IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

FILED
U.S. DISTRICT COURT

2007 SEP 18 P 4: 10

DISTRICT OF UTAH
BY: DEPUTY CLERK

In the Matter of the Civil Case Assignment Process Establishing the Pilot Program for Magistrate Judge Civil Consent Authority

General Order 07-001

This general order establishes a pilot program for maximizing the judicial resources of the court in the management of the civil caseload by encouraging litigants to consent to the exercise of full civil case management by the magistrate judges of the district.

**General Provisions**

1. All full time Magistrate Judges in the District will be included in the civil case assignment process in a proportionate basis so that one in every six cases may be assigned to a Magistrate Judge at the time the civil case is opened.

2. Magistrate judges will not be assigned the following classification of cases at case opening:
   A. 2254 Motions to Vacate in Death Penalty Cases
   B. Bankruptcy
   C. In Rem, Civil Forfeiture Cases
   D. Cases in Which Immediate Injunctive Relief is Requested
   E. Prisoner Pro Se Cases
   F. Pro Se In Forma Pauperis Cases

   If a case is being randomly reassigned after a district judge has completed a substantial amount of judicial time, such as a recusal and reassignment after receiving the mandate of the court of appeals, the case will not be assigned to a magistrate judge. A case which creates a conflict for all district judges will not be assigned to a magistrate judge.

3. If a case is being reassigned by party request, the case will not be assigned to a second magistrate judge but will be assigned to a district judge or senior district judge.

4. The Clerk of Court will monitor the program and provide periodic updates to a steering committee comprised of Chief Judge Tena Campbell, District Judge Paul Cassell and Magistrate Judge David Nuffer.

5. Members of the bar will be encouraged to comment upon the project.

6. The pilot program will be evaluated after two years and the court will consider making the program permanent.

**Consents or Requests for Reassignment**

1. All consents or requests for reassignment will be confidentially transmitted to the Clerk of Court, either by emailing the form as a pdf file to consents@utd.uscourts.gov , or by mailing them to the court, directed to the consent clerk.

2. Parties will have thirty days to return consents or requests for reassignment to the court. Reminders will be sent to parties by the clerk if consents or requests for reassignments are not returned to the court within the thirty day time period.

3. After all consents or requests for reassignment have been received, the clerk will docket the consents if all parties have consented or reassign the case if any party has requested reassignment. If the case is being reassigned, the parties' forms will not be made part of the court record and no judge in the case will know which party or parties requested reassignment.

4. If any party does not return a consent or request for reassignment form after the time period set by the court has expired, and subsequent to a reminder notice by the clerk, the case will be reassigned to a district judge.

This general order will become effective on September 17, 2007 and will remain in effect until September 17, 2009.

Tena Campbell — 9-13-2007
Chief Judge Tena Campbell — Date

Dee Benson — 9-13-2007
District Judge Dee Benson — Date

Dale A. Kimball — 9-13-2007
District Judge Dale A. Kimball — Date

Ted Stewart — 9/13/2007
District Judge Ted Stewart — Date

Paul G. Cassell — 9/13/07
District Judge Paul G. Cassell — Date

David Sam
Senior Judge David Sam

9/13/07
Date