

## Proposed Amendments to Rule 75

Rule 75 is amended as follows:

**Rule 75.** Practice; Appearance; Substitution of Attorneys; Withdrawal of Attorney; Notification of Changes

(a) Practice. Only an attorney admitted to the bar of the court may practice before the court, except that individuals may represent themselves in an action. ~~An attorney who is employed or retained by the United States, or an agency or officer thereof, may enter an appearance, file pleadings, and practice in this court in cases in which the United States or the agency or officer is a party.~~

(b) Appearances.

(1) Except for an individual (not a corporation, partnership, organization or other legal entity) appearing *pro se*, each party and any *amicus curiae* must appear through an attorney authorized to practice before the court. When a summons contains the name, address and telephone number of an attorney, the attorney ~~shall~~ **will** be recognized as the attorney of record, and no separate notice of appearance ~~shall~~ **will** be required of the attorney: ~~Provided, however, that an attorney representing the United States, or an agency or officer thereof, who is not otherwise admitted to practice before the court, shall serve a separate notice of appearance as prescribed by paragraph (2) of this subdivision.~~

(2) In all other instances, an attorney authorized to appear in an action ~~shall~~ **must** serve a separate notice of appearance for each action. The notice ~~shall~~ **must** be substantially in the form as set forth in Form 11 of the Appendix of Forms. An appearance may be made by an individual attorney or a firm of

attorneys. If the appearance is made by a firm, the individual attorney(s) responsible for the litigation ~~shall~~**must** be designated.

(c) Substitution of Attorneys. A party who desires to substitute an attorney may do so by serving a notice of substitution ~~upon~~**on** the prior attorney of record and the other parties. The notice ~~shall~~**must** be substantially in the form as set forth in Form 12 of the Appendix of Forms. If the prior attorney of record wishes to be heard by the court on the substitution, that attorney may, by motion, request such relief as that attorney deems appropriate.

(d) Withdrawal of Attorney. The appearance of an attorney of record may be withdrawn only by order of the court, ~~upon~~**on** motion served ~~upon~~**on** the attorney's client and the other parties.

(e) Notification of Changes. Whenever there is any change in the name of an attorney of record, the attorney's address~~es~~, telephone number, **or e-mail address**, a new notice of appearance for each action ~~shall~~**must** be promptly served ~~upon~~**on** the other parties and filed with the court. The notice ~~shall~~**must** be substantially in the form as set forth in Form 11 of the Appendix of Forms. Unless and until an attorney of record files a new notice of appearance as prescribed in this subdivision, service of all papers ~~shall~~**must** be made ~~upon~~**on** the attorney of record at the last known address.

**PRACTICE COMMENT:** When a party is represented in an action by more than one attorney of record, the party ~~shall~~**must** designate only one attorney of record to serve, file and receive service of pleadings and other papers on behalf of the party.

(As amended July 21, 1986, eff. Oct. 1, 1986; July 20, 1988, eff. Nov. 1, 1988; Sept. 25, 1992, eff. Jan. 1, 1993; ~~August~~**Aug.** 29, 2000, eff. Jan. 1, 2001; Sept. 28, 2004, eff. ~~January~~**Jan.** 1, 2005.); ~~\_\_\_\_\_~~, **2009, eff. \_\_\_\_\_, 2010.**)

**Advisory Committee Note**

Rule 75 has been amended to require employees of the U.S. government who appear before the Court of International Trade to be admitted to practice before the court. This change is intended to ease the administrative burden on the court.

The language in Rule 75 also has been amended as part of the general restyling of these rules to make them more easily understood and to make style and terminology consistent throughout the rules. In addition, the rule and referenced Form 11 have been amended to require attorneys filing notices of appearance to provide and update their e-mail addresses.