

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

IN THE MATTER OF:)
) GENERAL ORDER NO. 23-04
LOCAL RULES CHANGES)

ORDER

The Court, being vested with authority pursuant to 28 U.S.C. § 2071 to make and amend local rules, proposed amendments to the Local Civil Rules. These amendments were submitted to the District Advisory Committee on Local Rules and posted for public comment for 30 days. Having received no comments, the proposed amendments were approved by the district judges. It is hereby ORDERED that the amendments to Civil Local Rules 5.3, 5.4, 5.5, 5.7, 7.1(B)(1), 7.1(B)(4), 7.1.1, 8.1, 11.3, and 16.1(c), *see* Summary of Changes & Redlines, Ord. Attach., ECF No. 1-1, are effective August 9, 2023.

ENTERED: August 9, 2023



SARA DARROW
UNITED STATES DISTRICT CHIEF JUDGE

Summary of Changes to [Local Rules](#) and Redlines/Complete Revisions

1. Civ. LR 5.3: Amended to improve clarity and eliminate “non-registered attorney of record” because all attorneys must be registered through PACER to practice in this district.
2. Civ. LR 5.4: Amended to maintain consistency and improve clarity, especially for pro se parties. Includes revised version of Civ. LR 5.7(A)-(C). Changes are so extensive a redline would not be helpful.
3. Civ. LR 5.5: Relocated a revised version of Civ. LR 5.7(D), streamlined the language, and noted that answers to frequently asked questions are available on the Court’s website.
4. Civ. LR 5.7: Eliminated. Parts were incorporated into Civ. LR 5.4 and 5.5.
5. Civ. LR 7.1(B)(1): The modification clarified that the word “Rule” refers to either a Local or Federal rule.
6. Civ. LR 7.1(B)(4): Eliminated the character count and referenced only the word limit.
7. Civ. LR 8.1: Eliminated Civ. LR 8.1 in light of the Supplemental Rules for Social Security Review Actions Under 42 U.S.C. § 405(g), which were effective December 1, 2022.
8. Civ. LR 11.3: Renumbered to Civ. LR 7.1.1 to indicate alignment with Federal Rule 7.1 Disclosure Statement. Expanded categories of entities required to disclose ownership information.
9. Civ. LR. 16.1(c): Eliminated.

Whenever a party reports to the court that a civil action is settled, the presiding judge will enter an order dismissing the case without prejudice as settled, with leave to reopen within 35 days if the settlement is not finalized. The time to reopen may be extended by order of the presiding judge upon a showing of good cause.

Because the Seventh Circuit has "repeatedly criticized the practice of dismissing suits before they have been concluded, with leave to reinstate the suit," *Goss Graphics Sys., Inc. v. DEV Indus., Inc.*, 267 F.3d 624, 626 (7th Cir. 2001), Civ. LR 16.1(c) is deleted, leaving the judge to provide a deadline for the parties to file a stipulation of dismissal.

RULE 5.3 DEFINITIONS FOR ELECTRONIC FILING

- (A) “Case Management/Electronic Case Filing System,” also referred to as “the System” or “CM/ECF,” means the Internet-based system for filing documents and maintaining court files in the District Court for the Central District of Illinois.
- (B) “Conventional filing” means submitting a paper to the Clerk in a non-electronic, tangible format. The Clerk will scan the paper submitted conventionally and file upload-it towith CM/ECF, ~~unless these Rules provide otherwise.~~
- (C) “Non-registered pro se party ~~or non-registered attorney of record~~” means a person who is not registered to file papers or receive notices by way of the ~~Case Management/Electronic Case Filing System.~~
- (D) “Electronic filing” means uploading a paper directly from the registered user’s computer in Adobe PDF format, using CM/ECF, to file that paper in the Court’s case file. ~~Sending a paper to the Court via e-mail does not constitute “electronic filing.”~~
- (E) “Notice of Electronic Filing” (or NEF) refers to the notice that is generated automatically by the CM/ECF System at the time a paper is filed with the System, setting forth the time of filing, the name of the party and attorney filing the paper, the type of paper, the text of the docket entry, and an electronic link (hyperlink) to the filed document, which allows recipients to retrieve the document automatically.
- (F) “PACER” (Public Access to Court Electronic Records) is the automated system that allows an individual to view, print, and download court docket information via the Internet.
- (G) “PDF” refers to a document that exists in Portable Document Format. A document file created with a word processor, or a paper document that has been scanned, must be converted to portable document format before it can be electronically filed. Converted files contain the extension “.pdf.”

RULE 5.4 ELECTRONIC, CONVENTIONAL, AND EMAIL FILING

- (A) Registered Users. Registered users must file all documents electronically using CM/ECF unless these Rules provide otherwise.
- (B) Non-registered pro se parties. Non-registered pro se parties must file all documents conventionally or by email unless these Rules provide otherwise.
- (1) Email:
- a. Case initiating documents must be submitted in pdf format to the proper divisional office email address:
Peoria: newcases.peoria@ilcd.uscourts.gov
Urbana: newcases.urbana@ilcd.uscourts.gov
Springfield: newcases.springfield@ilcd.uscourts.gov
Rock Island: newcases.rockisland@ilcd.uscourts.gov
 - b. All other documents must be submitted in pdf format to proselitigants_efiling@ilcd.uscourts.gov;
 - c. Documents may not be submitted by email from a party who is incarcerated;
 - d. The email must include the filer's name, address, and telephone number, and if the case has already been opened, the case number in the subject line;
 - e. The document must be signed in the form "s/name"; and
 - f. No additional comments, questions, or other messages may be included in the email.
- (2) A document filed conventionally or by email will be deemed filed on the date it was delivered to the Clerk's Office.
- (C) Filing Fee. Case initiating documents must be accompanied by the filing fee or a Petition to Proceed in forma pauperis (without prepayment of prescribed fees). Payment of the filing fee must be made by cash, cashier's check, law firm check, money order, or credit card. Credit card payments may be made using pay.gov or by giving a credit card number by phone to the appropriate Clerk's Office.
- (D) Service.
- (1) If a document is served but not filed, a certificate of service may be filed but is not necessary unless ordered by the Court.
 - (2) The filing party is solely responsible for determining a party's registration status.
- (E) Any judge of this Court may deviate from the electronic filing procedures in specific cases, if deemed appropriate in the exercise of discretion, considering the

need for the just, speedy, and inexpensive determination of matters pending before the Court.

RULE 5.5 ELECTRONIC FILING PROBLEMS

(A) Corrections.

Once a document is submitted and becomes part of the case docket, corrections to the docket are made only by the ~~Clerk's Office.~~Clerk. The System will not permit the filing party to make changes to the document or docket entry filed in error once the transaction has been accepted. -The filing party should not attempt to refile a document.- As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. -If appropriate, the Court will make an entry indicating that the document was filed in error. The filing party will be advised if the document needs to be refiled.

~~(2)~~

(B) Technical Problems.

~~(a) — Technical Failures.~~

~~The Clerk's Office will deem (1) Any difficulty connecting to the Central District CM/ECF System and any other technical failure experienced should be immediately reported to the Clerk.~~

~~(2) An E-Filer whose filing is made untimely as a result of Illinois CM/ECF site to be subject to a technical failure on a given day if the site may seek appropriate relief from the Court.~~

~~(3) If the CM/ECF System is unable to accept filings filing continuously or intermittently over the course of any period of time greater than one hour after 1012:00 a.m.-noon, filings due that day. In the event a technical failure occurs, and despite the best efforts of the filing party a document cannot which could not be filed electronically, the party should print (if possible) a copy of the error message received. As soon as possible, the party solely because of such technical failure shall be due the next business day. Questions or concerns about this extension should file this message with a Declaration That Party Was Unable to be directed to File in a Timely Manner Due to the Clerk.~~

~~(4) Answers to Technical Difficulties frequently asked questions regarding electronic filing are available on the Court's website.~~

~~(b) — Filer's Problems.~~

~~Problems on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP) or hardware or software problems will~~

~~neither constitute a technical failure nor excuse an untimely filing. If a party misses a filing deadline due to such problems, the document may be conventionally submitted, accompanied by a Declaration stating the reason for missing the deadline and a motion for leave to file instanter. The motion, document and declaration must be filed no later than 12:00 noon of the first day on which the Court is open for business following the original filing deadline. The Court will consider the matters stated in the declaration and order appropriate relief.~~

Civ. LR 7.1(B)(1):

Every motion raising a question of law (except summary judgment motions, which are governed by Subparagraph (D) of this Rule) must include a memorandum of law including a brief statement of the specific points or propositions of law and supporting authorities upon which the moving party relies, and identifying the Local or Federal Rule under which the motion is filed.

Civ. LR 7.1(B)(4)

(b) A memorandum that exceeds 15 pages in length will comply with the type volume limitation if

- (1) It does not contain more than 7000 words ~~or 45,000 characters~~, or
- (2) It uses monospaced type and does not contain more than 650 lines of text.

(c) A memorandum submitted under the type volume limitation must include a certificate by counsel, or by an unrepresented party, that the memorandum complies with the type volume limitation. The certificate of compliance must state the number of words, ~~characters~~ or lines of type in the memorandum. The person who prepares the certificate of compliance may rely on the word ~~or character~~ count of the word processing system used to prepare the document.

(d) All headings, footnotes, and quotations count toward the page, word, ~~character~~, and line limitations.

~~RULE 11.3—CERTIFICATE OF INTEREST~~7.1.1 DISCLOSURE STATEMENT

~~To enable the presiding judge to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party or an amicus curiae must file a Certificate of Interest stating the following information:~~

- ~~(1) The full name of every party or amicus the attorney represents in the case;~~
- ~~(2) If such party or amicus is a corporation:
 - ~~(a) its parent corporation, if any; and~~
 - ~~(b) a list of corporate stockholders which are publicly held companies owning 10 percent or more of the stock of the party or amicus if it is a publicly held company.~~~~
- ~~(3) The name of all law firms whose partners or associates appear for a party or are expected to appear for the party in the case.~~

~~The certificate must be filed with the complaint or upon the first appearance of counsel in the case. The certificate must be in the following form:~~

~~{CAPTION}~~

~~The undersigned, counsel of record for [JOHN DOE, PLAINTIFF] furnishes the following in compliance with Rule 11.3 of this court.~~

~~[LISTED BY NUMBER CATEGORY]
DATE ATTORNEY SIGNATURE~~

(A) Who Must File; Contents

- (1) Nongovernmental party, proposed intervenor, or amicus curiae. A nongovernmental corporation, limited liability company, partnership, association, joint venture, syndicate, affiliate, or other similar entity appearing as a party, proposed intervenor, or amicus curiae must file a disclosure statement that states its name and the attorney(s) that represent it and:
 - a. identifies all parent companies and any publicly-held company or individual that has a 10% or greater ownership interest (such as stock or partnership shares) in the entity; or
 - b. states that there is no such company or individual.

(2) Parent Companies. For the purposes of this rule, parent companies include all companies controlling the specified entity directly, or indirectly through intermediaries.

(+)(3) Pro Se Litigants. This rule does not apply to pro se litigants.

(B) Any disclosures required under Federal Rule Civil Procedure 7.1 and Civil Local Rule 7.1.1 may be combined in one Disclosure Statement and filed at the time specified in Federal Rule of Civil Procedure 7.1 or as otherwise ordered by the court.

RULE 16.1 PRETRIAL PROCEDURES

(A) Special Pretrial Conference.

A special pretrial conference may be held at any time by the presiding judge on notice issued to the parties whenever it appears that such may aid in disposition or preparation for trial. The special pretrial conference will be by telephone conference unless otherwise directed by the presiding judge.

(B) Settlement Conference.

The presiding judge may order the parties to submit to settlement conferences at any time if it appears that a case may be resolved by settlement. The settlement conference will be by personal appearance unless otherwise directed by the presiding judge. In addition to the attorney responsible for the actual trial of the case, someone with final settlement authority must attend the settlement conference, either in person or by telephone. The settlement conference in a matter to be tried to the court must be conducted by a judge who will not preside at the trial of the case.

~~(C) Cases Reported Settled.~~

~~Whenever a party reports to the court that a civil action is settled, the presiding judge will enter an order dismissing the case without prejudice as settled, with leave to reopen within 35 days if the settlement is not finalized. The time to reopen may be extended by order of the presiding judge upon a showing of good cause.~~