2.4.02 | DISCLOSURE OF CORPORATE AFFILIATIONS AND FINANCIAL INTERESTSDOCKETING STATEMENT

A party in a civil, agency, bankruptcy, or mandamus case, other than the United States or a party proceeding in forma pauperis, must file a disclosure statement, except that a state or local government is not required to file a disclosure statement in a case in which the opposing party is proceeding without counsel. A corporate party in a criminal or post-conviction case must file a disclosure statement. A corporate amicus curiae is also required to file a disclosure statement.

The disclosure statement must identify all parent corporations and list any publicly held company that owns 10% or more of the party's stock or has a direct financial interest in the litigation by reason of a franchise, lease, profit sharing agreement, insurance, or indemnity agreement. This information is used by the judges to determine their disqualifications. Loc. R. 26.1.

If earlier papers are submitted by the parties, such as a motion for stay or injunction pending appeal, they must be accompanied by a disclosure statement. The disclosure statement must also be included in front of the table of contents in a party's principal brief.

A negative disclosure statement is also required, and all parties are under an affirmative duty to amend disclosure statements when necessary to maintain their current accuracy. Loc. R. 26.1.

A disclosure statement is required by the government if there was an organizational victim of the alleged criminal activity.

(4th Circuit Court of Appeals // December 2023)