



UNITED STATES DISTRICT COURT District of Minnesota

John R. Tunheim, Chief Judge
Richard D. Sletten, Clerk

Warren E. Burger Federal
Building and U.S. Courthouse
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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
(218) 529-3500

Edward J. Devitt U.S. Courthouse
and Federal Building
118 South Mill Street
Suite 212
Fergus Falls, MN 56537
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PUBLIC NOTICE

Date: September 18, 2015
Contact: Tricia Pepin
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PROPOSED AMENDMENTS TO LOCAL RULES

The United States District Court for the District of Minnesota is issuing for public comment proposed amendments to the Court's Local Rules. To read the proposed 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.

The Court proposes amendments to LR 7.2, Procedures in Social Security Cases and a new Social Security Case Assignment Form. The Court also proposes amendments to LR 37.1, Form of Discovery Motions, LR Form 3, and LR Form 4. A summary of the proposed amendments is provided below.

LR 7.2 Procedures in Social Security Cases and New Social Security Case Assignment Form

The proposed amendments revise subsection (a) to require that each party submit a Social Security Case Assignment Form, through which each party will inform the Court whether he or she consents to disposition of the case by the assigned magistrate judge. The Social Security Case Assignment Form must be submitted before the date on which the answer is due. In order to protect the voluntariness of each party's consent, the Social Security Case Assignment Form must be submitted in paper to the Clerk's Office. The Form will not be filed in ECF.

LR 37.1 Form of Discovery Motions

The proposed amendments add the required information that a moving party must provide to make a motion regarding a failure to preserve electronically stored

information. The amendments are intended to be consistent with the December 1, 2015 amendments to Fed. R. Civ. P. 37. The rule has also been renumbered and reorganized to make the rule easier to read and understand.

LR Forms 3-4, Rule 26(f) Report and Proposed Scheduling Order

The proposed amendments to Forms 3 and 4 are intended to be consistent with the December 1, 2015 amendments to Fed. R. Civ. P. 16(b)(3) and 26(f). The proposed changes may be found in Form 3, subsection (e), and Form 4, subsection (h). The amendments clarify the requirement for parties to discuss the discovery of electronically stored information and ask the parties to disclose any agreements reached under Fed. R. Evid. 502. The amendments also add a new subsection, Form 3, subsection (e)(4), Form 4, subsection (h)(6), that prompts the parties to discuss whether the judge should require an informal conference before filing a discovery motion, to correspond to Fed. R. Civ. P. 16(b)(3)(B)(v), effective December 1, 2015.

The Court's Federal Practice Committee, chaired by Doug Peterson, recommended that public comment be solicited on these proposed amendments. The proposed amendments are posted by the Court for public review and comment through October 23, 2015. Comments should be provided in writing to the Clerk of Court at the address above, or by e-mail to MnFedRules@mnd.uscourts.gov. The Court will consider adoption of the proposed amendments after reviewing any comments or suggestions submitted on or before October 23, 2015.