

21. The following rules of procedure are hereby established:

- (a) Any member of the bar in good standing of a State or Territory or the District of Columbia of the United States or any-German lawyer presently qualified and authorized to practice within the United States Zone, the United States Sector of Berlin, or Bremen Enclave may represent clients in said court, although it is not required that a party be represented by counsel.

- (b) There shall be one form of action to be known as a "civil action".

- (c) A civil action is commenced by filing a complaint in the office of the clerk of the court.

- (d) The plaintiff, upon filing a complaint, shall deposit with the clerk of the court the sum of 250 Marks, no part of which shall be in any event refunded. Upon a showing by the plaintiff that he is without means to pay the fee, the court may waive all or part of it. Witness fees, service fees, deposition fees and mileage shall be computed as prescribed by German law and, together with the sum paid as filing fee and other proper items, may be recovered as costs by the prevailing party. The clerk and marshal shall dispose of the official moneys coming into their hand as provided in Section 5—309 et seq. of Military Government Regulations.*

- (e) Upon the filing of a complaint the clerk shall issue a summons and deliver it for service to the marshal or his deputy or to a person specially appointed by the court. It shall be signed by the clerk under the authority of the court. The summons and copy of the complaint shall be served together, in person, upon the defendant. If the defendant is not a natural person, service may be made in the manner and custom provided by German law except service by publication. Service must be obtained within the U.S. Zone, U.S. Sector of Berlin, or Bremen Enclave. Service may be accepted, waived or acknowledged in writing by filing with the clerk.