



**UNITED STATES DISTRICT COURT
District of Minnesota**

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PUBLIC NOTICE

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FEDERAL COURT LOCAL RULE AMENDMENTS

The United States District Court for the District of Minnesota has approved several amendments to the Court's Local Rules of practice, effective immediately. The rule changes, which will affect Local Rules ("LR") 7.2, 79, and Forms 3, 5 and 6, were recommended by the Court's Federal Practice Committee, chaired by Attorney Jeffrey Keyes. Briefly summarized, these proposed amendments will provide as follows:

(1) Amendment to LR 79.1(e) ("CUSTODY AND DISPOSITION OF RECORDS, EXHIBITS AND DOCUMENTS UNDER SEAL" – "Other Disposition by the Clerk").

LR 79.1 includes certain requirements pertaining to post-trial removal of models, diagrams, exhibits and documents that are subject to a protective or confidentiality order. LR 79.1(e) currently requires the Clerk to notify counsel of those requirements "by mail." The amendment to LR 79.1(e) deleted the phrase "by mail," so that the Clerk will be able to provide the required notification by other means, including the Court's Electronic Case Filing procedures.

(2) Amendment to Form 3, Revision of Form 5, and Adoption of Form 6. LR 16.2(a) requires that if a case is not settled prior to the initial pretrial conference, the parties must prepare and jointly submit a "Rule 26(f) Report," using LR Form 3, (or, in patent cases, LR Form 4). Form 3 has been amended by adding a new Paragraph (d)(2), which suggests, (but does not mandate), the use of a standard Protective Order to govern the use and disclosure of confidential information obtained during the course of discovery. The standard Protective

Order contemplated by the new Paragraph (d)(2) of Form 3, will be an entirely new form – Form 6. The new Form 6 is a shorter version of the Form 5 Protective Order that is designed for patent cases. The new Form 6 is intended for use in cases that do not require the same protections specified in Form 5. The revisions to the existing Form 5 include a new title (Stipulation for Protective Order), and the removal of the signature line for the Magistrate Judge assigned to the case. For both Forms 5 and 6, counsel should file the Stipulation for Protective Order on ECF, and send a proposed order to the chambers e-mail box as outlined in the Civil ECF Procedures Guide.

(3) Amendment to Local Rule 7.2, Procedures in Social Security Cases. The rule was amended by replacing all references to “Secretary of Health and Human Services” to “Commissioner of Social Security” as referenced in the statute upon which the local rule is based.

The full text of the amendments are available on the District Court’s website at www.mnd.uscourts.gov, or by visiting or calling the Office of the Clerk of Court in St. Paul, Minneapolis, Duluth or Fergus Falls.

Richard D. Sletten
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District of Minnesota