

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF UTAH**



**Local Rules of Civil Practice**

**DECEMBER 2021**

# LOCAL CIVIL RULES

## TABLE OF CONTENTS

DUCivR 1-1	AVAILABILITY AND AMENDMENTS .....	1
DUCivR 1-2	SANCTIONS FOR VIOLATING THESE RULES .....	1
DUCivR 3-1	CLERK'S SCHEDULE OF MISCELLANEOUS FEES .....	1
DUCivR 3-2	PROCEEDING WITHOUT PREPAYMENT OR PAYMENT OF FILING FEES .....	2
DUCivR 3-3	MULTIDISTRICT LITIGATION.....	5
DUCivR 3-4	CIVIL COVER SHEET.....	6
DUCivR 3-5	MOTIONS IN PLEADINGS PROHIBITED.....	6
DUCivR 5-1	FILING AND ELECTRONIC NOTIFICATION .....	6
DUCivR 5-2	FILING CASES UNDER COURT SEAL .....	12
DUCivR 5-3	FILING DOCUMENTS UNDER COURT SEAL .....	13
DUCivR 5-4	HABEAS CORPUS PETITIONS AND PRISONER CIVIL RIGHTS COMPLAINTS .....	16
DUCivR 5.1-1	NOTIFICATION OF CLAIM OF UNCONSTITUTIONALITY.....	17
DUCivR 5.2-1	REDACTION OF PERSONAL IDENTIFIERS AND PROTECTED INFORMATION.....	18
DUCivR 6-1	FILING DEADLINES WHEN COURT IS CLOSED .....	20
DUCivR 7-1	MOTIONS AND MEMORANDA.....	20
DUCivR 7-2	CITING UNPUBLISHED JUDICIAL DECISIONS.....	25
DUCivR 7-3	REQUEST TO SUBMIT FOR DECISION .....	26
DUCivR 7-4	AN ACTION SEEKING JUDICIAL REVIEW OF A DECISION FROM AN ADMINISTRATIVE AGENCY.....	27

DUCivR 7-5	HYPERLINKS IN DOCUMENTS.....	30
DUCivR 9-1	ALLOCATION OF FAULT .....	30
DUCivR 10-1	FORMAT OF DOCUMENTS .....	31
DUCivR 15-1	AMENDED PLEADINGS.....	34
DUCivR 16-1	PRETRIAL PROCEDURE.....	35
DUCivR 16-2	ALTERNATIVE DISPUTE RESOLUTION.....	37
DUCivR 16-3	SETTLEMENT CONFERENCES .....	40
DUCivR 23-1	DESIGNATION OF PROPOSED CLASS ACTION.....	41
DUCivR 26-1	DISCOVERY REQUESTS AND DOCUMENTS.....	43
DUCivR 26-2	STANDARD PROTECTIVE ORDER AND STAY OF DEPOSITIONS...	44
DUCivR 29-1	AGREEMENTS REGARDING EXTENSION OF DISCOVERY RESPONSE DEADLINES.....	45
DUCivR 30-1	DEPOSITION OBJECTIONS .....	46
DUCivR 30-2	NOTICES REQUIRED FOR DEPOSITIONS UNDER FED. R. CIV. P. 30(b)(6) .....	46
DUCivR 37-1	DISCOVERY DISPUTES .....	47
DUCivR 41-1	SANCTIONS: FAILURE TO NOTIFY COURT WHEN SETTLEMENT IS REACHED BEFORE A SCHEDULED JURY TRIAL.....	50
DUCivR 41-2	DISMISSAL FOR FAILURE TO PROSECUTE.....	50
DUCivR 42-1	CONSOLIDATION OF CIVIL CASES.....	50
DUCivR 43-1	COURTROOM PRACTICES AND PROTOCOL.....	51
DUCivR 45-1	PRIOR NOTICE OF SUBPOENA AND COPY OF DUCivR 37-1 REQUIRED FOR NONPARTY.....	53
DUCivR 47-1	IMPANELMENT AND SELECTION OF JURORS .....	54
DUCivR 47-2	COMMUNICATION WITH JURORS.....	55

DUCivR 51-1	INSTRUCTIONS TO THE JURY .....	55
DUCivR 54-1	JUDGMENTS: PREPARATION OF ORDERS, JUDGMENTS, FINDINGS OF FACTS AND CONCLUSIONS OF LAW .....	56
DUCivR 54-2	COSTS: TAXATION OF COSTS AND ATTORNEYS' FEES.....	57
DUCivR 55-1	DEFAULTS AND DEFAULT JUDGMENTS.....	58
DUCivR 56-1	SUMMARY JUDGMENT MOTIONS AND MEMORANDA.....	60
DUCivR 58-1	JUDGMENT: FINAL JUDGMENT BASED UPON A WRITTEN INSTRUMENT.....	64
DUCivR 67-1	RECEIPT AND DEPOSIT OF REGISTRY FUNDS.....	64
DUCivR 69-1	SUPPLEMENTAL PROCEEDINGS .....	67
DUCivR 71.1-1	DEPOSITS IN THE COURT REGISTRY .....	68
DUCivR 72-1	MAGISTRATE JUDGE AUTHORITY .....	69
DUCivR 72-2	MAGISTRATE JUDGE FUNCTIONS AND DUTIES IN CIVIL MATTERS.....	69
DUCivR 72-3	RESPONSE TO AN OBJECTION TO A MAGISTRATE JUDGE DECISION.....	72
DUCivR 77-1	OFFICE OF RECORD; COURT LIBRARY; HOURS AND DAYS OF BUSINESS.....	73
DUCivR 77-2	MOTIONS GRANTABLE BY THE CLERK OF COURT.....	74
DUCivR 79-1	ACCESS TO COURT RECORDS .....	74
DUCivR 81-1	SCOPE AND APPLICABILITY OF RULES .....	75
DUCivR 81-2	REMOVED ACTIONS.....	76
DUCivR 83-1.1	ATTORNEYS - ADMISSION TO PRACTICE .....	78
DUCivR 83-1.2	ATTORNEYS - ANNUAL REGISTRATION .....	81
DUCivR 83-1.3	ATTORNEYS - APPEARANCES BY ATTORNEYS.....	83

DUCivR 83-1.4	ATTORNEYS - SUBSTITUTION AND WITHDRAWAL OF ATTORNEY.....	85
DUCivR 83-1.5.1	ATTORNEY DISCIPLINARY ACTIONS - GENERAL PROVISIONS....	89
DUCivR 83-1.5.2	RECIPROCAL DISCIPLINE .....	91
DUCivR 83-1.5.3	CRIMINAL CONVICTION DISCIPLINE.....	93
DUCivR 83-1.5.4	REFERRAL BY A JUDICIAL OFFICER .....	94
DUCivR 83-1.5.5	ATTORNEY MISCONDUCT COMPLAINT .....	95
DUCivR 83-1.5.6	COMMITTEE ON THE CONDUCT OF ATTORNEYS .....	96
DUCivR 83-1.5.7	EVIDENTIARY HEARING.....	98
DUCivR 83-1.5.8	REINSTATEMENT .....	99
DUCivR 83-1.6	ATTORNEYS - STUDENT PRACTICE RULE .....	100
DUCivR 83-1.7	CONDUCT OF AN UNREPRESENTED PARTY.....	103
DUCivR 83-2	ASSIGNMENT AND TRANSFER OF CIVIL CASES.....	103
DUCivR 83-3	CAMERAS, RECORDING DEVICES, AND BROADCASTS .....	106
DUCivR 83-4	COURT SECURITY.....	107
DUCivR 83-5	CUSTODY AND DISPOSITION OF TRIAL EXHIBITS.....	108
DUCivR 83-6	STIPULATIONS: PROCEDURAL REQUIREMENT .....	111
DUCivR 83-7.1	BANKRUPTCY - ORDER OF REFERENCE OF BANKRUPTCY MATTERS TO BANKRUPTCY JUDGES .....	111
DUCivR 83-7.2	BANKRUPTCY - REMOVAL OF CLAIMS OR ACTIONS RELATED TO BANKRUPTCY CASES.....	111
DUCivR 83-7.3	BANKRUPTCY - TRANSFER OF PERSONAL INJURY TORT AND WRONGFUL DEATH CLAIMS TO THE DISTRICT COURT .....	112
DUCivR 83-7.4	BANKRUPTCY - WITHDRAWAL OF THE REFERENCE OF BANKRUPTCY CASES, PROCEEDINGS AND CONTESTED MATTERS.....	112

DUCivR 83-7.5	BANKRUPTCY - DETERMINATION OF PROCEEDINGS AS "NON-CORE" .....	116
DUCivR 83-7.6	BANKRUPTCY - LOCAL BANKRUPTCY RULES OF PRACTICE .....	116
DUCivR 83-7.7	BANKRUPTCY - JURY TRIALS IN BANKRUPTCY COURT.....	117
DUCivR 83-7.8	BANKRUPTCY - INDIRECT CRIMINAL CONTEMPT OF BANKRUPTCY COURT.....	117
DUCivR 83-7.9	BANKRUPTCY - APPEALS TO THE DISTRICT COURT FROM THE BANKRUPTCY COURT UNDER 28 U.S.C. § 158.....	118
DUCivR 86-1	EFFECTIVE DATE OF RULES .....	121













































## **DUCivR 6-1 FILING DEADLINES WHEN COURT IS CLOSED**

When the court is closed by order of the Chief Judge, a deadline that falls on that day is extended to the next day the court is open.

## **DUCivR 7-1 MOTIONS AND MEMORANDA**

### **(a) Motion, Response, and Reply.**

(1) Motion and Memorandum. Except as otherwise allowed by this rule, a motion and memorandum must be contained in the same document and include the following:

- (A) an initial separate section stating succinctly the specific relief sought and the grounds for the relief; and
- (B) a recitation of relevant facts, supporting authority, and argument.

(2) Exception to the Requirement to Include Facts and Supporting Authority. The requirement to include facts and supporting authority under section 7-1(a)(1)(B) does not apply to the following motions:

- (A) to extend time for the performance of an act, whether required or permitted, if the motion is made before the current deadline expires;
- (B) to continue a hearing or other court proceeding;
- (C) to appoint a next friend or guardian ad litem;
- (D) to substitute a party;
- (E) for a settlement conference;
- (F) for referral to or withdrawal from the court's ADR program; and
- (G) for approval of a stipulation between the parties.

(3) No Motion Within a Response or Reply. A party may not make a motion, including a motion under Fed. R. Civ. P. 56(d), or a cross-motion in a

































































































































































































































