



United States District Court

District of Minnesota

Patrick J. Schiltz, Chief Judge

Kate Fogarty, Clerk of Court

612-664-5000

Warren E. Burger Federal
Building and U.S.
Courthouse
316 North Robert Street
Suite 100
St. Paul, MN 55101

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

Gerald W. Heaney
Federal Building and U.S.
Courthouse and
Customhouse
515 West First Street
Suite 417
Duluth, MN 55802

Diana E. Murphy United
States Courthouse
300 South Fourth Street
Suite 202
Minneapolis, MN 55415

June 10, 2024

PUBLIC NOTICE REGARDING AMENDMENTS TO LOCAL RULES EFFECTIVE JUNE 10, 2024

The United States District Court for the District of Minnesota has approved amendments to Local Rules 5.6 and 79.1. After issuing the proposed amendments for public comment and reviewing the recommendations of the Federal Practice Committee (chaired by Rebekah Bailey), the Court approved the amendments to take effect on June 10, 2024. A summary of the amendments is provided below. To view the amended Local Rules, please visit the Court's website at www.mnd.uscourts.gov.

Please note a further amendment was made to LR 5.6 based on public comments (see end of the LR 5.6 summary below). A redlined version of these new amendments is posted on the Court's website.

LR 5.6 – Sealed Filings

New subdivision (e) establishes a procedure for filing under seal information included in pleadings and related documents. Previously, LR 5.6 specified only a process for filing information under seal in connection with motions under LR 7.1 or objections under LR 72.2. The reasons for the specific requirements proposed in subdivision (e), and for the differences between those requirements and the ones set forth in subdivision (d), are explained at length in the advisory committee notes.

Subdivision (f) is now home to the process for filing a motion for further consideration of a magistrate judge's order denying continued sealing. Subdivision (f) also reduces the deadline for filing a motion for further consideration from 28 days to 21 days.

Subdivision (h) is the new home for provisions that discuss the duration of a temporary seal. As the advisory committee notes explain, the changes from the prior rule are intended to clarify the date that a temporary seal expires.



After public comment, the new provision governing the timing of a motion for continued sealing of pleadings or related documents (LR 5.6(e)((3)(B))) was modified to give parties two additional business days to file the supporting memorandum.

LR 79.1 – Exhibits

The amendments reflect the longstanding practice of returning exhibits introduced into evidence at a hearing or trial. The rule does not set a precise time as that is left to the Court’s discretion. The rule provides for delivery of the defendant’s exhibits to the government in a criminal case if the defendant and the government agree. The rule requires parties to retain exhibits, including illustrative aids, pending disposition during the appeal period, and make them available on request. Lastly, the rule has been amended to allow a party in a civil or criminal case to seek leave of court to file an exhibit that was admitted into evidence at a hearing or trial.