

TABLE OF CIVIL RULES

<u>RULE #</u>		<u>PAGE</u>
DUCivR 1-1	AVAILABILITY AND AMENDMENTS.....	1
(a)	Availability.....	1
(b)	Amendments to the Rules.....	1
DUCivR 1-2	SANCTIONS FOR CIVIL RULE VIOLATIONS	1
DUCivR 3-1	CLERK'S SCHEDULE OF MISCELLANEOUS FEES	1
DUCivR 3-2	ACTIONS TO PROCEED WITHOUT PREPAYMENT OF FEES	2
(a)	Non-incarcerated Parties.	2
(b)	Incarcerated Parties.	2
(c)	Dismissal of Claims as Frivolous under 28 U.S.C §1915	3
DUCivR 3-3	COMMENCEMENT OF AN ACTION: NOTIFICATION OF MULTI-DISTRICT LITIGATION	3
DUCivR 3-4	CIVIL COVER SHEET	4
DUCivR 3-5	CONTENT OF THE COMPLAINT	4
DUCivR 5-1	FILING OF PAPERS	4
(a)	Electronic Filing.....	4
(b)	Conventional Filing of Pleadings and Papers.....	4
(c)	Filing Time Requirements.....	5
DUCivR 5-2	FILING CASES UNDER COURT SEAL	5
(a)	General Rule.....	5
(b)	Sealing of New Cases.....	5
(c)	Sealing of Pending Cases	6
(d)	Procedures for Filing Sealed Cases and Documents in Sealed Cases	6
(e)	Access to Sealed Case Dockets and Documents	6
DUCivR 5-3	FILING DOCUMENTS UNDER COURT SEAL.....	6
(a)	General Rule.....	6
(b)	Procedure for Filing Under Seal.....	7
(c)	Access to Sealed Documents.....	8
DUCivR 5-4	HABEAS CORPUS PETITIONS AND CIVIL RIGHTS COMPLAINTS	8
(a)	Form.	8
(b)	Supporting Affidavit.....	9
(c)	Filing Requirements	9
(d)	Answers and Responses.	9
DUCivR 5.2 - 1	REDACTING PERSONAL IDENTIFIERS	9
(a)	Redacting Personal Identifiers in Pleadings	9
(b)	Redacting Personal Identifiers in Transcripts.	9

	(c)	Procedure for Reviewing and Redacting Transcripts.....	10
DUCivR 6-1		FILING DEADLINES WHEN COURT IS CLOSED.....	10
DUCivR 7-1		MOTIONS AND MEMORANDA	10
	(a)	Motions.....	10
	(b)	Response and Reply Memoranda.....	13
	(c)	Supporting Exhibits to Memoranda Other Than Memoranda Related to Summary Judgment Motions.....	15
	(d)	Failure to Respond.....	15
	(e)	Leave of Court and Format for Overlength Motions and Memoranda.	15
	(f)	Oral Arguments on Motions.....	16
DUCivR 7-2		CITING UNPUBLISHED JUDICIAL DECISIONS.....	16
	(a)	Precedential Value.....	16
	(b)	Citation Form	16
	(c)	Copies.....	17
DUCivR 7-3		REQUEST TO SUBMIT FOR DECISION	17
DUCivR 7-4		FILINGS IN ALL ACTIONS SEEKING JUDICIAL REVIEW OF A DECISION FROM AN ADMINISTRATIVE AGENCY	17
	(a)	Review of Administrative Agency Decisions	17
DUCivR 7-5		HYPERLINKS IN COURT FILINGS	20
	(a)	Encouraged and Permissible Hyperlinks.....	20
DUCivR 9-1		ALLOCATION OF FAULT	20
	(a)	Allocating Party Filing Requirements	20
	(b)	Allocating Party Time Requirements	21
DUCivR 10-1		GENERAL FORMAT OF PAPERS	21
	(a)	Form of Pleadings and Other Papers	21
	(b)	Font Requirements.	23
	(c)	Examination by the Clerk.....	23
DUCivR 15-1		AMENDED COMPLAINTS	24
DUCivR 16-1		PRETRIAL PROCEDURE	24
	(a)	Pretrial Scheduling and Discovery Conferences	24
	(b)	Magistrate Judge.....	25
	(c)	Attorneys' Conference	25
	(d)	Final Pretrial Conference.....	26
	(e)	Pretrial Order	26
DUCivR 16-2		ALTERNATIVE DISPUTE RESOLUTION.....	26
	(a)	Authority.	26
	(b)	Procedures Available.....	26
	(c)	Cases Excluded from ADR Program.....	26

	(d)	Certificate of ADR Election	27
	(e)	Case Referral Procedure	27
	(f)	Stay of Discovery	27
	(g)	ADR Case Administration.....	28
	(h)	Supervisory Power of the Court	28
	(i)	Compliance Judge.	28
	(j)	Violations of the Rules Governing the ADR Program.....	28
DUCivR 16-3		SETTLEMENT CONFERENCES	28
	(a)	Authority for Settlement Conferences.....	28
	(b)	Referral of Cases for Purposes of Conducting a Settlement Conference.....	29
	(c)	Settlement Proceedings.	29
	(d)	Confidential Nature of Settlement Proceedings	29
DUCivR 23-1		DESIGNATION OF PROPOSED CLASS ACTION.....	30
	(a)	Caption.	30
	(b)	Class Allegation Section.	30
	(c)	Class Action Requisites.....	30
	(d)	Motion for Certification.	30
DUCivR 24-1		NOTIFICATION OF CLAIM OF UNCONSTITUTIONALITY.....	31
	(a)	An Act of Congress	31
	(b)	A Statute of a State.....	31
DUCivR 26-1		DISCOVERY REQUESTS AND DOCUMENTS	32
	(a)	Form of Responses to Discovery Requests	32
	(b)	Filing and Custody of Discovery Materials.	32
DUCivR 26-2		STANDARD PROTECTIVE ORDER AND STAYS OF DEPOSITIONS	33
	(a)	Standard Protective Order	33
	(b)	Motion for Protective Order and Stay of Deposition	34
DUCivR 29-1		AGREEMENTS REGARDING EXTENSION OF DISCOVERY RESPONSE DEADLINES.....	34
DUCivR 30-1		DEPOSITION OBJECTIONS	35
DUCivR 37-1		DISCOVERY: MOTIONS AND DISPUTES; REFERRAL TO MAGISTRATE JUDGE	35
	(a)	Discovery Disputes.....	35
DUCivR 41-1		SANCTIONS: FAILURE TO NOTIFY WHEN SETTLEMENT IS REACHED BEFORE A SCHEDULED JURY TRIAL	38
DUCivR 41-2		DISMISSAL FOR FAILURE TO PROSECUTE.....	38
DUCivR 42-1		CONSOLIDATION OF CIVIL CASES	38
	(a)	Motion	38
	(b)	Motion to Be Filed in Lower-Numbered Case.....	38

	(c)	Sua Sponte Consolidation.	39
DUCivR 43-1		COURTROOM PRACTICES AND PROTOCOL	39
	(a)	Conduct of Counsel	39
	(b)	Exclusion of Witnesses.	40
	(c)	Arguments	40
	(d)	Presence of Parties and Attorneys upon Receiving Verdict or Supplemental Instructions	40
DUCivR 45-1		PRIOR NOTICE OF SUBPOENA AND COPY OF DUCivR 37-1 REQUIRED FOR NONPARTY	41
DUCivR 47-1		IMPANELMENT AND SELECTION OF JURORS	41
	(a)	Requests for Voir Dire Examination	41
	(b)	Voir Dire Examination and Exercise of Challenges.	41
DUCivR 47-2		COMMUNICATION WITH JURORS	42
	(a)	Communications Before or During Trial.	42
	(b)	Communications After Trial.	42
DUCivR 48-1		NUMBER OF JURORS; IMPANELING AND SELECTION OF JURY	42
DUCivR 51-1		INSTRUCTIONS TO THE JURY	42
DUCivR 54-1		JUDGMENTS: PREPARATION OF ORDERS, JUDGMENTS, FINDINGS OF FACT AND CONCLUSIONS OF LAW	43
	(a)	Orders in Open Court	43
	(b)	Orders and Judgments.	43
	(c)	Proposed Findings of Fact and Conclusions of Law	43
DUCivR 54-2		COSTS: TAXATION OF COSTS AND ATTORNEYS' FEES	44
	(a)	Bill of Costs.....	44
	(b)	Objections to Bill of Costs.	44
	(c)	Taxation of Costs.....	45
	(d)	Judicial Review.	45
	(e)	Attorneys' Fees.	45
	(f)	Procedures and Requirements for Motions for Attorneys' Fees.....	45
DUCivR 55-1		DEFAULTS AND DEFAULT JUDGMENTS	45
	(a)	Entry of Default.....	46
	(b)	Default Judgment	46
DUCivR 56-1		SUMMARY JUDGMENT: MOTIONS AND SUPPORTING MEMORANDA	47
	(a)	Summary Judgment Motions and Memoranda.	47
	(b)	Motion Requirements and Supporting Evidence.....	47
	(c)	Opposition Memorandum Requirements and Supporting Evidence	49
	(d)	Reply.	50
	(e)	Citations of Supplemental Authority.....	50

	(f)	Failure to Respond.....	50
	(g)	Length of Memoranda and Filing Times.....	50
DUCivR 58-1		JUDGMENT: FINAL JUDGMENT BASED UPON A WRITTEN INSTRUMENT	51
DUCivR 67-1		RECEIPT AND DEPOSIT OF REGISTRY FUNDS	52
	(a)	Court Orders Pursuant to Fed. R. Civ. P. 67	52
	(b)	Provisions for Designated or Qualified Settlement Funds	52
	(c)	Deposit of Required Undertaking or Bond in Civil Actions	52
	(d)	Registry Funds Invested in Interest-Bearing Accounts	53
	(e)	Service Upon the Clerk.	53
	(f)	Deposit of Funds.	53
	(g)	Disbursements of Registry Funds.....	53
	(h)	Management and Handling Fees	54
	(i)	Verification of Deposit.....	54
	(j)	Liability of the Clerk	54
DUCivR 69-1		SUPPLEMENTAL PROCEEDINGS	54
	(a)	Motion to Appear.	54
	(b)	Hearing Before Magistrate Judge.....	55
	(c)	Failure to Appear.....	55
	(d)	Fees and Expenses.....	55
DUCivR 71.1-1		DEPOSITS IN THE COURT REGISTRY	55
DUCivR 72-1		MAGISTRATE JUDGE AUTHORITY	56
DUCivR 72-2		MAGISTRATE JUDGE FUNCTIONS AND DUTIES IN CIVIL MATTERS	56
	(a)	General Authority.....	56
	(b)	Authority Under Fed. R. Civ. P. 72(a).	56
	(c)	Authority Under Fed. R. Civ. P. 72(b).....	57
	(d)	Authority Under 42 U.S.C. § 1983.....	57
	(e)	Authority Under 28 U.S.C. §§ 2254 and 2255	57
	(f)	Authority to Function As Special Master.....	58
	(g)	Authority to Adjudicate Civil Cases.	58
DUCivR 72-3		RESPONSE TO OBJECTION TO NONDISPOSITIVE PRETRIAL DECISION	58
	(a)	Stays of Magistrate Judge Orders.....	58
	(b)	Ruling on Objections.....	58
DUCivR 77-1		OFFICE OF RECORD; COURT LIBRARY; HOURS AND DAYS OF BUSINESS	59
	(a)	Office of Record.....	59
	(b)	Hours and Days of Business.....	59
	(c)	U.S. Courts Law Library	59

DUCivR 77-2	MOTIONS GRANTABLE BY THE CLERK OF COURT	60
(a)	Motions Grantable by the Clerk of Court.....	60
(b)	Clerk's Action Reviewable	60
DUCivR 79-1	ACCESS TO COURT RECORDS.....	60
(a)	Access to Public Court Records	60
(b)	Sealed Records	61
(c)	Search for Cases by the Clerk	61
DUCivR 81-1	SCOPE AND APPLICABILITY OF RULES	61
(a)	Scope of Rules.....	61
(b)	Relationship to Prior Rules; Actions Pending on Effective Date.....	61
DUCivR 83-1.1	ATTORNEYS - ADMISSION TO PRACTICE	61
(a)	Practice Before the Court	61
(b)	Admission to the Bar of This Court.	61
(c)	Active Member Status Requirement.	63
(d)	Admission Pro Hac Vice	63
(e)	Attorneys for the United States and the Office of the Federal Public Defender Residing in This District.....	65
(f)	Pro Se Representation.	65
(g)	Rules of Professional Conduct and Standards of Professionalism and Civility	66
DUCivR 83-1.2	ATTORNEYS - REGISTRATION OF ATTORNEYS	67
(a)	General Requirement.....	67
(b)	Categories of Membership.	67
(c)	Non-Member Status.	67
(d)	Failure to Register.	68
DUCivR 83-1.3	ATTORNEYS - APPEARANCES BY ATTORNEYS	68
(a)	Attorney of Record.....	68
(b)	Limited Appearance	68
(c)	Pro Se Representation.	69
(d)	Appearance by Party	69
(e)	Notification of Clerk.	70
DUCivR 83-1.4	ATTORNEYS - WITHDRAWAL OR REMOVAL OF ATTORNEY	70
(a)	Withdrawal Leaving a Party Without Representation.....	70
(b)	Withdrawal With and Without the Client's Consent.....	71
(c)	Procedure After Withdrawal	71
(d)	Substitution.....	72
DUCivR-83-1.5	ATTORNEYS - DISCIPLINE OF ATTORNEYS	73
DUCivR 83-1.5.1	ATTORNEYS - DISCIPLINARY ACTIONS - GENERAL PROVISIONS	73
(a)	Standards of Professional Conduct.....	73
(b)	Grounds for Discipline	73
(c)	Disciplinary Panel.	74

(d)	Disciplinary Committee	74
(e)	Clerk of Court.....	74
(f)	Confidentiality.....	74
(g)	Waiver and Consent.	74
(h)	Interim Suspension.....	75
(i)	Reinstatement from Interim Suspension.	75
(j)	Participant Immunity.....	75
DUCivR 83-1.5.2	RECIPROCAL DISCIPLINE.....	75
(a)	Notice to the Court	75
(b)	Procedure.....	76
DUCivR 83-1.5.3	CRIMINAL CONVICTION DISCIPLINE.....	76
(a)	Notice to the Court	76
(b)	Procedure.....	77
(c)	Sanctions.	77
DUCivR 83-1.5.4	REFERRAL BY A JUDICIAL OFFICER.....	77
(a)	Referral.....	77
(b)	Procedure.....	78
(c)	Sanctions.	78
DUCivR 83-1.5.5	ATTORNEY MISCONDUCT COMPLAINT	78
(a)	Complaint	78
(b)	Procedure.....	79
(c)	Sanctions.	79
DUCivR 83-1.5.6	COMMITTEE ON THE CONDUCT OF ATTORNEYS.....	80
(a)	Procedure.....	80
(b)	Investigation	80
(c)	Report and Recommendation	80
(d)	Recommendation for Evidentiary Hearing.....	80
DUCivR 83-1.5.7	EVIDENTIARY HEARING	81
(a)	Appointment of Hearing Examiner	81
(b)	Appointment of a Judicial Officer.....	81
(c)	Appointment of Prosecutor.	81
(d)	Panel Hearing	81
(e)	Hearing Process.....	81
(f)	Report and Recommendation	81
(g)	Fees and Costs	82
DUCivR 83-1.5.8	REINSTATEMENT	82
(a)	Reinstatement from Reciprocal Discipline Matters.	82
(b)	Reinstatement from Other Disciplinary Orders.....	82
(c)	Contents of the Petition	82
(d)	Procedure.....	83

DUCivR 83-1.6	ATTORNEYS - STUDENT PRACTICE RULE	83
(a)	Entry of Appearance on Written Consent of Client and Supervising Attorney.	83
(b)	Law Student Eligibility.	83
(c)	Responsibilities of Supervising Attorney.....	84
(d)	Scope of Representation.....	84
(e)	Law School Certification.....	85
DUCivR 83-2	ASSIGNMENT AND TRANSFER OF CIVIL CASES	85
(a)	Case Assignment System.	85
(b)	Judicial Recusal.....	85
(c)	Emergency Matters.....	86
(d)	Post-Conviction Relief	86
(e)	Section 2255 Motions.....	86
(f)	Multiple Matters Arising Out of a Single Bankruptcy Case	86
(g)	Transfer of Related Case	86
DUCivR 83-3	CAMERAS, RECORDING DEVICES, AND BROADCASTS	87
(a)	Use of Electronic Devices	87
(b)	Photographs and Recordings	87
(c)	Credentialed Media.	88
(d)	Exceptions	88
DUCivR 83-4	COURT SECURITY	88
(a)	Application of the Rule.	88
(b)	Persons Subject to Search.....	88
(c)	Weapons	89
(d)	Safety.....	89
DUCivR 83-5	CUSTODY AND DISPOSITION OF TRIAL EXHIBITS.....	89
(a)	Prior to Trial	89
(b)	During Trial.....	90
(c)	After Trial.....	90
DUCivR 83-6	STIPULATIONS: PROCEDURAL REQUIREMENT	91
DUCivR 83-7.1	BANKRUPTCY - ORDER OF REFERENCE OF BANKRUPTCY MATTERS TO BANKRUPTCY JUDGES	91
DUCivR 83-7.2	BANKRUPTCY - REMOVAL OF CLAIMS OR ACTIONS RELATED TO BANKRUPTCY CASES	92
DUCivR 83-7.3	BANKRUPTCY - TRANSFER OF PERSONAL INJURY TORT AND WRONGFUL DEATH CLAIMS TO THE DISTRICT COURT	92
DUCivR 83-7.4	BANKRUPTCY - WITHDRAWAL OF THE REFERENCE OF BANKRUPTCY CASES, PROCEEDINGS AND CONTESTED MATTERS	92
(a)	Motion to Withdraw the Reference	92

- (i) Cases filed by prisoners, including those based on motions to vacate sentence, petitions for writs of habeas corpus, and allegations of civil rights violations;
 - (ii) Cases filed by parties appearing pro se or in which all defendants are pro se;
 - (iii) Bankruptcy appeals and withdrawals;
 - (iv) Forfeiture and statutory penalty actions;
 - (v) Internal Revenue Service third-party and collection actions;
 - (vi) Reviews of administrative decisions by Executive Branch agencies, including Health and Human Services;
 - (vii) Actions to enforce or quash administrative subpoenas;
 - (viii) Cases subject to multidistrict litigation;
 - (ix) Actions to compel arbitration or set aside arbitration
 - (x) Proceedings to compel testimony or production of documents in actions pending in another district or to perpetuate testimony for use in any court; and
 - (xi) Cases assigned to be heard by a three-judge panel.
- (B) Unless otherwise ordered by the court, as a matter of general court policy, incarcerated or otherwise detained pro se parties will not be required to comply with Fed. R. Civ. P. 26(f).

(b) Magistrate Judge.

The court may designate a magistrate judge to hold the initial scheduling or any pretrial conference. The court generally will conduct the final pretrial conference in all contested civil cases.

(c) Attorneys' Conference.

At a time to be fixed during the scheduling conference, but at least ten (10) days prior to the final pretrial conference, counsel for the parties will hold an attorneys' conference to discuss settlement, a proposed pretrial order, exhibit list and other matters that will aid in an expeditious and productive final pretrial conference.

