ORIGINAL

U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
FEB - 8 1993
NANCY DOHERTY, CLERK
By Sandra Busno
Deputy

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

SPECIAL ORDER NO. 2-8

The attached amendment to Local Rule 13.2 was considered and adopted by the United States District Judges for the Northern District of Texas. This amendment is effective with the entry of this Order. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

DATED: February 8, 1993

BAREFOOT SANDERS, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

REVISION OF LOCAL RULE 13.2

Rule 13.2: Loss of Membership and Discipline of Attorneys

(a) **Loss of Membership Caused by Loss of Right to Practice Before Another Court:** Membership in the Bar of this Court shall automatically be lost under the circumstances mentioned in either (i) or (ii) of this paragraph (a).

(i) A member of the Bar of this Court shall automatically lose his or her membership if he or she, for any reason other than nonpayment of dues, failure to meet continuing legal education requirements, or voluntary resignation unrelated to a disciplinary proceeding or problem, loses, either temporarily or permanently, the right to practice law before (1) the courts of the State of Texas, (2) the highest court of any other state or the District of Columbia, or (3) any federal court.

(ii) A member of the Bar of this Court who does not maintain the right to practice law before the highest court of at least one state or the District of Columbia shall automatically lose his or her membership unless the member's failure to maintain such a right was solely the result of suspension for nonpayment of dues, or failure to meet continuing legal education requirements.

(b) **Grounds for Disciplinary Action.** This Court may, after the member has been given an opportunity to show cause to the contrary, take any appropriate disciplinary action against any member of its Bar:

(i) for conduct unbecoming a member of the Bar;

(ii) for failure to comply with these local rules or any other rule or any order of this Court;

(iii) for unethical behavior;

(iv) for inability to conduct litigation properly;

(v) because of conviction by any court of (1) any crime punishable by imprisonment in excess of one year under the law under which he or she was convicted, or (2) a misdemeanor offense involving dishonesty or false statement; or

(vi) if the member has been disciplined,publicly or privately, by any court or any bar or court agency or committee.

If discipline ordered by the Court pursuant to this paragraph (b) is in the form of suspension or disbarment from practice in this Court, the affected attorney shall have the right within ten days after the discipline is ordered to petition the Chief Judge of this Court for relief therefrom, in which event the Chief Judge shall have the absolute discretion as to what, if any, further action will be taken by this Court in respect to the matter.

(c) **Reporting by Members.** Any member of the Bar of this Court who has:

(i) lost or relinquished, temporarily or permanently, his or her right to practice in any court of record;

(ii) been disciplined, publicly or privately, by any court or any bar or court agency or committee; or

(iii) been convicted of a crime of a kind described in the (v) part of paragraph (b) of this rule

shall promptly report that fact in writing to the Clerk of this Court, supplying full details and copies of all pertinent documents reflecting, or explaining, such action.

(d) **"Unethical Behavior"**. The term "unethical behavior", as used in this rule, includes any conduct that violates any code, rule or standard of professional conduct or responsibility governing the conduct of attorneys who are authorized to practice before courts of the State of Texas.

(e) **Re-admission**. Any attorney who applies for admission to membership in the Bar of this Court after having lost or relinquished his or her membership shall include with his or her application for re-admission:

(i) a full disclosure concerning his or her loss or relinquishment of membership in the Bar of this Court;

(ii) all information of a kind outlined in (c) of this rule that occurred at any time prior to the date of re-application; and

(iii) all other information required by the application for admission.

(f) **Appointment of Counsel**. This Court shall have the right to appoint any member of its Bar to assist in the handling of any proceeding contemplated by, or resulting from, this rule. Any attorney so appointed shall perform as requested by the Court unless relieved from doing so upon motion and a showing of good cause for nonperformance.