

2018 PROPOSED AMENDMENTS TO LOCAL RULES

SUMMARY

General Rules

NEGenR 1.2(e)(1): Strike reference to “information on using credit cards to pay fees,” as there is no such information on the court’s website.

NEGenR 1.2(e)(2): Revise language to reflect the court now accepts pro hac vice admission fees and full-time attorney admission fees online through Pay.gov.

NEGenR 1.2(g): Revise to reflect the fee schedule is posted on the court’s fees page, not in the revised Court Reporter Management Plan.

NEGenR 1.3(b): Revise to reflect that attorneys must (and pro se parties may) register to use the CM/ECF system through PACER, and that PACER issues the login and password.

NEGenR 1.3(h): Revise to mirror language in the Federal Practice Fund Plan, which does not require that the indigent civil litigant be a plaintiff.

NEGenR 1.4(a)(4)(A)(i): Correct missing quotation mark.

NEGenR 1.4(a)(4)(C)(i)-(iv): Indent paragraphs.

NEGenR 1.6: Revise language about what types of electronic devices are allowed in the courtroom according to recommendations of Court Security Committee.

NEGenR 1.7(d),(f): Revise to reflect that attorneys must now apply for admission through PACER.

NEGenR 1.7(h): Revise to reflect that the court now charges a pro hac vice admission fee.

Civil Rules

NECivR 5.1(a): Strike this provision because similar language is being removed from Federal Rule of Civil Procedure 5(d)(3).

NECivR 5.2(a): Strike this provision. Federal Rule of Civil Procedure 5, as amended, will state that a registered user of the court’s electronic filing system is subject to electronic service through the system.

NECivR 7.1(k): Strike this provision due to the amendment of Federal Rule of Civil Procedure 5. Rule 5, as amended, will eliminate the requirement for a certificate of service when service is made using the court’s electronic filing system.

NECivR 7.5(c): Revise to reflect that there are instances in which the court will give parties remote access to sealed documents.

NECivR 73.1(a): This rule states that, unless ordered otherwise, the clerk assigns each civil action to a district or magistrate judge by automated random selection. The rule then goes on to say that, “[h]owever, when a motion requests preliminary injunctive relief, the clerk assigns the action to a district judge.” The second sentence is an incomplete statement of when a case will be directly assigned or reassigned to a district judge. The Committee recommends striking the reference to preliminary injunctive relief.

Criminal Rules

NECrimR 6.2(a): Revise to mirror language in the Jury Plan and reflect that the clerk may, under supervision of the court, decide whether a juror may be excused.

NECrimR 12.5(c): Revise to reflect that there are instances in which the court will give parties remote access to sealed documents.

NECrimR 41.2(b)(1): Revise to reflect that the clerk must initial and date the tape or sealant on a wiretap package, and the clerk and agent must sign a receipt.

NECrimR 49.1(a): Strike this provision because similar language is being removed from Federal Rule of Criminal Procedure 49.

NECrimR 49.2(a)(4): Strike outdated language concerning hyperlinks.

NECrimR 49.3(a): Strike this provision. Federal Rule of Criminal Procedure 49, as amended, will provide direction regarding electronic service in criminal actions.

NECrimR 49.4: Revise to reflect changes in Federal Rule of Criminal Procedure 49 regarding certificates of service in criminal actions.