorney General or other highest legal officer of any state, and the ~~state's~~ State's Attorney of any county in the State of Illinois. This exception to membership in the trial bar shall apply to such persons as hold ~~the above--~~described offices during their terms of office, and to their assistants.

**(b) Testimonial Proceedings.** An attorney who is a member of the trial bar may appear alone during testimonial proceedings. An attorney who is a member of the general bar, but not of the trial bar, may appear during testimonial proceedings only if accompanied by a member of the trial bar who is serving as advisor. For the purposes of this rule the definition of the term "testimonial proceedings" is the same as in [LR83.11\(a\)\(1\)](#).

**(c) Criminal Proceedings.** An attorney who is a member of the trial bar may appear alone on behalf of a defendant in a criminal proceeding. An attorney who is a member of the general bar, but not a member of the trial bar, may (1) appear as lead counsel for a defendant in a criminal proceeding only if accompanied by a member of the trial bar who is serving as advisor

and (2) sign pleadings, motions or other documents filed on behalf of the defendant only if such documents are co-signed by a member of the trial bar.

**(d) Waiver.** A judge may permit an attorney admitted to the general bar, but not the trial bar, to appear alone in any aspect of a civil or criminal proceeding only upon written request by the client and a showing that the interests of justice are best served by a waiver of these rules. Such permission shall apply only to the proceeding in which it was granted and shall be ~~limited~~ to exceptional circumstances.

Amended June 24, 2009, ~~and~~ December 23, 2016, and November XX, 2020

## LR83\_12. Appearance of Attorneys Generally

**(a) Who May Appear.** Except as provided in [LR83.14](#) and [LR83.15](#) and as otherwise provided in this rule, only members in good standing of the general bar of this Court may enter an appearance on behalf of a party; file pleadings, motions or other documents; sign stipulations; or receive payments upon judgments, decrees or orders. Attorneys admitted to the trial bar may appear alone in all matters and serve as the lead attorney should a case go to trial. Attorneys admitted to the general bar, but not to the trial bar, may appear in association with a member of the trial bar in all matters but may not appear as the lead attorney at trial. The following officers appearing in their official capacity shall be entitled to appear in all matters before the court without admission to the trial bar of this Court: the Attorney General of the United States, the United States Attorney for the Northern District of Illinois, the Executive Director of the Federal Defender Program of the United States District Court for the Northern District of Illinois, the Attorney General or other highest legal officer of any state, and the State's Attorney of any county in the State of Illinois. This exception to membership in the trial bar shall apply to such persons as hold the above-described offices during their terms of office, and to their assistants.

**(b) Testimonial Proceedings.** An attorney who is a member of the trial bar may appear alone during testimonial proceedings. An attorney who is a member of the general bar, but not of the trial bar, may appear during testimonial proceedings only if accompanied by a member of the trial bar who is serving as advisor. For the purposes of this rule the definition of the term "testimonial proceedings" is the same as in [LR83.11\(a\)\(1\)](#).

**(c) Criminal Proceedings.** An attorney who is a member of the trial bar may appear alone on behalf of a defendant in a criminal proceeding. An attorney who is a member of the general bar, but not a member of the trial bar, may (1) appear as lead counsel for a defendant in a criminal proceeding only if accompanied by a member of the trial bar who is serving as advisor and (2) sign pleadings, motions or other documents filed on behalf of the defendant only if such documents are co-signed by a member of the trial bar.

**(d) Waiver.** A judge may permit an attorney admitted to the general bar, but not the trial bar, to appear alone in any aspect of a civil or criminal proceeding only upon written request by the client and a showing that the interests of justice are best served by a waiver of these rules. Such permission shall apply only to the proceeding in which it was granted and shall be limited to exceptional circumstances.

Amended June 24, 2009, December 23, 2016, and November 20, 2020

LR83.40. Expenses

(a) Any party for whom counsel has been recruited by the Court pursuant to LR 83.36 and has filed an appearance on behalf of the party assigned shall bear ~~the cost of any~~ expenses of the litigation ~~or appeal~~ to the extent reasonably feasible in light of the party's financial condition. Such expenses shall include, but not be limited to discovery expenses, subpoena and witness fees, and transcript expenses. If the party is unable to pay the expenses of litigation, recruited Assigned counsel ~~or the firm with which counsel is affiliated~~ may advance part or all of the payment of any such expenses without requiring that the party remain ultimately liable for such expenses, except out of the proceeds of any recovery. The assigned attorney or firm is not required to advance the payment of such expenses.

(b) Expenses incurred by eCounsel recruited assigned pursuant to LR83.36 ~~or the firm with which counsel is affiliated~~ may obtain prepayment or reimbursement of expenses ~~be reimbursed~~ from the District Court Fund in accordance with the provisions of the Regulations Governing the Reimbursement of Expenses in Pro Bono Cases. In the event that a party derives funds from a settlement, judgment, or other award of costs or fees in excess of \$50,000, the receiving party shall be required to reimburse the District Court Fund for any expenditures in excess of \$5,000 (other than interpreter fees) made on behalf of that party. Receipt of payments and reimbursements from the District Court Fund operates as the receiving party's consent to this reimbursement requirement.

~~The Clerk will provide copies of the Regulations and the Plan for the Administration of the District Court Fund on request.~~

Amended June 30, 2015, December 23, 2016, ~~and~~ March 22, 2019 and November XX, 2020

LR83.40. Expenses

(a) Any party for whom counsel has been recruited by the Court pursuant to [LR 83.36](#) and has filed an appearance on behalf of the party shall bear expenses of the litigation to the extent reasonably feasible in light of the party's financial condition. Such expenses shall include, but not be limited to discovery expenses, subpoena and witness fees, and transcript expenses. If the party is unable to pay the expenses of litigation, recruited counsel may advance part or all of the payment of any such expenses without requiring that the party remain ultimately liable for such expenses, except out of the proceeds of any recovery. The assigned attorney or firm is not required to advance the payment of such expenses.

(b) Counsel recruited pursuant to LR83.36 may obtain prepayment or reimbursement of expenses from the District Court Fund in accordance with the provisions of the [Regulations Governing the Prepayment and Reimbursement of Expenses in Pro Bono Cases](#). In the event that a party derives funds from a settlement, judgment, or other award of costs or fees in excess of \$50,000, the receiving party shall be required to reimburse the District Court Fund for any expenditures in excess of \$5,000 (other than interpreter fees) made on behalf of that party. Receipt of payments and reimbursements from the District Court Fund operates as the receiving party's consent to this reimbursement requirement.

Amended June 30, 2015, December 23, 2016, March 22, 2019 and November 20, 2020