



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS**

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS**

PUBLIC NOTICE

Local Rule Changes

November 28, 2016 - The United States District Court for the Central District of Illinois will enter the following changes to their local rules. The only changes being made are elimination of rules or parts of rules due to amendments to the Federal Rules or adoption of Court processes by means other than local rules. The changes will be effective December 1, 2016.

Local Rule Changes. The entire local rule has been included for reference, with the changes highlighted in red. ~~Strikeout text~~ is being eliminated.

CIVIL

Local Rule 5.3(D) Service by Mail

Effective December 1, 2016, absent contrary Congressional action, the Federal Rules of Civil Procedure Rule 6(d) is amended to remove service by electronic means under Rule 5(b)(2)(E) from the modes of service that allow 3 added days to act after being served. The Court will eliminate local rule 5.3(D) “Service by Mail” to be consistent with the amendment and the Federal Rules.

Local rule 5.3(E) will be reordered to 5.3(D)

Local Rule 67.2

Due to the addition of the Court’s standing order CDIL-9, “Order Regarding Deposit, Investment, And Disbursement Of Registry Funds”, which contains the new guidance for registry funds, local rule 67.2 is being eliminated in it’s entirety.

CRIMINAL

Local Rule 49.3(D) Service by Mail

Effective December 1, 2016, absent contrary Congressional action, the Federal Rules of Criminal Procedure 45(c) is amended to remove service by electronic means under Rule 5(b)(2)(E) from the modes of service that allow 3 added days to act after being served. The Court will eliminate local rule 49.3(D) “Service by Mail” to be consistent with the amendment and the Federal Rules.

RULE 5.3 SERVICE BY ELECTRONIC MEANS AUTHORIZED

(A) Consent.

Registration in the Court's Electronic Case Filing System constitutes a consent to electronic service and notice of all filed documents pursuant to Fed. R. Civ. P. 5(b)(2)(E). When a pleading or other paper is filed electronically, the "Notice of Electronic Filing" generated by the Court's Electronic Case Filing System constitutes service of that document on any person who is a registered participant in that System. The consent to electronic service applies only to service required under Fed. R. Civ. P. 5; it does not apply to service required under Fed. R. Civ. P. 4.

(B) Non-Registered Parties.

A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Civil Procedure. When mailing paper copies of documents that have been electronically filed, the filing party may include the "Notice of Electronic Filing" to provide the recipient with proof of the filing.

(C) Certificate of Service.

A certificate of service on all parties entitled to service or notice is required, even when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party entitled to service or notice.

~~(D) Service by Mail.~~

~~The three-day rule of Federal Rule of Civil Procedure 6(d) for service by mail also applies to service by electronic means.~~

(E) Service by Pro Se Parties.

As to any defendant not represented by counsel, pro se parties are responsible for serving a copy of all documents filed with the Court upon such defendant in accordance with Fed. R. Civ. P. 5. Pro se parties are solely responsible both for determining which defendants are represented and for ensuring unrepresented defendants are served with a copy of any document filed with the Court.

~~RULE 67.2—INVESTMENT OF REGISTRY FUNDS~~

- ~~(A) Unless a statute requires otherwise, funds shall be tendered to the Court or its officers for deposit into the registry only pursuant to court order. Unless provided for elsewhere in this rule, all money ordered to be paid into the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. §2041 through depositories designated by the Treasury to accept such deposit on its behalf.~~
- ~~(B) Unless otherwise ordered, all funds deposited into the registry shall be deposited in an interest bearing account through the Court Registry Investment System (CRIS) administered by the Administrative Office of the United States Courts.~~
- ~~(C) The custodian is authorized and directed by this rule to deduct, for maintaining accounts in CRIS, the registry fee. The proper registry fee is to be determined on the basis of the rates published by the Director of the Administrative Office of the United States Courts as approved by the Judicial Conference.~~
- ~~(D) Funds in the registry shall be disbursed only by court order. Before an order is entered directing the Clerk to release funds deposited in the registry of the court, the party must file a copy of such proposed order with the Financial Administrator. The order must specify the amount to be paid, the name of the person or persons to whom payment is to be made, and the name and address of the person or persons to whom the check is to be delivered.~~

RULE 49.3 SERVICE BY ELECTRONIC MEANS AUTHORIZED

(A) Consent.

Registration in the Court's Electronic Case Filing System constitutes a consent to electronic service and notice of all filed documents pursuant to Fed. R. Crim. P. 49(b). When a pleading or other paper is filed electronically, the "Notice of Electronic Filing" generated by the Court's Electronic Case Filing System constitutes service of that document on any person who is a registered participant in that System.

(B) Non-Registered Parties.

A party who is not a registered participant of the System is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Criminal Procedure. When mailing paper copies of documents that have been electronically filed, the filing party may include the "Notice of Electronic Filing" to provide the recipient with proof of the filing.

(C) Certificate of Service.

A certificate of service on all parties entitled to service or notice is required, even when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party entitled to service or notice.

~~(D) Service by Mail.~~

~~The three-day Rule of Federal Rule of Criminal Procedure 45(c) for service by mail will also apply to service by electronic means.~~