

2016 PROPOSED AMENDMENTS TO LOCAL RULES  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

GENERAL RULES

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1.6 Public Security and Conduct in Courthouse and Courtroom.

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~~(h) **Exception for Digital Video Recording Pilot.** There is a limited exception to the ban on recording and publication of district court proceedings as set forth in this rule for district judges participating in a pilot program established by the Judicial Conference of the United States in September 2010 (JCUS SEP10, pp. 3-4) to evaluate the effect of cameras in district court courtrooms, of video recordings of proceedings therein, and of publication of such video recordings. Any recording and publication conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at [www.uscourts.gov](http://www.uscourts.gov)).~~

\*\*\*The cameras in the courtroom pilot has ended. Therefore, it is proposed that NGenR 1.6(h) be stricken in its entirety.

CIVIL RULES

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6.1 Time.

(a) **Computation; 3-Day Mailing Rule.** Federal Rule of Civil Procedure 6 applies when computing any period of time stated in these rules. ~~The 3-day federal mailing rule applies whether service is accomplished by mail, by leaving with the clerk, by electronic filing, or by other means to which the parties have consented.~~

## CRIMINAL RULES

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### 32.1 Presentence Reports.

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#### (b) Sentencing Schedule and Procedure . . .

- (8) ~~The probation office must submit a sentencing recommendation to the sentencing judge no later than 7 days after the issuance of an order described in subparagraph (7) or, if no order is issued, no later than 14 days after the date set in subparagraph (6).~~ A probation and pretrial services officer must submit a sentencing recommendation to the sentencing judge no later than seven days before the sentencing hearing. The probation and pretrial services officer is directed to provide copies of any sentencing recommendation to counsel for the government and counsel for the defendant at the time the recommendation is submitted to the sentencing judge.

- 45.1 **Time; Computation; 3-Day Mailing Rule.** Federal Rule of Criminal Procedure 45 applies when computing any period of time specified in these rules. ~~The federal 3-day mailing rule applies.~~

## MISCELLANEOUS CHANGES

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### 1. Consolidation of Pretrial Services Office with Probation Office

Due to the consolidation of the Pretrial Services Office with the Probation Office, the two offices are now collectively referred to as “United States Probation and Pretrial Services.” Therefore, it is suggested that the local rules be modified throughout to reflect the new name of the agency.

### 2. Form 35 (Rule 26(f)) Report

It is proposed that Form 35 found on the court’s public website be modified to eliminate the requirement under Section II (Claims and Defenses) that a party must state the facts a party claims make the claim or defense applicable or established in the case.

See attached Form 35.