

OFFICE OF THE CLERK
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

INSTRUCTIONS REGARDING APPLICATION FOR ADMISSION TO PRACTICE

PRO HAC VICE

Revised December 2023

Pursuant to Local Rule 180(b)(2) of the United States District Court for the Eastern District of California, made applicable in bankruptcy cases and proceedings by Local Bankruptcy Rule 1001-1(c), an attorney who is not a member of the California State Bar, but who is a member in good standing of, and eligible to practice before, the bar of any United States Court or of the highest court of any State or of any Territory or Insular possession of the United States, who is of good moral character, and who has been retained to appear in this Court, may upon written application and in the discretion of the Court, be permitted to appear and participate in a particular case. Attorneys who (1) reside in California, (2) are regularly employed in California, or (3) are regularly engaged in business, professional, or other activities in California are not eligible for admission to practice pro hac vice.

Application for admission to practice in this court pro hac vice shall be made by the attorney seeking admission ("applicant") using form EDC 2-602, *Application for Pro Hac Vice and Proposed Order* that states under penalty of perjury: (1) the attorney's residence, office address, and state bar membership number; (2) by what court(s) the attorney has been admitted to practice and the date(s) of admission; (3) that the attorney is in good standing and eligible to practice in said court(s); (4) that the attorney is not currently suspended or disbarred in any other court(s); and (5) if concurrently or within the year preceding the current application the attorney made any pro hac vice application to this Court, the title and the number of each matter wherein application was made, the date of the application, and whether or not the application was granted. The attorney shall also designate in the application a member of the bar of this Court who is registered to use the bankruptcy court's electronic filing system, with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, and upon whom papers shall be served. The address, telephone number, and written consent of designated local counsel shall be filed with the application. See Local Rule 180(b)(2)(I) of the United States District Court for the Eastern District of California.64Rara1816

I. FEE FOR FILING AN APPLICATION FOR ADMISSION TO PRACTICE PRO HAC VICE

The fee for filing an application for admission to practice pro hac vice is \$300.00. This fee is prescribed by the U.S. District Court for the Eastern District of California, and shall be paid to the Clerk, U.S. District Court. The receipt number issued by the District Court Clerk upon payment of the fee must be included in the pro hac vice application filed with the bankruptcy court. Applications submitted without a valid U.S. District Court receipt number will NOT BE PROCESSED. If the pro hac vice application is denied, any or all of the fee may be refunded by the U.S. District Court.

II. APPLYING FOR ADMISSION TO PRACTICE PRO HAC VICE

A. When applying for admission to practice pro hac vice, the **applicant** shall:

1. Pay the \$300.00 filing fee by check, money order, cashier's check or cash ONLY to the Clerk, U.S. District Court, Eastern District of California. Payment shall be mailed or delivered to the U.S. District Court Clerk's Office (Sacramento Division: 501 I Street, Room 4-200, Sacramento, CA 95814; Fresno Division: 2500 Tulare Street, Room 1501, Fresno, CA 93721) with a certificate of good standing from the court in the attorney's state of primary residence. (**NOTE:** A copy of the certificate of good standing must also accompany the application for admission to practice submitted to the bankruptcy court, as noted on page 1 of the *Application for Pro Hac Vice and Proposed Order*, EDC Form 2-602.)
2. Write the receipt number issued by the District Court Clerk upon payment of the fee on the line provided on form EDC 2-602, *Application for Pro Hac Vice and Proposed Order*.
3. Complete the *Application* form in all other respects except for the lines provided on the second page for the date and information in the order portion of the form.
4. Date and sign¹ the application on the lines provided for applicant's signature and the date and provide the signed application to designated local counsel with the certificate of good standing and any other supporting documentation.

B. **Designated local counsel** shall then:

1. Review the information provided by the applicant on form EDC 2-602, *Application for Pro Hac Vice and Proposed Order* and verify that the information provided in the **Local Attorney** section is correct and complete.
2. Prepare the application and proposed order for filing electronically by combining Form EDC 2-602, *Application for Pro Hac Vice and Proposed Order*, any continuation pages, the pro hac vice counsel's certificate of good standing and any other documents pertaining to the application into one PDF.
3. Electronically file the application and proposed order, and any related documents with the bankruptcy court by logging into the CAEB e-Filing site and selecting **Proposed Orders -> Other Proposed Orders**.

¹The completed application provided to designated local counsel by the applicant is the original signed copy and must contain the applicant's handwritten signature.

III. ELECTRONIC FILING OF DOCUMENTS BY PRO HAC VICE COUNSEL

Attorneys admitted to practice in this Court pro hac vice are eligible to register as users of the court's electronic filing system. Pro hac vice attorneys will be considered 'attorneys who regularly practice' in this district within the meaning of Local Rule 5005-1(c)(2) and will, therefore, be required to register as users of the court's electronic filing system through PACER if they file more than a just a few documents. Information regarding the CAEB e-Filing system is available under **CAEB e-Filing -> Registration and Training -> How to e-File** and **CAEB e-Filing -> Registration and Training -> Click here for training** . E-Filing questions may be directed to our help desk at 855-542-0992 or Efilers_Helpdesk@caeb.uscourts.gov