

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS
Instructions for Non-Attorney Admission to Practice

Eligibility. Rule 46(a)(2) of the Court's Rules of Practice and Procedure provides:

(2) *Admission of non-attorneys to practice.* A non-attorney of good moral character and repute who is —

- (A) under the direct supervision (including presence at any oral argument) of an attorney admitted to the bar of the Court, or
- (B) employed by an organization that is chartered by Congress, is recognized by the Secretary of Veterans Affairs for claims representation, and provides a statement signed by the organization's chief executive officer certifying to the employee's —
 - (i) understanding of the procedures and jurisdiction of the Court and of the nature, scope, and standards of its judicial review; and
 - (ii) proficiency to represent appellants before the Court

may be admitted to practice before the Court as a non-attorney practitioner upon filing with the Clerk a completed application accompanied by the applicable fee (payable by check or money order). In making the statement under this paragraph, the chief executive officer should be aware that knowledge of and competence in veterans law and the administrative claims process does not in and of itself connote competence in appellate practice and procedure.

Application. Attached is an application for admission. It must be completed, accompanied by the applicable fee (payable by check or money order) and the appropriate motion, and submitted to the Clerk of the Court.

If you are employed by a veterans service organization, a statement from the chief executive officer of that organization certifying your proficiency to represent appellants before the Court and your understanding of the procedures and jurisdiction of the Court, and of the nature, scope, and standards of its judicial review must be included with your admission application and motion for admission by a member of the bar of this Court. See Rule 46(a)(2)(B) and Form 46B, page 3(attached).

If you are applying for admission, under Rule 46(a)(2)(A), where your practice before the Court will be under the direct supervision of an attorney admitted to the bar of the Court, a motion from the supervising attorney must be included with your admission application. See Form 46B, page 3(attached). Note that under Rule 46(a)(2)(A), the supervising attorney must be present at any oral argument and that, in accordance with Rule 33, the representative at Court-directed staff conferences must either possess the authority to enter into a joint resolution or settlement or be in immediate contact with a person having such authority.

Each notice of appearance and pleading submitted for filing by a non-attorney practitioner must include the name, address, and signature of the responsible supervising attorney under Rule 46(a)(2)(A) or the identification of the employing organization under Rule 46(a)(2)(B). See Rule 46(b)(1)(C) and Notice of Appearance, Form 3.

Restrictions on practice. If you are an officer or employee of the U. S. Government, or if you are a former federal officer or employee whose service involved matters relating to veterans affairs, 18 U.S.C. § 205 or § 207 may prohibit you from representing an appellant or petitioner before this Court. These laws will not prevent your admission to practice, but if you think they may apply to you, you should contact the Designated Agency Ethics Official or an ethics counselor at your current or former agency, or the Office of Government Ethics, for advice before you agree to represent someone.

Practitioner lists. The Court maintains two practitioner lists.

a. An internal list of all persons admitted to practice. We use this list to verify your status when you enter an appearance in a case, to tell you about judicial conferences and other significant Court matters, and to provide certificates of good standing at your request.

b. A public list of practitioners who have said that they are available to represent appellants. We send this state-by-state alphabetical list with our notice of docketing to each self-represented person who files a notice of appeal, and we post the list on our website. We will include your name, address, telephone number, and e-mail address only if you request. You may receive inquiries from appellants about representation and from persons who want to sell books, conduct education programs, or organize bar activities.



**APPLICATION FOR ADMISSION OF A NON-ATTORNEY
TO PRACTICE BEFORE
THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS**

1. Name: (Mr.)(Ms.) _____

Date of Birth: _____

2. Business Mailing Address: _____

3. Telephone Numbers: (Office) _____ (Home or Cell) _____

FAX Number: _____ E-mail Address: _____

4. Education: Beginning with the most recent, list below all the requested data relating to the high schools, colleges, and universities you have attended. Mark "ND" if you did not receive a degree.

SCHOOL	CITY	STATE	FROM [MO/YR]	TO [MO/YR]	DEGREE

5. Have you ever been convicted of a serious crime (a "serious crime" includes any felony or any lesser crime an element of which involves moral turpitude, interference with the administration of justice, false swearing, misrepresentation, fraud, willful failure to file tax returns, deceit, bribery, extortion, misappropriation, theft, or the attempt or a conspiracy or solicitation to commit such a crime)? _____ If yes, explain in full (including dates, name of court, city and state) on a continuation sheet.

6. Are you a U.S. citizen or legally-admitted alien? _____

7. Work experience (including self-employment):

A. Name and address of present or last employer:

Dates (mo/yr) of employment: From _____ to _____

B. Attach a description of any duties, training responsibilities, accomplishments, and experience in your current or past employment that relate to your ability to represent appellants before the Court.

8. Have you ever been denied or had revoked or suspended (a) a business, trade, or professional license which required proof of good moral character or (b) the right to appear before a court, department, bureau, commission, office, or agency? _____ Has any such entity ever imposed public discipline against you, or is such action pending? _____ If either answer is yes, explain in full (including dates and the name and address of the authority in possession of the records) on continuation sheet.

9. Do you want to be admitted to the bar of this Court in open Court? _____
(If "Yes" the Clerk of the Court will contact you with the date and time of the admission ceremony.)

10. Do you want your name, address, and office telephone number included in the Court's public list of practitioners who have indicated their availability to represent appellants? _____

OATH (AFFIRMATION)

I, _____, solemnly swear (or affirm) that I will conduct myself as a non-attorney practitioner and an officer of this Court uprightly and according to law, and that I will support the Constitution of the United States.

I certify under penalty of perjury that the foregoing is true and correct. (28 U.S.C. § 1746)

(Signature of Applicant)

DATE _____

NOTE: COMPLETE ONLY ONE OF THE FOLLOWING BOXES

**** For applicant *not* employed by a Rule 46(a)(2)(B) organization ****

MOTION OF SUPERVISING ATTORNEY

I, _____, a member of the bar of this Court, move to admit the applicant to practice before the Court under my direct supervision, pursuant to Rule 46(a)(2)(A) and (b)(1)(C). I am satisfied that the applicant is of good moral character and repute. I understand that my direct supervision of the applicant includes countersigning all submissions filed with the Court, being present at oral arguments, and making sure that our representative at a Rule 33 conference possesses the authority to enter into a joint resolution or settlement or is in immediate contact with a person having such authority.

SIGNATURE _____ DATE _____

ADDRESS _____ PHONE() _____

****For applicant employed by a Rule 46(a)(2)(B) organization****

CERTIFICATION OF CHIEF EXECUTIVE OFFICER

I, _____, am the Chief Executive

Officer of _____, which is chartered by Congress and recognized by the Secretary of Veterans Affairs for claims representation. I am satisfied that the applicant is of good moral character and repute. I certify that the applicant understands the procedures and jurisdiction of the Court and the nature, scope, and standards of its judicial review and possesses the necessary proficiency to represent appellants before the Court.

I certify under penalty of perjury that the foregoing is true and correct.
(28 U.S.C. § 1746)

SIGNATURE _____

DATE _____

MOTION

I, _____, a member of the bar of this Court, move for admission of the above named non-attorney practitioner to practice before this Court.

SIGNATURE _____ DATE _____

FEE: A practice fee of \$100.00 must accompany your application.

Make Check Payable to:
U.S. Court of Appeals for Veterans Claims

Send to:

Admissions Clerk
U.S. Court of Appeals for Veterans Claims
625 Indiana Avenue, N.W.
Suite 900
Washington, D.C. 20004

FOR COURT USE ONLY

Fee Paid [] Date: _____

Admitted [] \ Not Admitted []

Clerk of the Court

Date: _____