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23-BK-H
23-CR-D
23-CV-P

May 19, 2023

H. Thomas Byron III, Secretary,
Committee on Rules of Practice and Procedure
Judicial Conference of the US Administrative Office of the United States Courts
One Columbus Circle, NE
Washington. D.C. 20544

Re: Submission of a Proposal to Adopt a Rule for Unified Bar Admission for **All**
Federal District Courts

I support the proposal submitted by Prof. Morrison.

Alan Morrison (23-CV-E)	02/23/2023
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My law firm concentrates in bankruptcy, which is a practice under 11 U.S.C. 101 et. seq. Bankruptcy is a federal law. Congress writes the law under its U.S. constitutional authority Art. I Sec. 8. The courts are titled "United States Bankruptcy Court". The judges are appointed by the U.S. Courts of Appeal. The courts are located in Federal Courthouses.

In order to practice in the any of the 90 U.S. Bankruptcy Courts, an attorney must be admitted to the corresponding U.S. District Court. But each of the 90 U.S. District Courts has different rules. And most of the will NOT admit an attorney to practice regularly in a District Court, and therefore in a bankruptcy court, **UNLESS THE ATTORNEY IS ADMITTED TO THE STATE BAR IN WHICH THE DISTRICT COURT IS LOCATED.**

My firm practices in IL IN WI MI KY FL at the present time. I had to become admitted in those states. I am also admitted in CA OH NY TX state courts, because attorneys in my firm wanted to practice Federal Bankruptcy Law there.

Some District Courts do NOT require a state bar admission in order to practice bankruptcy law: IL IN WI are the only states where the District Courts of the state only require that an attorney be admitted somewhere to a state bar. The northern districts of Florida and Ohio are similarly friendly. Most District Courts are not.

Even though I have been practicing law for 47 years in IL IN WI, to practice federal bankruptcy law in Florida and California, I had to submit a 100 page application, take a bar exam, get admitted to state bar, and then apply to the three U.S. District Courts in Florida, and the four U.S. District Courts in California. Why?

There is a shortage of lawyers in America. Because bankruptcy, like immigration, securities, military, EEOC, and social security law, is governed by federal courts, statutes and rules, it is the same across the country. Lawyers and law firms with

expertise can easily take cases across the country if they were not prevented by U.S. District Courts from gaining admission to federal courts.

In Indiana, for instance, there are not enough lawyers to serve the public except in 8 of 100 counties. See <https://www.in.gov/publicdefender/files/IN-Lawyer-Article-Lawyer-Shortage.pdf> The same is true in almost every state. See <https://www.wispolitics.com/2023/state-bar-warns-attorney-shortage-could-lead-to-constitutional-crisis>

Some 40 percent of all counties in the United States — 1,272 of 3,141 — have fewer than one lawyer per 1,000 residents, so few that they are considered “legal deserts,” according to the most comprehensive survey of attorneys available, conducted by the American Bar Association in 2020 says a recent article at <https://www.nhbr.com/lack-of-rural-lawyers-leaves-much-of-america-without-support/#:~:text=New%20York%20state%20has%20more,attorney%20for%20every%2001%2C000%20people.>

The same shortages of attorneys affect those in federal practices. There should be a Rule that requires any U.S. District Court to admit any lawyer who is in good standing in any state, territory or the D.C.

Or there should be one U.S. District Court admission that is good in every U.S. District Court.

I support Prof. Morrison’s suggestion for reform of the restrictive rules for admission currently used by U.S. District Courts to keep “out of state” lawyers, out of their states.

Sincerely,

Peter F. Geraci

Lawyer shortage

Labor data shows Indiana is suffering from a lawyer shortage that spans urban and rural counties. The percentage given for each county represents how many attorneys are present compared to what they should have for the population.

