

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

FILED
U.S. DISTRICT COURT

2011 FEB 17 P 4:38

In the Matter of the Civil Case
Assignments

General Order 11-001

DISTRICT OF UTAH

BY: *ADJ*
DEPUTY CLERK

This general order establishes the process for assigning civil cases from the initial case assignment wheel. The goal of this process is the maximizing of 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 at the time the civil case is opened. The proportion of cases so assigned will be determined by the court and will be periodically reviewed and adjusted.
2. Cases so assigned shall be deemed to be assigned to the Chief Judge and referred to the magistrate judge for the exercise of all authority under 28 U.S.C. 636 (b) as provided in DUCivR 72-2 (a)(6) during the period of time when the parties enter the case and decide whether to consent to the exercise of full civil jurisdiction under 28 U.S.C. § 636 (c). 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.

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 consent of all parties is received, the case is referred to the magistrate judge to the full extent of authority under 28 U.S.C. § 636 (c) for conduct of any or all proceedings and for the entry of judgment in the case. If the case is 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 randomly reassigned to a district judge.



Ted Stewart, Chief Judge

2/17/2011
Date