

Proposed Amendments to Form 13

UNITED STATES COURT OF INTERNATIONAL TRADE

One Federal Plaza

New York, New York 10278

DISCLOSURE OF CORPORATE AFFILIATIONS AND FINANCIAL INTEREST

This notification is submitted by _____

(Name of attorney of record)

on behalf of _____ in the
matter of _____ v. _____,
Court No. _____.

1. If this statement is submitted on behalf of a corporate party, that entity shall identify below **the entity's parent corporation(s)**, all of its publicly-owned companies, any publicly-held company that has a 10% or greater ownership interest in the entity, and any publicly-owned affiliate of the entity, and describe the relationship between the party and each identified company.

2. Indicate whether the party on whose behalf this Form is being filed is or is not the real party in interest. If not, identify below the real party in interest.

3. If this statement is submitted on behalf of a trade association, identify below each publicly-owned member of the trade association. (Attach additional pages if necessary.)

(Signature of Attorney)

(Date)

SEE REVERSE SIDE

(Added Nov. 4, 1981, eff. Jan. 1, 1982; as amended Dec. 18, 2001, eff. Apr. 1, 2002; Sept. 28, 2004, eff. January 1, 2005, **_____, 2024, eff. _____, 2024.**)

INSTRUCTIONS FOR USE

DISCLOSURE OF CORPORATE AFFILIATIONS AND FINANCIAL INTEREST*

1. When a corporation is a party to any action, the attorney for the party shall notify the clerk of the court in writing of the identity of **the entity's parent corporation(s)**, all publicly-owned companies owned by the party, any publicly-held company that has a 10% or greater ownership interest in the entity and any publicly-owned affiliate of the entity and the relationship between the party and each identified company.
2. The attorney for the party on whose behalf the form is filed shall, in addition to the information required in paragraph 1, notify the clerk of the court in writing of the identity of the real party in interest if different from the named party.
3. When a trade association is a party to an action, the attorney for the trade association shall notify the clerk of the court in writing of the identity of each publicly-owned member of the trade association.
4. The notification required of a corporate party or trade association also shall be made by the attorney for any corporation or trade association seeking to intervene, or appear as *amicus curiae*, in any action.
5. The required notification shall be made on a Disclosure Statement form (on the reverse) to be provided by the clerk of the court when the first pleading or other paper is filed by a party or when a motion to intervene or appear as *amicus curiae* is filed.
6. In accordance with Rule 3(i), if any the information required changes after the form is filed, and before a final judgment is issued, the attorney for the party or *amicus curiae* must promptly file an amended form **within seven (7) days of the change(s)**.
7. **When a corporation is a party to any action and the parent corporation(s) is not publicly-known or disclosable, the attorney for the party may include the reference to the parent corporation(s) on a separate page to be submitted confidentially with the Court.**

*See generally: 28 U.S.C. § 455.

Advisory Committee Note

The Advisory Committee reviewed changes to FRCP Rule 7.1 relating to corporate disclosure requirements from the 2022 amendments to the FRCP. Those amendments add a requirement for a disclosure statement by a nongovernmental corporation that seeks to intervene and is further amended to require a party or intervenor in an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a) to name and disclose the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor. While the CIT does not have a Rule 7.1, the CIT requires corporate disclosures pursuant to Rule 3(i) and Form 13. The CIT Rule already requires disclosure statements by all parties, inclusive of nongovernmental corporations, so there is no need to amend the CIT Rules for this substantive change to FRCP Rule 7.1. Further, diversity jurisdiction does not apply to cases before the CIT, so FRCP amendments relating to diversity jurisdiction corporate disclosures are not relevant. The Committee proposes amending Form 13 to require disclosure of a parent company, set a seven day deadline for filing an amended form, and allow for disclosure of corporate relationships to the Court by filing a confidential version of CIT Form 13 if the name of a parent company is not publicly available.