

(d) **Depositions.** Depositions read into the court record are considered exhibits for which the parties shall be responsible as provided in section (b) above. Depositions on file admitted into evidence but not read into the record shall be retained in the clerk's custody and disposed of as authorized in section (c) of this rule.

LR 83.1

ATTORNEYS

(a) **Roll of Attorneys.** The bar of this Court shall consist of those attorneys admitted to practice before this Court.

(b) **Eligibility and Admission.** To be eligible for admission to the bar of the Court, a person must be admitted to the practice of law in this state and in good standing with the Supreme Court of North Carolina. A Judge will consider a request for admission only upon motion made in open court by a member of the bar of this Court. Prior to being admitted to practice, an attorney must certify, on the application for admission to practice form provided for use in this Court, that the attorney has read and is familiar with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, the Local Rules of this Court, and the North Carolina Code of Professional Responsibility. Attorneys seeking admission to practice in this Court must take an oath or make an affirmation in a form approved by the Court and pay the filing fee required by the Administrative Office of the United States Courts for admission to practice in this district. When the application form prescribed for use by this Court is completed and the appropriate filing fee has been paid to the Clerk of Court of this Court, a judge or magistrate judge of the Eastern or Western Districts of North Carolina, upon being presented evidence that the above-mentioned application has been filed and that the requisite fees have been paid, may admit an attorney who is qualified according to these rules to practice before this Court. Attorneys already admitted to the bars of either the United States District Court for the Eastern District of North Carolina or the United States District Court for the Western District of North Carolina may be admitted to the bar of this Court upon tendering the application and fees required by this rule, together with a copy of the order admitting the attorney to practice in either of the aforementioned districts.

(c) **Litigants Must Be Represented by a Member of the Bar of this Court.**

(1) Litigants in civil and criminal actions and parties in bankruptcy proceedings before this Court, except parties appearing *pro se*, must be represented by at least one attorney who is a member of the bar of this Court. Federal government attorneys representing the interests of the United States are not required to secure local counsel. The service of all pleadings and papers permitted by the Federal Rules of Civil and Criminal Procedure shall be sufficient if made upon such attorney.

(2) All pleadings and papers presented to the clerk for filing, except by attorneys representing governmental agencies or parties appearing *pro se*, shall be signed by a member of the bar of this Court.

(d) **Special Appearance.**

(1) Attorneys who are members in good standing of the bar of the highest court of any state or the District of Columbia may practice in this Court for a particular case in association with a member of the bar of this Court. To appear by special appearance, an attorney shall associate with a member of the bar of this Court and shall register as a filing user with the Court's CM/ECF system. See LR 5.3(c)(1). No motion is required. By entering an appearance, an attorney agrees that:

- (i) the attorney will be responsible for ensuring the presence of an attorney who is familiar with the case and has authority to control the litigation at all conferences, hearings, trials and other proceedings; and that
- (ii) the attorney submits to the disciplinary jurisdiction of the Court for any misconduct in connection with the litigation for which the attorney is specially appearing.

(2) A member of the bar of this Court who accepts employment in association with a specially appearing attorney is responsible to this Court for the conduct of the litigation or proceeding and must sign all pleadings and papers, except for certificates of service. Such member must be present during pretrial conferences, potentially dispositive proceedings, and trial.

(e) **Withdrawal of Appearance.**

(1) No attorney who has entered an appearance in any civil or criminal action shall be permitted to withdraw an appearance, or have it stricken from the record, except on order of the Court or when the attorney has provided notice of substitution of counsel by an attorney who is a member of the withdrawing attorney's law firm.

(2) Substitution of counsel of record for Federal government attorneys and for other governmental agency attorneys can be accomplished by the submission of a Notice of Substitution of Counsel.

LR 83.2

COURTROOM PRACTICES

(a) **Addressing the Court.** Attorneys or litigants shall rise when addressing the Court, and shall make all statements to the Court from behind the counsel table or the lectern facing the Court. They shall not approach the bench, except upon the permission of the Court.

(b) **Questioning Witnesses.** While questioning witnesses, attorneys or *pro se* litigants shall remain seated or standing behind the counsel table or standing at the