



UNITED STATES DISTRICT COURT

District of Minnesota

Richard D. Sletten, Clerk
Wendy S. Osterberg, Chief Deputy Clerk

Warren E. Burger Federal
Building and U.S. Courthouse
316 North Robert Street
Suite 100
St. Paul, MN 55101
(651) 848-1100

U.S. Courthouse
300 South Fourth Street
Suite 202
Minneapolis, MN 55415
(612) 664-5000

Gerald W. Heaney Federal Building
and U.S. Courthouse and Customhouse
515 West First Street
Suite 417
Duluth, MN 55802
(218) 529-3500

U.S. Courthouse
118 South Mill Street
Suite 212
Fergus Falls, MN 56537
(218) 739-5758

PUBLIC NOTICE

Date: November 16, 2009
Contact: Richard Sletten, Clerk of Court
(612) 664-5026

FEDERAL COURT LOCAL RULE AMENDMENTS Effective December 1, 2009

The United States District Court for the District of Minnesota has approved amendments to the Court's Local Rules of practice, which will be effective December 1, 2009. The rule changes affect Local Rules LR 1.1, 5.3, 5.5, 7.1, 7.2, 16.2, 26.1, 39.1, 54.3, 72.2, 83.6, Form 5, Form 6, and the Rules of Procedure for Expedited Trials. On September 24, 2009, the Court notified the public of the proposed amendments to these rules and provided an opportunity for public comment. Taking into consideration the public's comments and Court practices, the Court approved the amendments recommended by the Court's Federal Practice Committee, chaired by Attorney Jeannine Lee.

A brief summary of the upcoming amendments is provided below. To read the amendments in full, visit the Court's website at www.mnd.uscourts.gov, or contact the Office of the Clerk of Court in St. Paul, Minneapolis, Duluth, or Fergus Falls.

A. Filing deadlines

On December 1, 2009, the Federal Rules will change concerning how to compute time and the Court's Local Rules will change to conform to the Federal Rules. For more information on the Federal Rules revisions, visit <http://www.uscourts.gov/rules/>. The table below describes the filing deadline changes to the Local Rules and Forms and the [Rules of Procedure for Expedited Trials](#) that will be effective December 1, 2009.

Local Rule	Amendment Description
1.1(f) Scope of the Rules	Explanatory language for computing time changed
5.3 Deadline for Filing Answers	10 days changed to 14 days
5.5(b)-(c) Redaction of Transcripts	Removed "calendar"
7.1(b) Civil Motion Practice	45 days changed to 42 days; 20 days changed to 21 days for responses; and 12 days to 14 days for replies

7.2(b) Procedures in Social Security Cases	10 days changed to 14 days
16.2(a) Pretrial Conferences	14 days changed to 21 days; 10 days changed to 14 days
26.1(f) Discovery	10 days changed to 14 days
39.1(b) Preparation for Trial in Civil Cases	10 days changed to 14 days; 5 days changed to 7 days
54.3(b) Time Limit for Motion for Award of Attorney's Fees	15 days changed to 14 days
72.2(a)-(b) Review of Magistrate Judge Rulings	10 days changed to 14 days
83.6(b), (k) Attorney Discipline	In (b), 5 and 3 days changed to 7 days; in (k) 10 days changed to 14 days
Form 5 – Stipulation for Protective Order (Patent Cases)	15 and 10 days changed to 14 days
Form 6 – Stipulation for Protective Order	15 and 10 days changed to 14 days
Rules of Procedure for Expedited Trials	Changed 5 days to 7 days in section 3; and 2 days to 3 days in sections 8-9.

B. LR 54.3, “Time Limit for Motion for Award of Attorney’s Fees”

The Court amends LR 54.3, “Time Limit for Motion for Award of Attorney’s Fees,” to:

1. Provide a briefing schedule for filing a response to a motion for attorney’s fees under LR 54.3(b);
2. Provide a procedure for taxing costs under Fed. R. Civ. P. 54(d)(1); and
3. Clarify that motion papers filed under LR 54.3 comply with subsection (c), “Post-trial and Post-judgment Motions,” of LR 7.1, “Civil Motion Practice.”

Effective December 1, 2009, a party seeking costs must file a verified bill of costs within 30 days of judgment. This amendment to LR 54.3(c) changes the current practice of the Clerk of Court of taxing costs only after all applicable appeal periods have ended. The rule also provides a procedure for objecting to the bill of costs and a procedure for filing a motion to review the Clerk’s decision with the presiding judge. The Clerk’s Office will provide an updated bill of costs form and Bill of Costs Guide to comport with this amendment.

* * *

Richard D. Sletten
Clerk, U.S. District Court
District of Minnesota