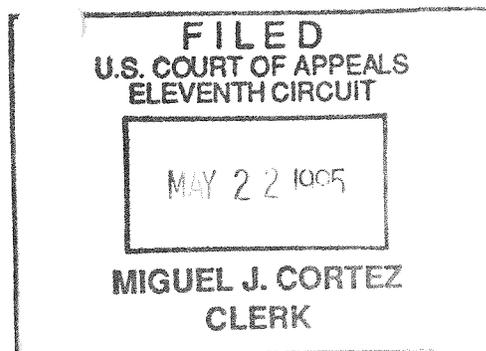


**U.S. COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
GENERAL ORDER 17**



Before TJOFLAT, Chief Judge, KRAVITCH, HATCHETT, ANDERSON, EDMONDSON, COX, BIRCH, DUBINA, BLACK, CARNES, AND BARKETT, Circuit Judges.

Pursuant to 28 U.S.C. § 2071(e), it is hereby ordered that Addendum Eight to the Rules of the U.S. Court of Appeals for the Eleventh Circuit (Rules Governing Attorney Discipline in the U.S. Court of Appeals for the Eleventh Circuit) is hereby amended as follows:

Rule 3(A) is renumbered as Rule 3(A)(1), and a new provision, designated as Rule 3(A)(2), is added to state:

If the misconduct or allegation of misconduct concerns an attorney's failure timely to file any required paper or brief with the Court, the Court through the Chief Judge may, prior to referring the matter to the Committee, direct the Clerk to issue an order requiring the attorney to show cause within 14 days from the date of the order why the attorney should not be disciplined. Such order may further provide that if the attorney fails to file a verified response within the time allowed, the attorney shall be indefinitely suspended from practice before the Court.

The attorney's response to such order shall be verified by a signed declaration similar to the following: "I swear (or affirm) that all statements made herein, including those made in attachments which are incorporated herein by reference, are true and correct to the best of my knowledge, information, and belief." When an attorney is suspended upon failure timely to file a verified response the matter need not be referred to the Committee. If an attorney timely files a verified response, the Clerk shall refer the matter to the Committee.

Rule 3(B) is renumbered as Rule 3(B)(1), and a new provision, designated as Rule 3(B)(2), is added to state:

With respect to matters referred to the Committee under Rule 3(A)(2), if the Committee concludes, after investigation, that the attorney has demonstrated sufficient justification why discipline should not be imposed, the Committee in a report filed with the Clerk shall request the Court to rescind the order to show cause, stating its reasons therefor.

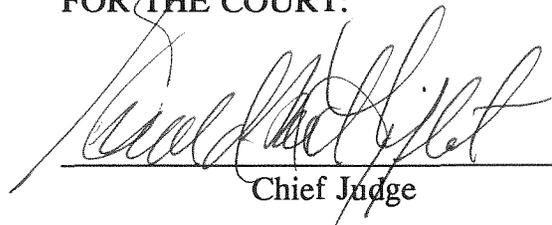
Rule 3(C) is renumbered as Rule 3(C)(1), and a new provision, designated as Rule 3(C)(2), is added to state:

With respect to matters referred to the Committee under Rule 3(A)(2), if the Committee concludes, after investigation, that the attorney has failed to demonstrate sufficient justification why discipline should not be imposed, or if a panel of the Court convened by the Chief Judge denies the Committee's request that it rescind the order to show cause, the Committee shall hold a hearing on the matter, giving the attorney at least 14 days notice as provided in Rule 12., infra.

A new provision, designated as Rule 3(C)(3), is added to state:

An attorney may waive a hearing before the Committee by agreeing to the imposition of specific discipline to be recommended by the Committee in a report filed with the Clerk pursuant to Rule 3(E).

FOR THE COURT:



Chief Judge

Dated: May 22, 1995.