

### **Rule 5.1-I. 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 Attorney General of the District of Columbia under Rule 5.1, the court must 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, must, 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.

#### **COMMENT TO 2017 AMENDMENTS**

Stylistic changes were made to this rule to conform with the 2007 amendments to the Federal Rules of Civil Procedure. This rule was also renumbered to correspond with the relocation to Rule 5.1 of provisions related to notice, certification, and intervention by the United States or the District of Columbia when there is a constitutional challenge.