



UNITED STATES DISTRICT COURT

District of Minnesota

Richard D. Sletten, Clerk
Lisa D. Rosenthal, Chief Deputy Clerk

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

PUBLIC NOTICE

Date: January 22, 2013
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FEDERAL COURT LOCAL RULE AMENDMENT

The United States District Court for the District of Minnesota is implementing amendments to Local Rule 67.2, concerning the submission of proposed orders under the rule and the assessment of fees on funds deposited in the Court's registry account. Under 28 U.S.C. § 2071(e), these amendments will become effective January 28, 2013. As required by statute, these amendments are posted by the Court for public review and comment through February 28, 2013. Comments should be provided in writing to the Clerk of Court at the address above or by email to MnFedRules@mnd.uscourts.gov, no later than February 28, 2013.

An amendment to LR 67.2 is necessary to facilitate the Court's deposit and investment of its registry funds in the Court Registry Investment System, which is administered by the Administrative Office of the United States Courts. Local Rule 67.2(b) is amended to be consistent with similar language in LR 7.1. Subsection (c) is amended to reflect the fees that must be assessed when funds are deposited in an interest-bearing account with the court's registry. These amendments are shown in redline, below.

Local Rule 67.2(b)-(c):

(b) Payee Information Form, Motion, and Proposed Order; Memoranda.

(1) A party seeking to withdraw money from the court registry must:

(A) file in paper form a Withdrawal Payee Information form;

(B) file and serve a motion requesting an order permitting the withdrawal and specifying whether the moving party is seeking withdrawal before the expiration of the 14-day automatic stay imposed under Fed. R. Civ. P. 62(a);

(C) ~~serve and~~ provide to ~~the court~~ chambers and serve a proposed order that specifies:

- (i) the name of each payee;
- (ii) the amount of money to be disbursed to each payee; and
- (iii) the percentage of accrued interest to be disbursed to each payee, if applicable.

(2) ~~The Parties must not file~~ proposed ~~order must not be filed~~ orders on the court's ECF system. Instead, ~~the proposed order~~ orders must be ~~e-mailed~~ emailed to chambers in accordance with procedures set forth in the court's most recent civil ECF Guides ~~guides~~.

(3) A party opposing a motion to withdraw money from the court registry must, no later than 7 days after the motion is served, file and serve a memorandum that must not exceed 1,500 words if set in a proportional font, or 140 lines if set in a monospaced font.

(4) No later than 7 days after a memorandum opposing a motion to deposit money into the court registry is served, a party seeking to withdraw money from the court registry may file and serve a reply memorandum that must not exceed 1,500 words if set in a proportional font, or 140 lines if set in a monospaced font.

~~(c) Registry Fee. When money that was deposited in an interest bearing account is withdrawn,~~ Fees. A charge for the clerk will deduct a handling of registry fee from the interest income earned on that money. The registry fee funds deposited with the court will be the fee established assessed from the interest earnings in accordance with the fee schedule issued by the Director of the Administrative Office of the United States Courts. Funds that are invested through the Court Registry Investment System will also be assessed an investment services fee from the interest earnings in accordance with the District Court Miscellaneous Fee Schedule.

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