

(7) Co-sign all pleadings and other documents filed with the court;

(8) Be responsible to supplement oral or written work of the student as necessary to ensure proper representation of the client;

(9) Assume full professional responsibility for the student's guidance in any work undertaken and for the quality of the student's work; and

(10) Agree to notify the dean of the appropriate law school of any alleged failure on the part of the student to abide by the letter and spirit of this rule.

RULES COMMITTEE NOTE

RCFC 83.3 replaces former General Order No. 35, adopted on September 3, 1993. The only changes are stylistic or to correct cross-references.

REFERENCES IN TEXT

The Federal Rules of Evidence, referred to in subd. (c)(3), are set out in this Appendix.

Rule 83.4. Advisory Council

(a) **Membership.** The United States Court of Federal Claims Advisory Council is established to advise the court on matters pertaining to the administration of the court and its relationship to the bar and the public. The Council shall consist of no fewer than 20 members of the bar of the court and shall include representatives of all of the court's practice areas. Members shall serve three year terms. The chief judge shall fill any vacancies. The chief judge shall designate one or more of the judges as a liaison member between the court and the Council.

(b) **Organization.** The Council shall meet at such times and places as agreed upon by the members. All members of the Council, including the chief judge and the court's liaison member[s], may attend meetings and participate in discussions. The chief judge shall designate a chairperson. The council members may designate other officers, and committees and take all other steps appropriate to the conduct of the council's business. Each member, except the liaison member[s], shall be entitled to vote on matters before the Council. The chief judge shall provide facilities at the court to accommodate meetings of the Council.

(c) **Function.** The Council may consider any matters its members deem relevant to the operation of the court. The Council may transmit its recommendations to the court informally or formally by letter to the chief judge. The Council shall promptly consider and make a recommendation on any matter referred to it by the court. The court may consider any recommendation of the Council and take such action as it deems appropriate.

RULES COMMITTEE NOTE

New RCFC 83.4 replaces General Order No. 7, which established the Advisory Council on April 5, 1983. In addition to minor stylistic and formatting changes, the new rule changes the number of members allowed on the Council and makes the chief judge responsible for designating the chairperson.

Rule 84. Forms

Forms referenced in these rules are set forth in the Appendix of Forms.

Rule 85. Title

These rules may be known and cited as the Rules of the United States Court of Federal Claims.

RULES COMMITTEE NOTE

The rule has been changed to reflect the change in the court's name. These rules may be cited as "RCFC."

Rule 86. Effective Date

These rules as revised are effective on May 1, 2002. They govern all proceedings in actions brought after they take effect and also all further proceedings in actions then pending, except to the extent that in the opinion of the court their application in a particular action pending when the rules take effect would not be feasible or would work injustice, in which event the former procedure applies.

RULES COMMITTEE NOTE

The rule reflects the effective date of the most recent revisions to the court's rules. In addition, the rule adopts the practice of the federal civil rules to presume application of rule changes to pending cases.

Future revisions to these rules will be posted on the court's website at www.uscfc.uscourts.gov.

APPENDIX A

CASE MANAGEMENT PROCEDURE

I. PURPOSE

1. These case management procedures are intended to promote cooperation among counsel, assist in the early identification of issues, minimize the cost and delay of litigation and enhance the potential for settlement. (As used in this appendix, "counsel" shall be construed to include unrepresented parties.)

2. Uniformity of practice within the court also is an important goal of these procedures. For the purpose of promoting the efficient administration of justice, a judge may modify these procedures as appropriate, or the parties may suggest the modification of these procedures to meet the needs of a particular case.

II. EARLY MEETING OF COUNSEL

3. Subsequent to the filing of defendant's answer or, if applicable, a reply to a counterclaim, and, in any event, within sufficient time to permit the parties to file a Joint Preliminary Status Report in accordance with paragraph 4, plaintiff's counsel shall communicate with defense counsel, and counsel shall confer:

(a) To initiate preparation of the Joint Preliminary Status Report pursuant to paragraphs 4–6.

(b) To identify each party's factual and legal contentions.

(c) To discuss each party's discovery needs and discovery schedule, including the initial disclosures required by RCFC 26(a)(1) and additional documents that are to be the subject of discovery, *e.g.*, determine what is needed; the objections, if any, to supplying it; and where it is available, with follow-up letters to provide a record. Informal discovery is encouraged. The parties are encouraged to cooperate in the conduct of discovery and to make additional