

SECTION III – ATTORNEYS

RULE AT-1. ADMISSION OF ATTORNEYS

(a) Eligibility for Admission.

- (1)** In General. An attorney may be admitted to the bar of the U.S. District Court for the Western District of Texas if the attorney is licensed to practice by the highest court of a state, is in good standing in that bar; and has good personal and professional character. An applicant who is not licensed to practice by the highest court of any state may apply for admission, however, if admitted, such an attorney must obtain a license from the highest court of any state within one year after being admitted to the bar of this Court.
- (2)** Bankruptcy Court. An attorney seeking to practice before the Bankruptcy Court for the Western District of Texas must make application to the U.S. District Court for the Western District of Texas as this rule requires.

(b) Application for Admission.

- (1)** Contents. An application for admission must be made on the form prescribed by the court. It must be supported by a certificate of good standing (or equivalent documentation) from the highest state court and the United States district court, if licensed, where the applicant practices. All certificates of good standing must be dated no earlier than 60 days before the date the application is filed. The application must also be supported by two letters of recommendation in the form prescribed by the court. For an applicant residing in this district, the letters must be from attorneys admitted to practice and in good standing in the bar of this court. For an applicant practicing in another federal judicial district, the letters must be from attorneys admitted to practice and in good standing in the bar of that court. The letters must be written and dated no earlier than 6 months before the date the application is filed.
- (2)** Seminar Requirement. Within one year before the application is filed, the applicant must complete a live, video or on-line continuing legal education program on federal court practice approved by the court, and must certify that attendance on a form prescribed by the court. This requirement does not apply to a nonresident applicant who is admitted to practice and in good standing in the bar of another U.S. district court. In the event that the applicant was previously admitted to this Court and previously fulfilled the CLE requirement, this requirement is waived.
- (3)** Filing. An applicant residing in this district must file the application with the clerk in the division where he or she resides. An applicant residing outside this district may file the application in any division of the district.

- (4) Time for Completing Application. An applicant must complete all requirements for admission (including any requested supplemental or explanatory information) within one year after filing an application. If the applicant fails to do so, the application expires. In that event, an applicant who seeks admission again must file a new application.
- (c) **Divisional Committee on Admissions.** In each division of this court there is constituted a committee on admissions, which reviews applications for admission to the bar of this court and makes appropriate recommendations to the court.
- (1) Composition. Each committee on admissions has five or more members, including a chair. To the extent possible, the committee should include civil, criminal, and bankruptcy practitioners. Those eligible for service on the committee are attorneys licensed to practice in this district and in good standing, and maintaining a law office in the division served. The members and chair are appointed by the judges resident in, or responsible for, the division.
 - (2) Terms. Membership terms should be staggered so that approximately one third of the members' terms expire each year. The term is 3 years, unless a shorter period is required to achieve staggered terms. The terms of members and the chair may be renewed one or more times.
 - (3) Quorum. A quorum of a committee consists of three members, participating either in person or by electronic means.
- (d) **Action on Applications.**
- (1) Clerk's Duties. The clerk will inspect applications for completeness, and may request the applicant to provide supplemental or explanatory information. The clerk will forward completed applications to the committee chair.
 - (2) Examination by the Committee. The committee will meet with reasonable frequency to examine applications referred to it. The committee may request the applicant to provide supplemental or explanatory information, and may request that the applicant appear before it. If the committee determines that an applicant meets all requirements for admission, it will report that recommendation to the judge or judges of the division. If the committee does not recommend an applicant for admission, the chair of the Divisional Committee will promptly inform the applicant.
 - (3) Review by the Court. An applicant who is not recommended for admission may request that the court review the application. A request for review must be made in writing within 30 days of receipt of the committee's notification, addressed to the judge or judges of the division, with a copy to the committee chair. Upon receipt of a request for court review, the chair will send the committee's file on the applicant to the court.

(e) Procedure for Admission.

- (1) In General.** After approval by the committee, and upon motion of a member of the bar of this court made in open court, an attorney may be admitted to practice. To complete admission, the attorney must pay the prescribed admission fee, and must take in open court the following oath or affirmation:

"I do solemnly [swear or affirm] that I will discharge the duties of attorney and counselor of this court faithfully, that I will demean myself uprightly under the law and the highest ethics of our profession, and that I will support and defend the Constitution of the United States."

- (2) Special Procedure for Non-Resident Attorney.** A non-resident attorney who has completed all other requirements for admission may, with the approval of a judge of the division where the application was filed, have the oath or affirmation of admission administered by a judge in another federal judicial district. When the attorney files the oath or affirmation with the clerk and pays the prescribed admission fee, the attorney will be admitted to practice in this district.

(f) Appearance Pro Hac Vice.

- (1) In General.** An attorney who is licensed by the highest court of a state or another federal district court, but who is not admitted to practice before this court, may represent a party in this court pro hac vice only by permission of the judge presiding. Unless excused by the judge presiding, an attorney is ordinarily required to apply for admission to the bar of this court.

- (2) Procedure.** An attorney seeking admission pro hac vice must make application on a form prescribed by the court, and must pay the prescribed fee to the clerk. An attorney admitted pro hac vice must read and comply with the Local Court Rules for the Western District of Texas. By appearing in any case, an attorney becomes subject to the rules of this court.

- (3) Bankruptcy Court.** Admission to practice pro hac vice before the district's bankruptcy court rests in the sole discretion of the bankruptcy judge to whom the motion is addressed. Such admission is limited to the particular case or matter for which it is approved; it is not a general admission to practice before the bankruptcy court or the district court.

- (g) Special Procedures for an Attorney Employed by a Governmental Entity.** An application for admission by an attorney employed by the U.S. Department of Justice, the Attorney General of Texas, the Federal Public Defender for the district, or other governmental entity must be made on the form prescribed by the court, and supported with the required certificate of good standing. In lieu of submitting two letters of recommendation,

an attorney covered by this subdivision need only submit a letter of recommendation from his or her supervising attorney. In addition, such an attorney is exempt while so employed from payment of any fee for admission, pro hac vice appearance, or membership renewal.

- (h) Renewal of Membership.** A member of the bar of this court must renew the membership every 3 years after admission by paying the prescribed renewal fee to the clerk. If the renewal fee is not timely paid, the attorney will be removed from the rolls of the court. An attorney so removed who wishes to practice in this court must reapply for admission.