

ADOPTED October 1, 2012

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT AMENDMENTS TO LOCAL RULES 41 AND 46(b)

No comments having been received regarding the proposed amendments to Local Rule 41, Motion for Stay of the Mandate, and Local Rule 46(b), Admission to Practice, the amendments proposed August 13, 2012, are adopted effective October 1, 2012.

The amendment to Local Rule 41 conforms the local rule to Fed. R. App. P. 41(d)(2)(A).

The amendment to Local Rule 46(b) increases the local attorney admission fee from \$20 to \$40. The \$40 local admission fee is in addition to the \$176 national fee imposed under the Miscellaneous Fee Schedule. Therefore, the total fee for admission to the Fourth Circuit is increased from \$196 to \$216.

The Fourth Circuit Rulebook is available [here](#)

August 13, 2012

Date

/s/ Patricia S. Connor

Clerk

Local Rule 41. Motion for Stay of the Mandate.

A motion for stay of the issuance of the mandate shall not be granted simply upon request. Ordinarily the motion shall be denied unless there is a specific showing that it is not frivolous or filed merely for delay. ~~The~~ A motion to stay the mandate pending the filing of a petition for certiorari must show that the certiorari petition would present a substantial question ~~or~~ and set forth good ~~or probable~~ cause for a stay. Stay requests are normally acted upon without a request for a response.

Local Rule 46(b). Admission to Practice.

Only attorneys admitted to the bar of this Court may practice before the Court. An attorney may be named on a brief filed in this Court without being admitted to the bar of the Fourth Circuit, provided that at least one lawyer admitted to practice in this Court also appears on the brief. Any other document submitted by an attorney who is not a member of the bar of the Fourth Circuit will be accepted for filing conditioned on his or her qualifying for membership within a reasonable time.

Each applicant for admission to the bar of this Court shall file with the clerk an application on the form approved by the Court and furnished by the clerk. Thereafter, upon written or oral motion of a member of the bar of the Court, the Court will act upon the application. A qualified attorney may be admitted upon personal appearance in open court. It is not necessary that an applicant appear in open court for the purpose of being admitted unless the Court shall otherwise order.

The requisite ~~\$196~~ \$216 fee must accompany the application, but attorneys appointed by the Court to represent a party in forma pauperis, counsel for the United States and any agency thereof who has a case pending before this Court, and law clerks to the judges of the Court and to the district judges, magistrate judges, and bankruptcy judges within this Circuit shall be admitted to the bar of this Court without the payment of an admission fee. The clerk shall credit \$176 of each ~~\$196~~ \$216 fee to the Judiciary-s fee account and designate the remaining ~~\$20~~ \$40 for deposit to a fund maintained by the Court for the benefit of the bench and bar in the administration of justice.

A certificate indicating that an attorney has been admitted to practice before the Fourth Circuit will be sent to counsel by mail after admission.