

## **Rule 24. Intervention**

(a) Intervention of right. Upon timely application anyone shall be permitted to intervene in an action (1) when applicable law confers an unconditional right to intervene, or (2) when the applicant claims an interest relating to the subject of the action and the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

(b) Permissive intervention. Upon timely application any person or governmental entity may be permitted to intervene in an action (1) when applicable law confers a conditional right to intervene, or (2) when the applicant asserts a claim or defense which has a question of law or fact in common with the pending action. In exercising its discretion the Court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

(c) Procedure. Requests to intervene shall be by motion served upon the parties as provided in SCR-Dom Rel 5. The motion shall be accompanied by a pleading setting forth the claim or defense for which intervention is sought.

(d) Constitutional question.

(1) Notice to government. When the constitutionality of an act of Congress affecting the public interest is drawn in question in any action to which the United States or an officer, agency, or employee thereof is not a party, the Court shall notify the Attorney General of the United States in the manner provided in Title 28, *U.S.C.* § 2403. Similar notice shall be provided to the Corporation Counsel of the District of Columbia when the constitutionality, or the validity under the District of Columbia Self-Government and Governmental Reorganization Act of 1973, of an order, regulation, or enactment of any type affecting the public interest of the District of Columbia is drawn in question in any action to which the District of Columbia or an officer, agency, or employee thereof is not a party. Any pleading raising an issue under this subparagraph shall bear immediately below the caption the inscription "RULE 24 NOTIFICATION REQUIRED".

(2) Intervention by the United States or the District of Columbia. In any case in which the Court has sent a notification to the Attorney General of the United States or the Corporation Counsel of the District of Columbia pursuant to subparagraph (d)(1) of this Rule, the Court shall permit the United States, or the District of Columbia, respectively, to intervene for the presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality. The United States, or the District of Columbia, as appropriate, shall, subject to the applicable provisions of law, have all the rights of a party and be subject to all liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the question of constitutionality.