

PROPOSAL TO AMEND THE LOCAL RULES

The full Court met in executive session on Thursday, March 19, 2009, and approved a proposal to amend LR83.16 of the Civil Rules of this Court as follows (additions shown thus, and deletions shown ~~thus~~):

LR83.16. Appearance Forms

(a) General. The Executive Committee will approve the format of the appearance form to be used.

The clerk shall provide copies of the forms on request.

(b) Who Must File. Except as otherwise provided in these rules, an appearance form shall be filed by every attorney, including senior students admitted pursuant to LR83.13 and attorneys admitted pursuant to LR83.14, who represents a party in any proceeding brought in this Court, whether before a judge or magistrate judge, ~~except that n~~No appearance form need be filed by the United States Attorney or any Assistant United States Attorney where the appearance is on behalf of the United States, any agency thereof or one of its officials pursuant to 28 U.S.C. § 1442(a)(1). The United States Attorney's Office is required to provide the name of a designated Assistant United States Attorney who is to receive electronic notices of Court proceedings in addition to the notices received by the United States Attorney's central e-mail account.

(c) Appearance by Firms Prohibited. Appearance forms are to list only the name of an individual attorney. The clerk is directed to bring to the attention of the assigned judge any appearance form listing a firm of attorneys rather than an individual attorney. For the purposes of this rule, an individual attorney who practices as a professional corporation may file the appearance as the professional corporation.

(d) When To Be Filed. An attorney required by these rules to file an appearance form shall file it prior to or simultaneously with the filing of any motion, brief or other document in a proceeding before a judge or magistrate judge of this Court, or at the attorney's initial appearance before a judge or magistrate judge of this Court, whichever occurs first.

Where the appearance is filed by an attorney representing a criminal defendant in a proceeding before a judge or magistrate judge, the attorney shall serve a copy of the appearance on the United States attorney.

(e) Penalties. If it is brought to the attention of the clerk that an attorney who has filed documents or appeared in court has not filed the appearance form required by this rule, the clerk will notify the judge or magistrate judge before whom the proceedings are pending. An attorney who fails to file an appearance form where required to do so by this rule may be sanctioned.

(f) Emergency Appearances. An attorney may appear before a judge or magistrate judge without filing an appearance form as required by this rule where the purpose of the appearance is to stand in for an attorney who has filed or is required to file such a form and the latter attorney is unable to appear because of an emergency.

(g) Attorney ID Numbers. The number issued to members of the Illinois bar by the Illinois Attorney Registration and Disciplinary Commission, or such other number as may be approved by the Executive Committee, shall serve as the identification number. The clerk shall be responsible for issuing identification numbers to attorneys who are not members of the Illinois bar.

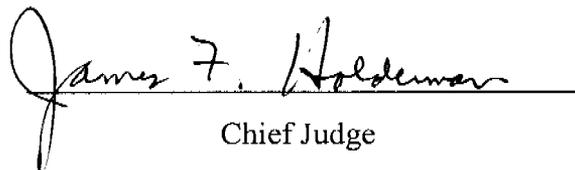
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COMMENT: The proposed modification will ensure that the designated Assistant United States Attorney in a case will receive electronic notices. By direction of the full Court and pursuant to 28 U.S.C. §207(b) regarding appropriate public notice and opportunity for comment, the Clerk is

directed to: (a) cause the proposal to amend revised Local Rule 83.16 to be posted in the Courthouses at Chicago and Rockford, (b) cause notice of the proposal and requests for comment to be published in the *Chicago Daily Law Bulletin*, (c) cause notice of the proposal and requests for comment to be posted on the web site for the United States District Court Northern District of Illinois, (d) indicate in such notice a final date for receipt of comments, which date shall be sixty days from the first date of publication in the *Law Bulletin*, (e) collect and distribute among the members of the Advisory Committee for Local Rules all comments received, and (f) following receipt of a copy of the report and recommendation of the advisory committee to distribute copies of the comments together with copies of the report and recommendation among the members of the Court for consideration at a regular meeting of the full Court.

ENTER:

FOR THE COURT


Chief Judge

Dated at Chicago, Illinois this 30th day of March, 2009.