

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re: Local Rule 1.5(h) and Amendments to
Local Admiralty Rules B.2 & C.1.

Administrative
Order
2013-01

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WHEREAS an amendment to Local Civil Rule 1.5(h) making explicit the duty of an attorney to report disciplinary matters has been reviewed by a Court Committee; and

WHEREAS amendments to Local Admiralty Rule B.2 and C.1 making available email as a form of notification and making explicit the application of Supplemental Rule C(3)(c) have been reviewed by a Court Committee; and

WHEREAS the Board of Judges has approved and adopted the rule changes; and

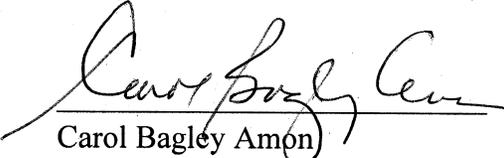
WHEREAS the Circuit Judicial Council has reviewed and approved the rule changes pursuant to 28 U.S.C. § 332;

NOW, therefore, IT IS HEREBY ORDERED, that the amendments to Local Civil Rule 1.5(h), Duty of Attorney to Report Discipline, and Local Admiralty Rules B.2 and C.1 attached to this Administrative Order, are hereby adopted by the Eastern District of New York, and that the amendments are effective February 25th, 2013.

SO ORDERED.

Dated: Brooklyn, New York

February 22, 2013


Carol Bagley Amon
Chief Judge

-ATTACHMENT

Local Rule 1.5(h) Duty of Attorney to Report Discipline. (all text new)

(1) In all cases in which any federal, state or territorial court, agency or tribunal has entered an order disbaring or censuring an attorney admitted to the bar of this Court, or suspending the attorney from practice, whether or not on consent, the attorney shall deliver a copy of said order to the Clerk of this Court within fourteen days after the entry of the order.

(2) In all cases in which any member of the bar of this Court has resigned from the bar of any federal, state or territorial court, agency or tribunal while an investigation into allegations of misconduct against the attorney was pending, the attorney shall report such resignation to the Clerk of this Court within fourteen days after the submission of the resignation.

(3) In all cases in which this Court has entered an order disbaring or censuring an attorney, or suspending the attorney from practice, whether or not on consent, the attorney shall deliver a copy of said order within fourteen days after the entry of the order to the clerk of each federal, state or territorial court, agency and tribunal in which such attorney has been admitted to practice.

Any failure of an attorney to comply with the requirements of this Local Civil Rule 1.5(h) shall constitute a basis for discipline of said attorney pursuant to Local Civil Rule 1.5(c).

Local Admiralty Rule B.2 (“Notice of Attachment” – new text underlined)

The plaintiff shall give prompt notice to the defendant of an attachment following plaintiff's being advised of such attachment by the garnishee. Such notice shall be in writing, and may be given by telex, telegram, cable, fax, email, or other verifiable electronic means.

Local Admiralty Rule C.1 (“Intangible Property” – new text underlined)

The summons issued pursuant to Supplemental Rule C(3)(c) shall direct the person having control of freight or proceeds of property sold or other intangible property to show cause at a date which shall be at least fourteen (14) days after service (unless the court, for good cause shown, shortens the period) why the intangible property should not be delivered to the court to abide the judgment. The person who is served may deliver or pay over to the marshal the intangible property proceeded against to the extent sufficient to satisfy the plaintiff's claim. If such delivery or payment is made, the person served is excused from the duty to show cause.