



# UNITED STATES DISTRICT COURT

## District of Minnesota

Richard D. Sletten, Clerk  
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Suite 202  
Minneapolis, MN 55415  
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Gerald W. Heaney Federal Building  
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## PUBLIC NOTICE

Date: January 31, 2011  
Contact: Richard Sletten, Clerk of Court  
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### FEDERAL COURT LOCAL RULE AMENDMENTS Effective January 31, 2011

The United States District Court for the District of Minnesota has approved amendments to the Court's Local Rules of practice, effective January 31, 2011. The rule changes affect Local Rules LR 1.1, 5.1, 5.2, 5.4, 7.2, 24.1, 67.1, 67.2, 67.3, 83.5, 83.7 and two forms. On November 23, 2010, 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 summary of the proposed substantive amendments is provided below. In addition, all of the Local Rule amendments also include stylistic changes that are part of the Federal Practice Committee's ongoing effort to restyle the Local Rules to make them more easily understood and internally consistent. To see the amended rules, visit the Court's website at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov), or contact the Office of the Clerk of Court in St. Paul, Minneapolis, Duluth, or Fergus Falls.

#### **1. Local Rule 5.4 Service of Documents Through the Court's Electronic Transmission Facilities**

This rule is amended to no longer require attorneys to file a separate certificate of service if service is effected through ECF. The rule states that the Notice of Electronic Filing (NEF) may serve as the certificate of service if service was effected electronically.

#### **2. LR 67.1 Money Deposited into the Court Registry and LR 67.2 Withdrawal of Money from the Court Registry**

These rules are amended to provide procedures for attorneys to deposit money in and withdraw money from the Court registry. Former Local Rule 67.3 was renumbered to LR 67.2. The rules specify that an attorney must file a motion to deposit and withdraw money from the Court registry. Moving attorneys need only file a motion; the briefing requirements of LR 7.1(a)-(b) do not apply to motions to deposit and withdraw money from the Court registry. To withdraw money from the Court registry, LR 67.2 also requires that a Withdrawal Payee Information form be filed in paper with the Clerk’s Office. This form provides the clerk necessary information to make payments to the identified payees. The Withdrawal Payee Information form may be found on the Court’s website under the “Court Forms” tab.

### **3. LR 67.3 Bonds and Sureties**

Amended LR 67.3 applies to bonds and sureties. The rule specifies that every bond must be executed by the principal obligor and, if applicable, by one or more qualified sureties. The rule also specifies who are not qualified to serve as sureties, including attorneys of the Court’s bar and their agents; details the qualifications for corporate sureties; and describes how a person may serve as surety on a real-property bond. The rule also identifies other kinds of bonds the Court may accept.

### **4. LR 83.5 Bar Admission, Subsection (e) Government Attorneys**

Amended LR 83.5(e) now provides that attorneys representing the United States may be admitted pro hac vice if they are admitted to practice in a federal Court of Appeals or a different federal District Court. The rule specifies that attorneys representing the United States who are not admitted to such courts may be admitted pro hac vice after they associate with an attorney from the United States Attorney’s Office for the District of Minnesota. The Motion for Admission Pro Hac Vice of U.S. Government Attorneys form is amended to incorporate these changes and may be found on the Court’s website under the “Court Forms” tab.

### **5. LR 83.7 Withdrawal of Counsel**

Amended LR 83.7 clarifies that an attorney may file a notice of withdrawal, which is effective upon filing, if the withdrawal will not cause the party to lose legal representation.

### **6. Other Amendments**

The table below outlines the other substantive changes that are being proposed to the rules.

<b>Local Rule</b>	<b>Substantive Amendment Description</b>
LR 1.1 Scope of the Rules	Deletes subsection (f) as redundant of Fed. R. Civ. P. 6.
LR 5.1 Electronic Case Filing	Clarifies that the Court’s ECF Procedures Guides are

	available from the Clerk's Offices; and specifies in the Committee Notes that they are available on the Court's website.
LR 5.2 General Format of Documents to be Filed	Adds clarifying committee notes about how attorneys who are licensed in a state other than Minnesota are to provide their attorney-registration numbers on Court filings.
LR 7.2 Procedures in Social Security Cases	Changes subsection (b) to be consistent with word limits provided in LR 7.2(b).
LR 24.1 Procedure for Notification of any Claim of Constitutionality [Abrogated]	Abrogated as redundant of Fed. R. Civ. P. 5.1.

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