

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**INSTRUCTIONS for Form 35.
Circuit Rule 46-5 Certificate for Exemption**

- If you are a former employee of the Ninth Circuit, you may use Form 35 to obtain an exemption under Circuit Rule 46-5, to work on a case that was pending during your employment. No formal motion is required.
- Once you file a completed Form 35, you may participate in that case without waiting for a ruling.
- Do not use this form for a case that is not currently pending in the Ninth Circuit. Rule 46-5 only applies to work on a case that is pending in this court. Other ethical obligations may apply to work on a case that is in another venue.
- To file Form 35 in ACMS, use the filing type “Motion for Exemption Under Circuit Rule 46-5.”

How to prepare fill-in forms for filing:

- If you have Adobe Acrobat or another tool that lets you save completed forms:
 1. Complete the form.
 2. Print the completed form to your PDF printer (File > Print > select Adobe PDF or another PDF printer listed in the drop-down list).
- If you do not have Adobe Acrobat or another tool that lets you save completed forms:
 1. Complete the form.
 2. Print the completed form to your printer.
 3. Scan the completed form to a PDF file.

Do not file this instruction page