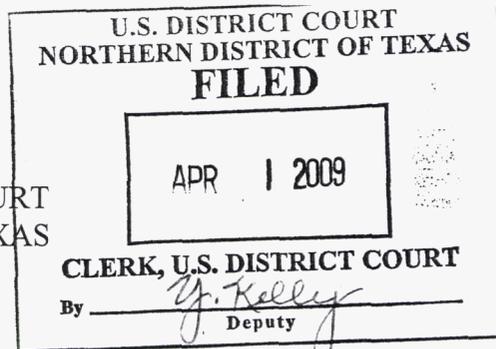


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Special Order No. 2-70



1. The District Judges of this Court have considered and adopted the attached amendments to local civil rules LR 5.1 and 83.12 and local criminal rule 57.12.
2. Unless modified after receipt of public comment, these rules take effect on September 1, 2009 and apply to all proceedings in civil and criminal actions thereafter commenced and, insofar as just and practicable, all proceedings in civil and criminal actions then pending.
3. Any persons who desire to comment on any of these rules may do so by submitting written comments to:

Clerk of Court
United States District Court for the Northern District of Texas
Attention: 2009 Rules Revision Comments
1100 Commerce Street, Room 1452
Dallas, Texas 75242-1495

The deadline by which the Clerk must receive comments is June 1, 2009.

4. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

April 1, 2009.

FOR THE COURT:

Sidney A. Fitzwater
SIDNEY A. FITZWATER
CHIEF JUDGE

**2009 PROPOSED
LOCAL CIVIL RULES AMENDMENTS**

New material is **redlined**, and deleted material is ~~stricken out~~.

LR 5.1 Filing and Serving Pleadings, Motions, or Other Papers.

(a) Filing with the Clerk. A pleading, motion, or other paper that the Federal Rules of Civil Procedure permit or require to be filed, or that the court orders to be filed, that is submitted on paper, must be filed with the clerk's office for the appropriate division. **Unless the presiding judge agrees to accept it for filing, the** ~~Such~~ pleading, motion, or other paper must not be sent directly to the presiding judge.

* * *

LR 83.12 Withdrawal of Attorney.

- (a)** ~~Except as provided in subsection (b) or (c) of this rule, a~~ An attorney desiring to withdraw in any case must file a motion to withdraw. This motion must, in addition to the matters required by LR 7.1, specify the reasons requiring withdrawal and provide the name and address of the succeeding attorney. If the succeeding attorney is not known, the motion must set forth the name, address, and telephone number of the client and either bear the client's signature approving withdrawal or state specifically why, after due diligence, the attorney was unable to obtain the client's signature.
- (b)** ~~When an Assistant United States Attorney enters an appearance in a case, another Assistant United States Attorney may replace the attorney by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.~~
- (c)** ~~When the Federal Public Defender is appointed to represent a party and an Assistant Federal Public Defender enters an appearance in the case, another Assistant Federal Public Defender may replace the attorney who has entered an appearance by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.~~

**2009 PROPOSED
LOCAL CRIMINAL RULE AMENDMENT**

New material is **redlined**, and deleted material is ~~stricken out~~.

LCrR 57.12 Withdrawal of Attorney.

- (a) ~~Except as provided in subsection (b) or (c) of this rule, a~~An attorney desiring to withdraw in any case must file a motion to withdraw. This motion must, in addition to the matters required by LCrR 47.1, specify the reasons requiring withdrawal and provide the name and address of the succeeding attorney. If the succeeding attorney is not known, the motion must set forth the name, address, and telephone number of the client and either bear the client's signature approving withdrawal or state specifically why, after due diligence, the attorney was unable to obtain the client's signature.
- (b) ~~When an Assistant United States Attorney enters an appearance in a case, another Assistant United States Attorney may replace the attorney by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.~~
- (c) ~~When the Federal Public Defender is appointed to represent a party and an Assistant Federal Public Defender enters an appearance in the case, another Assistant Federal Public Defender may replace the attorney who has entered an appearance by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.~~