

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

IN THE MATTER OF ADOPTION OF)
) ss
AMENDED RULES OF COURT)

The matter of the adoption of amendments to the rules for this Court having come on regularly to be heard, and a set of amended local rules having been considered, and the Court being fully advised in the premises; it is

HEREBY ORDERED that local civil rules 51.1 and 83.12.2, be amended in accordance with the copy attached hereto. It is


FURTHER ORDERED that said rules relating to jury instructions and admission to practice are a part of the local criminal rules, and said criminal rules 30.1 and 61.1 be amended in accordance with the copy attached hereto. It is

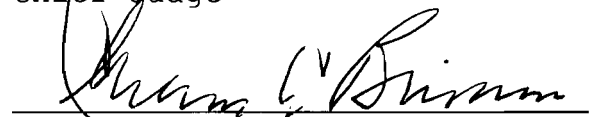
FURTHER ORDERED that Appendix E relating to a Motion for Admission *Pro Hac Vice* as attached hereto, be adopted as part of the Local Civil Rules and Appendix A relating to a Motion for Admission *Pro Hac Vice* as attached hereto, be adopted as part of the Local Criminal Rules. It is


FURTHER ORDERED that the said amended local rules and the new Appendix E to the Civil Rules and the new Appendix A to the Criminal Rules shall be adopted, and become effective August 20, 2003. It is

FURTHER ORDERED that the Clerk of Court shall cause notice of the attached amendments to the local rules and the new Appendix E of the Civil Rules and Appendix A of the Criminal Rules to be published to the Bar and public.

Dated this 15th day of August, 2003.


WILLIAM F. DOWNES
Chief Judge


CLARENCE A. BRIMMER
United States District Judge


ALAN B. JOHNSON
United States District Judge


WILLIAM C. BEAMAN
United States Magistrate Judge

Rule 51.1 INSTRUCTIONS

The parties shall tender to the Court and exchange with each other proposed jury instructions with citations to authorities in support thereof, together with proposed verdict forms, and a 3 1/2 inch diskette formatted for WordPerfect, five (5) **business** days prior to trial in both civil and criminal cases.

Rule 83.12.2 ADMISSION TO PRACTICE

(a) General Admissions. Attorneys who are regularly admitted and licensed to practice before the Supreme Court of Wyoming may be admitted to practice in the United States District Court for the District of Wyoming upon motion made in open court by an attorney admitted to this Court. Said motion shall contain a satisfactory showing of the good moral character and the qualifications of the applicant, and the moving attorney shall vouch for him. Upon the granting of said motion for admission, the applicant shall take the oath, which shall be administered by the Court or the Clerk of Court. After signing the roll of attorneys in the Clerk of Court's office and paying the appropriate fee to the Clerk of Court, a certificate of admission shall be furnished to each admitted attorney.

(b) Admission *Pro Hac Vice*. All attorneys who have not been admitted to practice in the courts of the State of Wyoming must seek admission *pro hac vice* based upon a motion made by a member of the Bars of the State of Wyoming **and of this Court and an affidavit of the attorney seeking pro hac vice admission** in order to appear in any matter before this Court. A proposed order shall be submitted with the motion. **(See Appendix E for the required contents of the motion and affidavit.)**

Unless otherwise ordered by this Court, a motion to appear *pro hac vice* shall be granted only if the applicant associates with a currently licensed member of the Bars of the State of Wyoming **and of this Court** who shall participate in the preparation and trial of the case to the extent required by the Court. The applicant must also be a member in good standing of the bar of another state **and the bar of another federal court in order to be eligible for pro hac vice admission in any matter before this Court.**

An attorney who applies for admission *pro hac vice* consents to the exercise of disciplinary jurisdiction by this Court over any alleged misconduct which occurs during the progress of the case in which the attorney so admitted participates. Prior to the filing of any pleadings or other documents, there shall be filed in the Clerk of Court's office an entry of appearance by a currently licensed member of the Bar of the State of Wyoming with whom the applicant has become associated. The Wyoming member of the Bar shall move the applicant's admission at the commencement of the first hearing to be held before the Court. The Wyoming attorney shall sign the first pleading filed and shall continue in the case unless other resident counsel be substituted. The Wyoming attorney shall be present in Court during all proceedings in connection with the case, unless excused, and shall have full authority to act for and on behalf of the client in all matters including pretrial conferences, as well as trial or any other hearings. Any notice, pleading or other paper shall be served upon all counsel of record, including

resident counsel, whenever possible, but it shall be sufficient for purposes of notice if service of any motion, pleading, order, notice or any other paper is served only upon Wyoming counsel, who shall assume responsibility for advising the non-resident associate of any such service. For good cause shown, the Court may direct the Clerk of Court to accept for filing a complaint signed only by a non-resident attorney, upon the condition that such non-resident attorney shall associate with resident counsel within ten (10) days after the filing of the complaint.

(c) Motion to appear *pro hac vice*. Every motion to appear *pro hac vice* must contain the firm name (if any) address, telephone and facsimile number (if any) for said attorney, otherwise the attorney's name will not be added to the case docket. A proposed order shall be submitted with the motion.

(d) *Pro Se* Representation. Any party proceeding on his or her own behalf without an attorney shall be expected to read and be familiar with both the Local Rules of this Court and with the Federal Rules of Civil Procedure, the Rules of Bankruptcy Procedure, the Federal Rules of Evidence, or Federal Rules of Appellate Procedure, whichever may be appropriate in the case, and to proceed in accordance therewith. Copies of such Rules shall be available for review at the Office of the Clerk of Court.

(e) Government Attorneys. Any attorney representing the United States Government, or any agency thereof, and who has been admitted to practice in the highest court of any state, but who is not otherwise qualified under this Rule to practice in this Court, may appear and participate in a case in his official capacity, as hereinafter provided. If the Government representative is not a member of the Bar of this Court, the United States Attorney for this District or one of his assistants shall move the admission of the non-resident Government representative, shall sign all pleadings before their filing and shall be present in Court during all proceedings in connection with the case, unless excused by the Court. Said United States Attorney shall also be designated by the Government attorney for the purpose of receiving service of notices, and such service shall constitute service upon said Government attorney.

(f) Law Students. Any law student who has complied with the terms and conditions of Rule 12, Rules of the Supreme Court of Wyoming, providing for the organization and government of the Bar Association and attorneys at law of the State of Wyoming, shall be permitted to practice before this Court upon proof of compliance, and upon motion duly made pursuant to subsection (a) of this Rule. No such law student shall be permitted to practice unless accompanied by an attorney otherwise duly admitted to practice before this Court.

APPENDIX E

MOTION AND AFFIDAVIT FOR ADMISSION *PRO HAC VICE*
PURSUANT TO U.S.D.C.L.R. 83.12.2(b)

All *pro hac vice* affidavits shall contain the following information:

- Name, address, telephone number and name of firm of attorney seeking *pro hac vice* admission;
- When and where admitted (each court/bar);
- List of all pending disciplinary proceedings and all past public sanctions of *pro hac vice* counsel;
- Affirmation by *pro hac vice* counsel that said counsel will comply with and be bound by the Local Rules of the United States District Court for the District of Wyoming;
- Acknowledgment by attorney seeking *pro hac vice* admission that local counsel is required to be fully prepared to represent the client at any time, in any capacity;
- Acknowledgment of *pro hac vice* counsel that said counsel submits to and is subject to disciplinary jurisdiction of the Court for any alleged misconduct arising in the course of preparation and representation in the proceedings.

All *pro hac vice* motions shall contain the following information:

- Local counsel shall represent that local counsel is a member in good standing of the Bar of the State of Wyoming and the Bar of this Court;
- A statement that local counsel shall vouch for the good moral character and veracity of the *pro hac vice* attorney;
- A statement that local counsel shall be fully prepared to represent the client at any time, in any capacity.

Rule 30.1 INSTRUCTIONS

The parties shall tender to the Court and exchange with each other proposed jury instructions with citations to authorities in support thereof, together with proposed verdict forms, and a 3 1/2 inch diskette formatted for WordPerfect, five (5) **business** days prior to trial in both civil and criminal cases.

Rule 61.1 ADMISSION TO PRACTICE

(a) General Admissions. Attorneys who are regularly admitted and licensed to practice before the Supreme Court of Wyoming may be admitted to practice in the United States District Court for the District of Wyoming upon motion made in open court by an attorney admitted to this Court. Said motion shall contain a satisfactory showing of the good moral character and the qualifications of the applicant, and the moving attorney shall vouch for him. Upon the granting of said motion for admission, the applicant shall take the oath, which shall be administered by the Court or the Clerk of Court. After signing the roll of attorneys in the Clerk of Court's office and paying the appropriate fee to the Clerk of Court, a certificate of admission shall be furnished to each admitted attorney.

(b) Admission *Pro Hac Vice*. All attorneys who have not been admitted to practice in the courts of the State of Wyoming must seek admission *pro hac vice* based upon a motion made by a member of the Bars of the State of Wyoming **and of this Court and an affidavit of the attorney seeking pro hac vice admission** in order to appear in any matter before this Court. A proposed order shall be submitted with the motion. **(See Appendix A for the required contents of the motion and affidavit.)**

Unless otherwise ordered by this Court, a motion to appear *pro hac vice* shall be granted only if the applicant associates with a currently licensed member of the Bars of the State of Wyoming **and of this Court** who shall participate in the preparation and trial of the case to the extent required by the Court. The applicant must also be a member in good standing of the bar of another state **and the bar of another federal court in order to be eligible for pro hac vice admission in any matter before this Court.**

An attorney who applies for admission *pro hac vice* consents to the exercise of disciplinary jurisdiction by this Court over any alleged misconduct which occurs during the progress of the case in which the attorney so admitted participates. Prior to the filing of any pleadings or other documents, there shall be filed in the Clerk of Court's office an entry of appearance by a currently licensed member of the Bar of the State of Wyoming with whom the applicant has become associated. The Wyoming member of the Bar shall move the applicant's admission at the commencement of the first hearing to be held before the Court. The Wyoming attorney shall sign the first pleading filed and shall continue in the case unless other resident counsel be substituted. The Wyoming attorney shall be present in Court during all proceedings in connection with the case, unless excused, and shall have full authority to act for and on behalf of the client in all matters including pretrial conferences, as well as trial or any other hearings. Any notice, pleading or other paper shall be served upon all counsel of record, including

resident counsel, whenever possible, but it shall be sufficient for purposes of notice if service of any motion, pleading, order, notice or any other paper is served only upon Wyoming counsel, who shall assume responsibility for advising the non-resident associate of any such service. For good cause shown, the Court may direct the Clerk of Court to accept for filing a complaint signed only by a non-resident attorney, upon the condition that such non-resident attorney shall associate with resident counsel within ten (10) days after the filing of the complaint.

(c) Motion to appear *pro hac vice*. Every motion to appear *pro hac vice* must contain the firm name (if any) address, telephone and facsimile number (if any) for said attorney, otherwise the attorney's name will not be added to the case docket. A proposed order shall be submitted with the motion.

(d) *Pro Se* Representation. Any party proceeding on his or her own behalf without an attorney shall be expected to read and be familiar with both the Local Rules of this Court and with the Federal Rules of Civil Procedure, the Rules of Bankruptcy Procedure, the Federal Rules of Evidence, or Federal Rules of Appellate Procedure, whichever may be appropriate in the case, and to proceed in accordance therewith. Copies of such Rules shall be available for review at the Office of the Clerk of Court.

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(f) Law Students. Any law student who has complied with the terms and conditions of Rule 12, Rules of the Supreme Court of Wyoming, providing for the organization and government of the Bar Association and attorneys at law of the State of Wyoming, shall be permitted to practice before this Court upon proof of compliance, and upon motion duly made pursuant to subsection (a) of this Rule. No such law student shall be permitted to practice unless accompanied by an attorney otherwise duly admitted to practice before this Court.

APPENDIX A

MOTION AND AFFIDAVIT FOR ADMISSION *PRO HAC VICE*
PURSUANT TO U.S.D.C.L.R. 61.1

All *pro hac vice* affidavits shall contain the following information:

- Name, address, telephone number and name of firm of attorney seeking *pro hac vice* admission;
- When and where admitted (each court/bar);
- List of all pending disciplinary proceedings and all past public sanctions of *pro hac vice* counsel;
- Affirmation by *pro hac vice* counsel that said counsel will comply with and be bound by the Local Rules of the United States District Court for the District of Wyoming;
- Acknowledgment by attorney seeking *pro hac vice* admission that local counsel is required to be fully prepared to represent the client at any time, in any capacity;
- Acknowledgment of *pro hac vice* counsel that said counsel submits to and is subject to disciplinary jurisdiction of the Court for any alleged misconduct arising in the course of preparation and representation in the proceedings.

All *pro hac vice* motions shall contain the following information:

- Local counsel shall represent that local counsel is a member in good standing of the Bar of the State of Wyoming and the Bar of this Court;
- A statement that local counsel shall vouch for the good moral character and veracity of the *pro hac vice* attorney;
- A statement that local counsel shall be fully prepared to represent the client at any time, in any capacity