

RULE 11.1 | ATTORNEYS

(a) Roll of Attorneys. The Bar of this Court shall consist of those persons heretofore admitted and those who may hereafter be admitted in accordance with the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys.

(b) Contempt of Court. Any person who before his or her admission to the Bar of this Court or during his or her disbarment or suspension exercises in this District in any action or proceeding pending in this Court any of the privileges of a member of the Bar, or who pretends to be entitled to do so, may be found guilty of contempt of Court.

(c) Professional Conduct. The standards of professional conduct of members of the Bar of this Court shall include the current Rules Regulating The Florida Bar. For a violation of any of these canons in connection with any matter pending before this Court, an attorney may be subjected to appropriate disciplinary action.

(d) Appearance by Attorney.

(1) The filing of any pleading, written motion, or other paper shall constitute an appearance by the person who signs such paper unless the paper specifies otherwise.

(2) Unless they have noticed their appearance by filing a pleading, written motion, or other paper, any attorney appearing on behalf of a non-party witness at a hearing shall file and serve a notice of appearance prior to the attorney's appearance on behalf of the attorney's client at the hearing. When the appearance relates to a grand jury matter, the notice of appearance shall be filed with the Clerk of the Court in such manner as to maintain the secrecy requirements of grand jury proceedings, if applicable.

(3) Withdrawal of appearance.

(A) Except as provided by subpart (B) herein, no attorney shall withdraw the attorney's appearance in any action or proceeding except by leave of Court after notice served on the attorney's client and opposing counsel. A motion to withdraw shall include a current mailing address for the



attorney's client or the client's new or remaining counsel.

(B) The appearance of an Assistant Federal Public Defender, Assistant United States Attorney, or other federal, state, or local government attorney is withdrawn when a notice of reassignment or notice of substitution is filed in which an attorney from the withdrawing attorney's office provides notice of that substitute attorney's appearance in the action or proceeding.

(4) Whenever a party has appeared by attorney, the party cannot thereafter appear or act on the party's own behalf in the action or proceeding, or take any step therein, unless an order of substitution shall first have been made by the Court, after notice to the attorney of such party, and to the opposite party; provided, that the Court may in its discretion hear a party in open court, notwithstanding the fact that the party has appeared or is represented by an attorney.

(5) If an attorney dies, is suspended, or ceases to act as an attorney, then a party to an action or proceeding for whom the attorney was acting as counsel must, before any further proceedings are had in the action on the party's behalf, appoint another attorney or appear in person, unless the party is already represented by another attorney.

(6) No agreement between parties or their attorneys, the existence of which is not conceded, in relation to the proceedings or evidence in an action, will be considered by the Court unless the same is made before the Court and noted in the record or is reduced to writing and subscribed by the party or attorney against whom it is asserted.

(7) Only one (1) attorney on each side shall examine or cross-examine a witness, and not more than two (2) attorneys on each side shall argue the merits of the action or proceeding unless the Court shall otherwise permit.

(e) Relations with Jury. Before and during the trial, a lawyer shall avoid communicating with a juror in a case with which



a lawyer is connected about any subject, whether pertaining to the case or not. After the jury has been discharged, a lawyer shall not communicate with a member of the jury about a case with which the lawyer and the juror have been connected without leave of Court granted for good cause shown. In such case, the Court may allow counsel to interview jurors to determine whether their verdict is subject to legal challenge, and may limit the time, place, and circumstances under which the interviews may be conducted. The Court also may authorize certain other post-trial lawyer/jury communications in specific cases as the Court may determine to be appropriate under the circumstances. During any Court-conducted or authorized inquiry, a lawyer shall not ask questions of or make comments to a juror that are calculated to harass or embarrass the juror or to influence the juror's actions in future jury service. Nothing in this rule shall prohibit a lawyer from communicating with a juror after the jury has been discharged where the communication is not related to the case and either the juror initiates the communication or the lawyer encounters the juror in a social or business setting unrelated to the case.

(f) Relation to Other Rules. This Local Rule governing attorneys is supplemented by the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys.

(g) Responsibility to Maintain Current Contact Information. Each member of the Bar of the Southern District, any attorney appearing pro hac vice, and any party appearing pro se shall maintain current contact information with the Clerk of Court. Each attorney shall update contact information including e-mail address within seven (7) days of a change. A party appearing pro se shall conventionally file a Notice of Current Address with updated contact information within seven (7) days of a change. The failure to comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court. All Court Orders and Notices will be deemed to be appropriately served if directed either electronically or by conventional mail consistent with information on file with the Clerk of Court.

(h) Any party learning of the death of an attorney who has appeared in an action or proceeding (including an attorney who has appeared pro hac vice) shall promptly file and serve

a notice titled "Notice of Deceased Attorney" stating only that the attorney has died. Once a Notice of Deceased Attorney has been filed in a case, no further notice of the death of that attorney need be filed by any other party.

Effective December 1, 1994. Amended effective April 15, 2002; April 15, 2007; April 15, 2010; April 15, 2011; December 1, 2011; December 1, 2015; December 1, 2016; December 2, 2019; December 1, 2020; December 1, 2023.

Authority

(1993) Former Local Rule 16. Renumbered per Model Rules.

