

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

IN THE MATTER OF:)

LOCAL RULES CHANGES)

) GENERAL ORDER NO. 24-GO-01
)

ORDER

The Court, being vested with authority pursuant to 28 U.S.C. § 2071 to make and amend local rules, proposed amendments to the Civil Local Rules. These amendments were submitted to the District Advisory Committee on Local Rules and posted for public comment for 30 days. Having received no public comments, the proposed amendments were approved by the district judges. It is hereby ORDERED that the amendments to Civil Local Rules 5.8(A), 7.1(D)(2), and 83.6(B), *see* Summary of Changes & Redlines, Ord. Attach., ECF No. 1-1, are effective February 1, 2024.

ENTERED: January 24, 2024



SARA DARROW
UNITED STATES DISTRICT CHIEF JUDGE

**Summary of Changes to Local Rules with
Redlines and Complete Revisions**

1. **Civ. LR 5.8(A): The mandate for courtesy copies is deleted, leaving the presiding judge with the option to order one when necessary.**

(A) Size Limitations

Attachments and exhibits filed electronically must conform to the size limitations set forth on the Central District of Illinois CM/ECF login page. ~~If a document with attachments and exhibits is longer than 30 pages, a courtesy paper copy must be provided to the presiding judge's chambers. A courtesy copy is not required except as otherwise ordered by the presiding judge.~~

2. **Civ. LR 7.1(D)(2): “A failure to respond will be deemed an admission of the motion” is deleted from the subsection governing responses to motions for summary judgment because it was inconsistent with Rule 56(e) of the Federal Rules of Civil Procedure and Seventh Circuit caselaw.**

(2) Response to Motion for Summary Judgment

Within 21 days after service of a motion for summary judgment, any party opposing the motion must file a response. ~~A failure to respond will be deemed an admission of the motion.~~ The response must include the following sections with appropriate headings:

3. **Civ. LR 83.6(B): Rule 83.6(B) is rewritten to further develop the attorney discipline procedures, which are necessary to resolve Rule to Show Cause proceedings involving attorneys who have engaged in professional misconduct.**

(B) Other Discipline

(1) Proceedings before the Presiding Judge

When a judge of this Court believes there is cause to find that an attorney admitted to practice in the Central District of Illinois has engaged in professional misconduct before him or her, the judge shall enter an Order to Show Cause within 14 days why the attorney (“respondent”) should not be subject to formal disciplinary proceedings before the Chief Judge of the District. The Order to Show Cause shall state with specificity the Illinois Rule(s) of Professional Conduct that the presiding judge believes the respondent violated and the factual basis for that belief.

- (a) The presiding judge may discharge the Order to Show Cause upon finding that the response rebuts the belief that the respondent engaged in professional misconduct;

or

- (b) If the respondent admits the allegations, fails to file a timely response, or fails to rebut the belief that the respondent engaged in professional misconduct, then the presiding judge shall refer the respondent to the Chief Judge for formal disciplinary proceedings within seven days of the response deadline. The Order to Show Cause and the response, if applicable, shall be filed in a miscellaneous case. The presiding judge shall provide notice to the respondent that the matter has been referred to the Chief Judge for formal disciplinary proceedings.

(2) Formal Proceedings before the Chief Judge (or appointee, other than the presiding judge)

- (a) Within 30 days of the referral, the Chief Judge shall:

- (i) Terminate the disciplinary proceedings after finding no cause to believe the respondent committed professional misconduct as specified in the presiding judge's Order to Show Cause; or
- (ii) Issue a Notice of Hearing, which shall specify the date, time, and location of the hearing. The date of the hearing shall not be more than 30 days from the date of the issuance of the Notice of Hearing.

(b) Hearing before the Chief Judge

- (i) The respondent may, up to seven days before the hearing, waive his or her right to a hearing by filing a written Waiver of Hearing. If the respondent waives hearing, he or she may file documentary submissions and evidence for the Chief Judge's consideration. If Respondent fails to appear at the hearing without filing a Waiver of Hearing, such a failure to appear shall be deemed an admission of the professional misconduct alleged in the Order to Show Cause and consent to any sanction the Chief Judge deems appropriate.
- (ii) The respondent may testify, present the testimony of witnesses, and present other evidence, but has no right to subpoena witnesses or documents.
- (iii) The Chief Judge may call witnesses on his or her own motion upon at least seven days' notice to the respondent.
- (iv) The Chief Judge and the respondent may question any witness presented.
- (v) The hearing shall be recorded by a certified court reporter.
- (vi) The Rules of Evidence do not apply at the hearing.

(c) Disposition

- (i) The Chief Judge shall issue a written Order concluding the formal disciplinary proceedings.

(ii) Any disposition finding professional misconduct shall specify the sanction.

(iii) The decision of the Chief Judge is final.

(d) Sanctions

Sanctions for professional misconduct include private reprimand, public censure, suspension for a determinate period of time with automatic reinstatement, suspension for a definite period of time with leave to seek reinstatement upon the completion of that time period, and disbarment. If the sanction is suspension or disbarment, the Clerk shall enter an order in pending Central District of Illinois cases in which the respondent is representing a client and the respondent shall send a copy of the order to the Illinois Attorney Registration and Disciplinary Commission.

(3) Notice and Service of Papers

The Court's notices or orders shall be served by CM/ECF or by mail to the respondent or counsel's registered mailing address. The respondent shall file all documents using CM/ECF.

(4) Counsel

The respondent may be represented in formal proceedings before the Chief Judge by counsel who is admitted to practice in the United States District Court for the Central District of Illinois.