Local Rules

United States District Court
Central District of Illinois

Effective November 1, 2021

United States District Court, Central District of Illinois

District Judges

Honorable Sara Darrow
Chief United States District Judge
Rock Island, Illinois

Honorable Michael M. Mihm
Senior United States District Judge
Peoria, Illinois

Honorable James E. Shadid
United States District Judge
Peoria, Illinois

Honorable Richard Mills
Senior United States District Judge
Springfield, Illinois

Honorable Sue E. Myerscough
United States District Judge
Springfield, Illinois

Honorable Joe Billy McDade
Senior United States District Judge
Springfield, Illinois

Honorable Colin S. Bruce
United States District Judge
Urbana, Illinois

Magistrate Judges

Honorable Jonathan E. Hawley
United States Magistrate Judge
Peoria, Illinois

Honorable Eric I. Long
United States Magistrate Judge
Urbana, Illinois

Honorable Tom Schanzle-Haskins
United States Magistrate Judge
Springfield, Illinois

Bankruptcy Judges

Honorable Thomas Perkins
Chief United States Bankruptcy Judge
Peoria, Illinois
Urbana, Illinois

Honorable Mary P. Gorman
United States Bankruptcy Judge
Springfield, Illinois
Urbana, Illinois

Honorable William V. Altenberger
United States Bankruptcy Judge (Recalled)
Peoria, Illinois
Urbana, Illinois

Court Officials

Shig Yasunaga
United States District Court Clerk
Springfield, Illinois

Adrienne Atkins
United States Bankruptcy Court Clerk
Springfield, Illinois

Michael Martens
Chief United States Probation Officer
Peoria, Illinois

TABLE OF CONTENTS

TABLE OF CONTENTS

TABLE OF CONTENTS

CIVIL RULES

RULE 1.1 SCOPE OF THE RULES

(A) These Rules are known as the Local Rules of United States District Court for the Central District of Illinois. They may be cited as Civil LR __, Crim. LR ___, and Bank. LR.

(B) These Rules became effective on November 1, 2021.

(C) These Rules apply in all proceedings in all of the courts in this district.

(D) These Rules supersede all previous Rules and orders promulgated by this court or any judge of this court, and will apply to all cases pending at the time these Rules become effective regardless of when the case was filed.

revised 11/2021

RULE 4.1 WAIVER OF SERVICE

When the Plaintiff elects to notify defendant(s) of the commencement of an action and requests that the defendant(s) waive service of a summons, proof of the written notice of lawsuit and request for waiver of service of summons, directed to the defendant(s), must be filed with the Clerk of this Court within 7 days of the mailing of the notice.

RULE 5.1 FORMAT OF FILINGS

The Court may strike any paper which does not conform to the following format:

(A) Each document filed with the Court shall be on 8½ x 11-inch size paper. It shall be legibly written, typed, or printed, without erasures or interlineations which materially deface it, with approximately one-inch margins on each side, top, and bottom, and pages must be numbered.

(B) Where the document is typed:

(1) Lines shall be double spaced.

(2) Body text shall be sized 12-point or 14-point, with footnote text no smaller than 10-point font. All documents must be formatted in a plain, roman style. Italics may be used for emphasis.

(C) Non-incarcerated pro se litigants may submit filings via email when the submission complies with Civil LR 5.4.

revised 11/2021

RULE 5.2 ELIGIBILITY, REGISTRATION, AND PASSWORDS

Each attorney admitted to practice in the Central District of Illinois must register for electronic filing and obtain a password. Pro se parties are not required to register for electronic filing but may apply to the court for leave to file electronically. If a pro se party is granted leave to do so, such party much register for electronic filing and obtain a password. An attorney may apply to the assigned judge for permission to file papers conventionally. Even if the assigned judge initially grants an attorney permission to file papers conventionally, however, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to file papers electronically using the System. If a user comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the user must change his or her password immediately. Additionally, if an attorney's or pro se party's e-mail address, mailing address, telephone number, or fax number changes after he or she registers for electronic filing, he or she must file notice of this change within 14 days and serve a copy of the notice on all other parties.

revised 11/2021

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 upload it to 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."

revised 11/2021

RULE 5.4 SCOPE OF ELECTRONIC FILING; SERVICE

(A) Requirements.

Unless otherwise provided by the court, all papers submitted for filing in civil cases in this district, no matter when a case was filed originally, must be filed electronically using CM/ECF.

(B) Exceptions.

(1) A non-registered pro se party or non-registered attorney of record must file paper originals of all complaints, pleadings, motions, affidavits, briefs, and other documents, except that original documentary evidence should be filed as a paper copy, not a paper original. The Clerk will scan paper filings into an electronic file in the System and then destroy the paper filings. The official court record will be the electronic file. The court, in its discretion, may grant leave to a non-registered pro se party or non-registered attorney of record to file electronically.

a) If leave to file electronically is not granted, non-registered pro se party or non-registered attorney of record filers must file paper originals of all pleadings, motions, affidavits, briefs, and other non-case initiating documents (see Local Rule 5.4(B)(3) for case initiating documents). The Clerk's Office will scan these original documents into an electronic file in the System. The official court record will be the electronic file; or

b) Alternatively, the Clerk's Office will accept pleadings, motions, affidavits, briefs, and other non-case initiating documents from a non-incarcerated non-registered pro se party or non-registered attorney of record without CM/ECF accounts via email when the submission complies with the following:

i. The email must be sent to proselitigants_efiling@ilcd.uscourts.gov. Emails containing pleadings, motions, affidavits, briefs, and other documents sent to any other address will be disregarded by the Clerk's Office;
ii. The email must include the filer's name, address, and telephone number;
iii. The email must include the case number in the subject line;
iv. The document to be filed must be attached to the email in either Microsoft Word or PDF format;
v. The document must be signed in electronic format ("s/name") or signed by hand and scanned;

vi. No additional comments, questions, or other messages are to be included in the email;
vii. The filer may contact the Clerk's Office by phone with questions; and
viii. This procedure does not alter the filer's responsibility to effect service as required by the Federal Rules of Civil Procedure.

(2) All papers other than the original complaint filed by a non-registered pro se party or non-registered attorney of record are deemed electronically filed at the time the papers are electronically docketed by the Clerk. Any response deadline will be calculated from the date the paper is electronically docketed by the Clerk.

(3) The Clerk will accept case initiating documents (i.e. complaints with civil cover sheets and summons, and notices of removal) delivered in person, sent by e-mail to the appropriate address listed in Local Rule 5.7(B), sent by United States mail or filed directly through CM/ECF.

(4) 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.

(C) Service.

A registered user will receive electronic service of any paper filed by a registered user or a non-registered pro se party or non-registered attorney of record. In that circumstance, no certificate of service is required. A non-registered pro se party or non-registered attorney of record is entitled to a paper copy of any papers required to be served by the Federal Rules of Civil Procedure. A party filing a document that must be served on a non-registered pro se party or non-registered attorney of record must include at the time of filing, or within a reasonable time after service, a certificate of service. If a document is served, but not filed with the Court, a certificate of service may be filed but is not necessary unless ordered by the Court. The filing party is solely responsible for determining a party or attorney's registration status.

revised 11/2021

RULE 5.7 ELECTRONIC FILING PROCEDURES

(A) Pleadings and documents other than case initiating documents.

All motions, pleadings, applications, briefs, memoranda of law, exhibits, or other documents in a civil case (except for complaints) must be electronically filed on the System except as otherwise provided by these Rules.

(1) A document submitted electronically will not be considered filed for purposes of the Federal Rules of Civil Procedure until the System-generated Notice of Electronic Filing has been sent electronically to the filing party.

(2) E-mailing a document to the Clerk's Office or to the assigned judge does not constitute "filing" of the document.

(3) A document filed electronically by 11:59 p.m. central standard time will be deemed filed on that date.

(4) Pursuant to Fed. R. Civ. P. 5(b)(3), as to all defendants represented by counsel, all court documents other than the original complaint filed by a pro se party are deemed "filed electronically" at the time the documents are electronically docketed by the Clerk's Office. Where the Clerk scans and electronically files pleadings and documents on behalf of a pro se party, the associated NEF constitutes service. For any response to a document filed electronically under this paragraph, any deadline for filing a response will be calculated from the date the document is electronically docketed by the Clerk's Office.

(B) Case Initiating Documents.

(1) The Clerk's Office will accept case initiating documents (i.e. complaints with civil cover sheets and summons, and notices of removal) sent by e-mail or directly into the CM/ECF system.

(a) A party submitting a case initiating document by e-mail for electronic filing must submit those documents in .pdf format to the proper divisional mailbox, as follows:

newcases.peoria@ilcd.uscourts.gov
newcases.urbana@ilcd.uscourts.gov
newcases.springfield@ilcd.uscourts.gov
newcases.rockisland@ilcd.uscourts.gov

(b) 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.

(c) Case initiating documents submitted by e-mail will be deemed filed on the date that the complaint is received by e-mail or the date that the filing fee is paid, whichever is later.

(d) Case initiating documents filed by pro se plaintiffs will be deemed filed on the date received by the Clerk's Office. Legal issues regarding filing date or receipt of fees will be resolved by the Court.

(2) The Clerk's Office also will accept for filing case initiating documents sent by United States mail or delivered in person to the Clerk's Office when accompanied by the filing fee or a Petition to Proceed in forma pauperis. A case initiating document received in paper form will be scanned and uploaded by the Clerk's Office. Unless otherwise provided in these procedures, the paper documents will then be discarded.

(3) Only case initiating documents may be sent to the e-mail addresses listed above. If any other documents are sent to those e-mail addresses, the Clerk's Office will reply to the e-mail, notifying the party that the pleading has not been filed.

(4) A party may not electronically serve a case initiating document, but instead must effect service according to Fed. R. Civ. P. 4. Electronic service of a Notice of Filing does not constitute service of process where service of process is required by Fed. R. Civ. P. 4.

(C) Titling Docket Entries.

The party electronically filing a pleading or other document is responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the court.

(D) Filing Problems.

(1) 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. 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) Technical Problems.

(a) Technical Failures.

The Clerk's Office will deem the Central District of Illinois CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. In the event a technical failure occurs, and despite the best efforts of the filing party a document cannot be filed electronically, the party should print (if possible) a copy of the error message received. As soon as possible, the party should file this message with a Declaration That Party Was Unable to File in a Timely Manner Due to Technical Difficulties.

(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.

revised 04/2016

RULE 5.8 ATTACHMENTS AND EXHIBITS

(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.

(B) Non-Trial Exhibits.

A party may conventionally file exhibits which are not readily available in electronic form (e.g. blueprints, large maps). If possible, however, a filing party should scan a paper exhibit and file it electronically, in accordance with the size and scanning limitations set forth in these Rules. A party electronically submitting evidentiary materials must attach an index listing each item of evidence then being filed and identifying the motion or pleading to which it relates.

(C) Trial Exhibits.

Trial exhibits will not be scanned into the electronic record unless specifically ordered by the Judge presiding over the matter.

revised 03/2010

RULE 5.9 COURT RECORD AND ORDERS

(A) Official Court Record.

The Clerk's Office will not maintain a paper court file except as otherwise provided in these Rules. The official court record is the electronic file maintained by the court, supplemented with any documents or exhibits conventionally filed in accordance with these Rules.

(B) Orders

(1) Judges' Signatures

The assigned judge or the Clerk's Office will electronically file all signed orders. Any order signed electronically has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and it had been entered on the docket conventionally.

(2) Proposed Orders.

Proposed orders must be submitted as attachments to motions. The presiding judge may request a copy of the proposed order be sent in Word or Word Perfect format (i.e., not .pdf) to the chambers e-mail address.

(3) Text-Only Orders

The assigned judge may grant routine orders by a text-only entry upon the docket. When text-only entries are made, no separate .pdf document will issue; the text-only entry will constitute the Court's only order on the matter. The System will generate a "Notice of Electronic Filing."

RULE 5.10 SEALED CASES, DOCUMENTS FOR IN CAMERA REVIEW, AND EX PARTE DOCUMENTS

(A) Filing Under Seal.

(1) Sealed Cases.

All documents in sealed cases must be submitted conventionally to the Clerk for filing.

(2) Sealed Documents.

The Court does not approve of the filing of documents under seal as a general matter. A party who has a legal basis for filing a document under seal without prior court order must electronically file a motion for leave to file under seal. The motion must include an explanation of how the document meets the legal standards for filing sealed documents. The document in question may not be attached to the motion as an attachment but rather must be electronically filed contemporaneously using the separate docket event "Sealed Document." In the rare event that the motion itself must be filed under seal, the motion must be electronically filed using the docket event "Sealed Motion."

(3) Service.

Parties must not use the Court's electronic notice facilities to serve documents in sealed cases or individually sealed documents. A publicly viewable Notice of Electronic Filing will be generated for a sealed document, but the document itself will not be viewable electronically. Service must be made in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court. A certificate of service must be attached to the filed document or filed within a reasonable time after service.

(4) Denial of Requests to Seal.

In the event that a motion for leave to file under seal is denied, the document tendered will remain under seal, and it will not be considered by the presiding judge for any purpose. If the filer wishes to have the document considered by the Court, it must be re-filed in the normal fashion as an unsealed document. The Court may, in its discretion, order a sealed document to be made public if (1) the document is filed in disregard of legal standards, or (2) if the document is so intricately connected with a pending matter that the interests of justice are best served by doing so.

(B) Documents Submitted for In Camera Review.

The Rules applicable to Sealed Documents also apply to documents submitted for in camera review.

(C) Ex Parte Submissions.

A party who has a legal basis to file a submission without giving notice to other parties should file the submission electronically as either an "Ex Parte Document" or an "Ex Parte Motion."

revised 11/2021

RULE 5.11 PRIVACY

(A) Redactions.

To address the privacy concerns created by Internet access to court documents, litigants must modify or partially redact certain personal data identifiers appearing in case initiating documents, pleadings, affidavits, or other papers. In addition to those set out in Fed. R. Civ. P. 5.2, these identifiers and the suggested modifications are as follows:

(1) Addresses: Use only City and State;
(2) Signatures: Use s/name; and
(3) Driver's License numbers: Use only last four numbers.

Litigants also should consider redacting or filing a motion to file under seal any document that contains information that might bring harm to anyone or should not be made public for law enforcement or security reasons.

(B) Unredacted Documents and Reference Lists.

When redactions result in a documents' intent being unclear or if ordered by the Court, the filing party must file under seal an unredacted document or a reference list. A reference list must contain the complete personal data identifier(s) and the redacted identifier(s) to be used in its (their) place in the filing. If an unredacted version is not filed, the unredacted version of the document or the reference list must be retained by the filing party for one year after completion of the case, including all appeals. Upon a showing that the redacted information is both relevant and legitimately needed, the Court may, in its discretion, order the information disclosed to counsel for all parties.

(C) Transcript Redactions

Parties and attorneys may order transcripts. A court reporter then will file the transcripts electronically in CM/ECF. The transcript will be available for viewing at the Clerk's Office public terminal, but may not be copied nor reproduced by the Clerk's Office for a period of 90 days. A Notice of Filing of Official Transcript will be served on all parties. If any material should be redacted from a transcript, a party must file a Notice of Intent to Request Redaction within 7 days of the filing of the transcript. The responsibility for identifying material that should be redacted, in a transcript, lies solely with counsel and the parties. Within 21 days from the filing of the transcript, the parties must file under seal a Motion of Requested Redactions indicating where the material to be redacted is located, by page and line. If a party fails to follow the procedures for requesting redaction, the official transcripts will be made available electronically to the public 90 days after the transcript was initially filed with the Clerk.

(D) Pro Se Parties.

Documents filed in civil cases brought by pro se prisoners need not be redacted unless so ordered by the presiding Judge. Non-prisoner pro se parties must comply with the redaction Rules.

(E) Social Security Cases.

Documents filed in social security cases need not be redacted unless so ordered by the presiding Judge.

revised 03/2010

RULE 6.1 EXTENSIONS OF TIME

Any party seeking an extension of time for any reason must file a motion for such extension before the original deadline. Motions filed out of time will be denied, unless the presiding judge determines that such denial would create a substantial injustice. All such motions must state the amount of additional time requested, and must state whether opposing counsel has objection to the motion.

RULE 7.1 MOTIONS

(A) Disposition of Motions: Oral Argument: Extension of Time

(1) Any motion (other than summary judgment motions, which are governed by subparagraph (D) of this Rule) may, in the court's discretion, be:

(a) scheduled for oral argument, either at a specified time or on a Motion Day as suggested in Fed. R. Civ. P. 78;

(b) scheduled for determination by telephone conference call;

(c) referred to a United States magistrate judge for determination or recommendation; or

(d) determined upon the pleadings and the motion papers without benefit of oral argument.

(2) A party desiring oral argument on a motion filed under subparagraph (B) of this Rule must so specify in the motion or opposition thereto and must state the reason why oral argument is desired.

(3) Motions for extensions of time must be filed within the original time allowed.

(B) Memorandum of Law: Response; Reply; Length

(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 Rule under which the motion is filed.

(2) Any party opposing a motion filed pursuant to (B)(1) must file a response to the motion, including a brief statement of the specific points or propositions of law and supporting authorities upon which the responding party relies. The response must be filed within 14 days after service of the motion and memorandum. If no response is timely filed, the presiding judge will presume there is no opposition to the motion and may rule without further notice to the parties.

(3) No reply to the response is permitted without leave of Court.

(4) (a) A memorandum in support of and in response to a motion must be double-spaced and must not exceed 15 pages in length, unless it complies with the following type volume limitation.

(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.

(C) Supporting Documents.

If documentary evidence is to be offered in support of or in opposition to a motion, and if that evidence is conveniently susceptible of copying, copies thereof will be served and filed by the moving party with the motion and by the opposing party with the response thereto. If the evidence is not susceptible of convenient copying, the offering party instead will furnish to the court and to the adverse party, a concise summary of the contents and will immediately make the original available to the adverse party for examination.

(D) Summary Judgment

All motions for summary judgment and responses and replies thereto must comply with the requirements of this rule. Any filings not in compliance may be stricken by the court. The consequences for failing to comply are discussed thoroughly in *Waldridge v. American Hoechst Corp.*, 24 F.3d 918 (7th Cir. 1994). Motions for extension of time to file a motion for summary judgment, a response or a reply thereto will not be looked upon with favor; such motions may be summarily denied unless they are filed within the original time as allowed by this rule or by the scheduling order.

(1) Motion for Summary Judgment

Any party filing a motion for summary judgment pursuant to Fed. R. Civ. P. 56 and the scheduling order entered in the case, must include in that motion the following sections with appropriate headings:

(a) Introduction:

Without citations, briefly summarize the legal and factual basis for the motion and the exact relief sought.

(b) Undisputed Material Facts:

List and number each undisputed material fact which is the basis for the motion for summary judgment. Include as exhibits to the motion all relevant documentary evidence. For each fact asserted, provide citations to the documentary evidence that supports it, appropriately referencing the exhibit and page.

A WORD OF CAUTION: Material facts are only those facts which bear directly on the legal issue raised by the motion.

(c) Argument:

Under an appropriate subheading for each separate point of law, explain the legal point, with citations to authorities, and why or how the application of that point to the undisputed material facts entitles movant to the relief sought.

(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:

(a) Introduction:

Without citations, briefly summarize the legal and factual basis for opposition to the motion and the exact relief sought.

(b) Response to Undisputed Material Facts:

In separate subsections state the following:

(1) Undisputed material facts:

List by number each fact from Section B of the motion for summary judgment which is conceded to be undisputed and material.

(2) Disputed Material Facts:

List by number each fact from Section B of the motion for summary judgment which is conceded to be material but is claimed to be disputed. Each claim of disputed fact must be supported by evidentiary documentation referenced by specific page. Include as exhibits all cited documentary evidence not already submitted by the movant.

(3) Disputed Immaterial Facts:

List by number each fact from Section B of the motion for summary judgment which is claimed to be both immaterial and disputed. State the reason the fact is immaterial. Support the claim that the fact is disputed with evidentiary documentation referenced by specific page. Include as exhibits all cited documentary evidence not already submitted by the movant.

(4) Undisputed Immaterial Facts:

List by number each fact from Section B of the motion for summary judgment which is undisputed but is claimed to be immaterial. State the reason the fact is immaterial.

(5) Additional Material Facts:

List and number each additional material fact raised in opposition to the motion for summary judgment. Each additional fact must be supported by evidentiary documentation referenced by specific page. Include as exhibits all relevant documentary evidence not already submitted by the movant.

(6) A failure to respond to any numbered fact will be deemed an admission of the fact.

(c) Argument:

With or without additional citations to authorities, respond directly to the argument in the motion for summary judgment, for example, by explaining any disagreement with the movant's explanation of each point of law, why a point of law does not apply to the undisputed material facts, why its application does not entitle movant to relief or why, for other reasons, summary judgment should not be granted.

(3) Movant's Reply:

Within 14 days after service of response, the movant may file a reply. The reply must include the following subsections, appropriately titled:

(a) Reply to Additional Material Facts

List by number the additional facts asserted in Section (b)(5) of the response. For each fact, state succinctly whether:

(1) it is conceded to be material and undisputed,

(2) it is conceded to be material but is disputed, in which case provide support the claim that the fact is disputed by providing citations to specific pages of evidentiary documentation. Include as exhibits all cited documentary evidence not already submitted,

(3) it is immaterial but disputed, in which case state the reason the fact is immaterial and support the claim that the fact is disputed by providing citations to evidentiary documentation, attached as exhibits and referenced by specific page,

(4) it is immaterial and undisputed, in which case explain the reason it is immaterial,

(5) A failure to respond to any numbered fact will be deemed an admission of that fact.

(b) Argument

Succinctly and directly address any matters raised in the response with which the movant disagrees. THE REPLY WILL BE LIMITED TO NEW MATTERS RAISED IN THE RESPONSE AND MUST NOT RESTATE ARGUMENTS ALREADY RAISED IN THE MOTION.

(4) Oral Arguments

The Court may take the motion for summary judgment under advisement without oral argument or may schedule argument with appropriate notice to the parties. A party may file a request for oral argument and hearing at the time of filing either a motion or response pursuant to this Rule.

(5) Page and Type Limitations

Page and type volume limitations, as set forth in Rule 7.1(B)(4), apply to Section (1)(c) of the motion for summary judgment and to Section (2)(c) of the response to the motion. The argument section of a reply must not exceed five double-spaced pages in length.

(6) Exceptions

Local Rule 7.1(D) does not apply to social security appeals or any other case upon the showing of good cause.

(E) Amended Pleadings

Whenever an amended pleading is filed, the Clerk will moot any motion attacking the original pleading. Defendant must respond to the amended pleading in accordance with Fed. R. Civ. P. 15(a)(3).

(F) Documents Requiring Leave of Court

If filing a document requires leave of the court, the filing party must attach the proposed document as an exhibit to a motion to file. If the court then grants the motion to file, the Clerk will file the attached document electronically; the filing party should not do so.

revised 11/2021

RULE 8.1 SOCIAL SECURITY CASES: REVIEW UNDER 42 U.S.C. § 405(g)

(A) Complaints: Contents.

Any person seeking judicial review of a decision of the Commissioner of Social Security under Section 205(g) of the Social Security Act (42 U.S.C. § 405(g)) must provide, on a separate paper attached to the complaint served on the Commissioner of Social Security, the social security number of the worker on whose wage record the application for benefits was filed. The person must also state, in the complaint, that the social security number has been attached to the copy of the complaint served on the Commissioner of Social Security. Failure to provide a social security number to the Commissioner of Social Security will not be grounds for dismissal of the complaint.

(B) Complaints: Form of Allegation.

In keeping with Fed. R. Civ. P. 84 and the Appendix of Forms to the Federal Rules of Civil Procedure, the following form of allegations in a complaint is considered sufficient for § 405(g) review cases in this court:

(1) The plaintiff is a resident of _____
(City and State)

(2) The plaintiff complains of a decision which adversely affects (him) (her). The decision has become the final decision of the Commissioner for purposes of judicial review and bears the following caption:

In the case of Claim for

_____ _____
Claimant

_____
Wage Earner

(3) The plaintiff has exhausted administrative remedies in this matter and this court has jurisdiction for judicial review pursuant to 42 U.S.C. § 405(g).

WHEREFORE, plaintiff seeks judicial review by this court and the entry of judgment for such relief as may be proper, including costs.

(C) Service

(1) Where a complaint for administrative review is filed pursuant to 42 U.S.C. Section 405(g) and plaintiff in that complaint is allowed to proceed in forma pauperis, then the United States Attorney and Social Security Administration agree that service of initial process (i.e. summons and complaint) upon the United States Attorney and Social Security Administration under Fed. R. Civ. P. 4(i)(1)(A and C) may be accomplished by electronic delivery of the summons and complaint through the court's Case Management and Electronic Filing System (CM/ECF) to e-mail addresses provided to the Clerk's Office by the United States Attorney. The United States Attorney and Social Security Administration will treat this electronic delivery of the summons and complaint as service under Fed. R.Civ.P. 4(i)(1)(A and C). Service on the Attorney General will still be required pursuant to Fed. R. Civ. P. 4(i)(1)(B).

(2) Where a complaint for administrative review is filed pursuant to 42 U.S.C. Section 405(g) and plaintiff is not proceeding in forma pauperis, service shall be accomplished pursuant to Fed. R. Civ. P. 4(I).

(D) Responsive Pleading, Transcript of Proceedings.

The respondent has 120 days from the date of service of summons within which to file a responsive pleading and transcript of administrative proceedings.

(E) Motions: Hearing.

Within 30 days after the filing of the responsive pleading and transcript, the plaintiff must file a Motion for Summary Judgment and a Memorandum of Law which must state with particularity which findings of the Commissioner are contrary to law. The plaintiff must identify the statute, regulation or case law under which the Commissioner allegedly erred. The plaintiff must cite to the record by page number the factual evidence which supports the plaintiff's position. Arguing generally, "the decision of the Commissioner is not supported by substantial evidence" is not sufficient to meet this rule. Within 45 days thereafter, the defendant must file a "Cross-Motion for Affirmance and Response to the Motion for Summary Judgment" and Memorandum of Law which must specifically respond to the plaintiff's assertions and arguments. The defendant must cite to the record by page number the factual evidence which supports the decision of the Commissioner. Within 21 days after the filing of defendant's Cross-Motion, Plaintiff may file a reply brief addressing issues raised in the Cross-Motion. No further briefs are permitted without leave of Court. The case may be set for hearing at the discretion of the presiding judge.

revised 10/2017

RULE 8.2 RULE ON POST-CONVICTION PROCEEDINGS IN CAPITAL PUNISHMENT CASES PURSUANT TO 28 U.S.C. SECTIONS 2254 AND 2255

(A) Operation, Scope, and Priority.

(1) This rule applies to post-conviction proceedings in all cases involving persons under sentence of capital punishment.

(2) The judge to whom a case is assigned will handle all matters pertaining to the case, including certificates of appealability, stays of execution, consideration of the merits, second or successive petitions when authorized by the court of appeals under 28 U.S.C. §§ 2244(b)(3), 2255(h), remands from the court of appeals or Supreme Court of the United States, and associated procedural matters. This rule does not limit a district judge's discretion to designate a magistrate judge, under 28 U.S.C. § 636, to perform appropriate tasks. An emergency judge may act when the designated district judge is unavailable.

(3) The judge must give priority to cases within the scope of this rule, using the time limitations in 28 U.S.C. § 2266(b) as guidelines when the section is not directly applicable.

(4) The judge may make changes in the procedures established by this rule when justice so requires.

(B) Notices and Required Documents.

(1) A petition or motion within the scope o f this rule must:

(a) Include all possible grounds for relief;

(b) Inform the court of the execution date, if one has been set; and

(c) In an action under 28 U.S.C. § 2254, inform the court how each issue raised was presented to the state tribunal and, if it was not presented, why the contention nonetheless should be treated as (i) exhausted, and (ii) not forfeited.

(2) As soon as a case is assigned to a judge, the district clerk must notify by telephone the judge, counsel for the parties, and the representatives designated under the next subsection. The district clerk also must inform counsel of the appropriate procedures and telephone numbers for emergency after-hours motions.

(3) The Attorneys General of states with persons under sentence of death, and the United States Attorneys of districts with persons under sentence of death, must designate representatives to receive notices in capital cases in addition to, or in lieu of, the government's assigned counsel, and must keep the court informed about the office and home telephone numbers of the designated representatives.

(4) The district clerk must notify the circuit clerk of the filing of a case within the scope of this rule, of any substantial development in the case, and of the filing of a notice of appeal. In all cases within the scope of this rule, the district court clerk must immediately transmit the record to the court of appeals following the filing of a notice of appeal. A supplemental record may be sent later if items are not currently available.

(5) Promptly after the filing of a case within the scope of this rule, the district clerk must furnish to petitioner or movant a copy of this rule, together with copies of Federal Rule of Appellate Procedure 22, and Seventh Circuit Rules 22 and 22.2.

(6) In all cases within the scope of this rule, the petitioner or movant must file, within 14 days after filing the petition or motion, legible copies of the documents listed below. If a required document is not filed, the petitioner or movant must explain the omission.

(a) Copies of all state or federal court opinions, memorandum decisions, orders, transcripts of oral statements of reasons, and judgments involving any issue presented by the petition or motion, whether these decisions or opinions were rendered by trial or appellate courts, on direct or collateral review. If a decision or opinion has been published, a citation may be supplied in lieu of a copy.

(b) Copies of prior petitions or motions filed in state or federal court challenging the same conviction or sentence.

(c) If a prior petition has been filed in federal court, either (i) a copy of the court of appeals' order under 28 U.S.C. § 2244(b)(3) or § 2255(h) permitting a second or successive collateral attack, or (ii) an explanation of why prior approval of the court of appeals is not required.

(d) Any other documents that the judge requests.

(C) Preliminary Consideration.

(1) The district judge will promptly examine a petition or motion within the scope of this rule and, if appropriate, order the respondent to file an answer or other pleading or take such other action as the judge deems appropriate.

(2) If the judge determines that the petition or motion is a second or successive collateral attack for which prior approval of the court of appeals was required but not obtained, the judge will immediately dismiss the case for want of jurisdiction.

(3) If the court of appeals granted leave to file a second or successive collateral attack, the district judge must promptly determine in writing whether the criteria of 28 U.S.C. § 2244(b)(4) have been satisfied.

(D) Appointment of Counsel.

Pursuant to 28 U.S.C. § 2255(g), counsel will be appointed for any person under a sentence of death who is financially unable to obtain representation, requests that counsel be appointed, and does not already have counsel appointed by a state under 28 U.S.C. § 2261.

(E) Stay of Execution.

(1) A stay of execution is granted automatically in some cases, and forbidden in others, by 28 U.S.C. § 2262. All requests with respect to stays of execution over which the court possesses discretion, or in which any party contends that § 2262 has not been followed, must be made by motion under this rule.

(2) Parties must endeavor to file motions with the court in writing and during normal business hours. Parties having emergency motions during nonbusiness hours must proceed as instructed under part (b)(2).

(3) A motion must be accompanied by legible copies of the documents required by part (b)(6), unless these documents have already been filed with the court or the movant supplies a reason for their omission. If the reason is lack of time to obtain or file the documents, then the movant must furnish them as soon as possible thereafter.

(4) If the attorney for the government has no objection to the motion for stay, the court must enter an order staying the execution.

(5) If the district judge concludes that an initial petition or motion is not frivolous, a stay of execution must be granted.

(6) An order granting or denying a stay of execution must be accompanied by a statement of the reasons for the decision.

(7) If the district court denies relief on the merits and an appeal is taken, then:

(a) if the judge denies a certificate of appealability, any previously issued stay must be vacated, and no new stay of execution may be entered; but

(b) if the judge issues a certificate of appealability, a stay of execution pending appeal must be granted.

(F) Clerk's List of Cases.

The Clerk will maintain a list of cases within the scope of this rule.

RULE 11.1 TELEPHONE NUMBER ON PLEADINGS

In addition to the signature and address of the signing attorney or unrepresented party as required by Fed. R. Civ. P. 11, every pleading must show a telephone number where such attorney or party may be reached by telephone. For every pleading that is not electronically filed, the name of the filing party or attorney must be typed below the signature line.

RULE 11.2 DESIGNATION OF LEAD COUNSEL ON INITIAL PLEADING

When a party's initial pleading is filed, counsel must designate as lead counsel the attorney who will be responsible for receipt of telephone conference calls. Only one may be designated.

RULE 11.3 CERTIFICATE OF INTEREST

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

This rule does not apply to pro se litigants.

RULE 11.4 ELECTRONIC SIGNATURES

(A) Signatures by Electronic Filers.

(1) Use of a log-in and password for electronic filing constitutes and has the same force and effect as the filer's signature for purposes of Fed. R. Civ. P. 11, the Local Rules of this Court, and any other purpose for which a signature may be required in connection with proceedings in this Court.

(2) Electronic filers should sign in the following manner: "s/ Jane Doe." Documents signed by an attorney must be filed using that attorney's log-in and password; they may not be filed using a log-in and password belonging to another attorney.

(3) Where multiple attorney signatures are required, such as on a joint motion or a stipulation, the filing attorney may enter the "s/" of the other attorneys to reflect their agreement with the contents of the documents.

(B) Signatures by Non-Electronic Filers.

(1) If an original document requires the signature[s] of one or more persons not registered for electronic filing (e.g. settlement agreement with a pro se party, or a witness' affidavit), the filing party or its attorney must initially confirm that the content of the document is acceptable to all persons required to sign the documents. Original signatures of all non-electronic filers must be obtained before the document is filed.

(2) The filing party must either redact the original signature[s] and efile the redacted version of the document, or provide the redacted version to the Clerk's Office for scanning and electronic filing. The filed document must indicate the identity of each non-registered signatory in the form "s/Jane Doe". A certificate of Service upon all parties and/or counsel of record must be filed with the document.

(3) The filing party must retain the original document until one year after the date that the judgment has become final by the conclusion of direct review or the expiration of the time for seeking such review has passed.

(4) The electronically filed document as it is maintained on the court's servers constitutes the official version of that record. The court will not maintain a paper copy of the original document except as otherwise provided in these Rules.

(C) Disputes Over Authenticity.

Any party or non-filing signatory who disputes the authenticity of an electronically filed document or the signatures on that document must file an objection to the document within 14 days of receiving the notice that the document has been filed.

revised 03/2010

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.

(D) Cases With Intervening Bankruptcy.

(1) Whenever the presiding judge is advised that a bankruptcy under U.S.C. Title 11, or any other similar court-ordered reorganization of liquidation which stays ongoing debt collection proceedings, affects any party to any case filed in the district court of this district, the presiding judge will enter an order directing the parties to file within the clerk of this court a copy of the stay order. Until such order is filed, the presiding judge will keep the case on its active docket.

(2) After the stay order is filed, the presiding judge will enter an order directing the parties to show cause why the district court case should not be dismissed because of the pending bankruptcy, reorganization, or liquidation proceeding. The order to show cause will be returnable to a district judge at a date certain no less than 180 days from the date the stay order was filed with the clerk of this court. The time may be extended for good cause shown.

(3) It is the responsibility of the parties to the district court case to take whatever action is necessary to protect their interests in the bankruptcy, reorganization or liquidation proceedings. It is the further responsibility of the parties to lift the stay order or otherwise obtain relief from the bankruptcy, reorganization or liquidation proceeding and file with the district court a copy of the order allowing the district court case to proceed in order to prosecute the district court case. If such action is not taken the district court case will be dismissed.

(E) Final Pretrial Conference.

(1) A final pretrial conference will be scheduled by the presiding judge as soon as feasible after the date set for completion of discovery. Uncompleted discovery will not delay the final pretrial conference.

(2) Counsel for the parties or the parties, if not represented by counsel, must confer prior to the date set for final pretrial conference. They will explore the prospects of settlement and be prepared to report to the presiding judge at the final pretrial conference whether settlement is possible.

(3) The final pretrial conference will be by personal appearance unless otherwise directed by the presiding judge. Counsel who will actually try the case or parties not represented by counsel must appear at the final pretrial conference. Counsel and the parties must be authorized and prepared to enter such stipulations and agreements as may be appropriate.

(4) Prior to the date set for final pretrial conference, the parties must confer and prepare a proposed final pretrial order for presentation to the court at the conference unless otherwise ordered by the court. The form and content of the order are prescribed below and in Appendix 1.

(5) At the final pretrial conference, the presiding judge and counsel will consider the following:

(a) Simplification of the issues for trial;

(b) Any problems of evidence;

(c) Possible limitations of the number of expert witnesses;

(d) The desirability and timing of trial briefs;

(e) The prospects of settlement;

(f) Such other matters that may aid in the fair and expeditious trial and disposition of the action; and

(g) The possibility of trying the case on short notice. If the parties agree, the case will be put on a short notice calendar and may be called for trial on less than one-week notice.

(6) In cases to be tried to a jury, the parties must submit an agreed set of jury instructions. Instructions upon which the parties are unable to agree must be submitted separately by the parties, unless excused by the presiding judge. Each instruction must be appropriately numbered and on a separate sheet of 8 2 by 11 size paper; must cover no more than one subject; must identify the source and authority upon which it is based; and must have the name of the party who submitted it noted at the bottom of the page.

(7) In bench trials, the parties must submit an agreed set of findings of fact and conclusions of law. Findings and conclusions upon which the parties are unable to agree must be submitted separately by the parties, unless excused by the presiding judge.

(8) Unless otherwise directed by the presiding judge, the parties must submit any trial briefs and motions in limine on or before 14 days prior to the scheduled start of trial. Untimely motions will not be considered unless good cause for delay can be shown to exist.

(F) Final Pretrial Order.

Counsel for the plaintiff must prepare the order unless otherwise ordered by the presiding judge, and must submit it to opposing counsel at least 7 days prior to the date set for final pretrial conference. The pretrial order must contain the following:

(1) A brief statement of the nature of the case including the facts showing the basis for jurisdiction even if jurisdiction is not contested;

(2) A signed stipulation of uncontested material facts;

(3) A joint statement of uncontested issues of law;

(4) A joint statement of all contested material facts and issues of law;

(5) Stipulations regarding the use of depositions and the presentation of expert testimony;

(6) A list of all witnesses each party intends to call at trial. Failure to include a witness in the list may result in the witness being barred from offering testimony at trial;

(7) A list of exhibits each party intends to offer or use at trial. The court will assume that authentication proof for any listed exhibit is waived unless a specific objection to lack of authenticity is raised in the pretrial order. All other objections to exhibits must be specifically noted. Exhibits must be identified by number only and conform to the listing contained in the pretrial order;

(8) A list of all demonstrative aids intended for use in the trial. All foundation questions concerning those aids will be considered waived by the court unless specific objection is stated in the pretrial order.

(9) At the close of the pretrial conference, the parties and the presiding judge will sign the pretrial order. If changes or amendments to the order are required, the parties will complete the changes before they leave the courthouse, or the conference may be recessed to be continued in person within 14 days. The signed pretrial order takes the place of all prior pleadings. Any issue not contained in the final pretrial order will not be tried.

(10) A sample form of pretrial order is contained in Local Rules Appendix 1. The parties are admonished to conform their pretrial order to the sample format.

(G) Sanctions.

Failure of counsel or parties, if not represented by counsel, to appear at any scheduled pretrial conference, including telephone conferences, or otherwise to comply with the provisions of this rule, may result in dismissal, default, awarding of attorney's fees and costs, and such other sanctions as may be appropriate.

RULE 16.2 SCHEDULING CONFERENCE AND ORDER

(A) Cases Covered.

The Court shall hold a scheduling conference as soon as practicable, but unless the judge finds good cause for the delay, within the earlier of 90 days after any defendant has been served with the complaint or 60 days after any defendant has appeared in all civil cases pursuant to Federal Rule of Civil Procedure 16 to establish a scheduling order to govern case management except:

(1) Claims for relief within the admiralty and maritime jurisdiction as set forth in Fed. R. Civ. P. 9(h) and the Supplemental Rules for Certain Admiralty and Maritime Claims;

(2) Social Security cases filed under 42 U.S.C. § 405(g);

(3) Applications for writ of habeas corpus under 28 U.S.C. § 2254;

(4) Applications for review of sentence under 28 U.S.C. § 2255;

(5) Petitions brought by the United States to enforce a summons of the Internal Revenue Service;

(6) Appeals from rulings of a bankruptcy judge;

(7) Appeals from judgments of a United States magistrate judge;

(8) Naturalization proceedings filed as civil cases or proceedings to cancel or revoke citizenship;

(9) Requests for temporary retraining orders;

(10) Proceedings in bankruptcy;

(11) Proceedings to compel the giving of testimony or production of documents under a subpoena or summons issued by an officer; agency, or instrumentality of the United States not authorized to compel compliance;

(12) Proceedings to compel the giving of testimony or production of documents in this district in connection with discovery, or for perpetuation of testimony, for use in a matter pending or contemplated in a district court of another district;

(13) Proceedings for the temporary enforcement of orders of the National Labor Relations Board;

(14) Actions to enforce out-of-state judgments;

(15) Cases in which no service upon defendant(s) has been effected within 120 days of filing of the complaint;

(16) Other cases in which the court's review of the file indicates that the burden of a scheduling conference would exceed the administrative efficiency to be gained

(17) The presiding judge may order a scheduling conference in any case.

(B) Order.

At the conclusion of the scheduling conference, the presiding judge will enter an order setting forth the time limits as established at the conference. A copy of the order will be provided by the clerk of this court to each of the parties or their counsel.

(C) Scheduling by Telephone Conference.

The scheduling conference may be held by a telephone conference call or the court may require personal appearance. Lead counsel must participate in the scheduling conference or inform the clerk of this court of substitute counsel before the time set for the conference. Whoever participates on behalf of a party is expected to be prepared to address the matters contemplated by the scheduling order and have full authority to bind the party as to such matters.

(D) Dates.

The parties and their counsel are bound by the dates specified in the scheduling order absent a finding of due diligence and good cause for changing said dates.

(E) Scheduling Order.

The scheduling order will contain certain deadlines for the following:

(1) Amendment of pleadings;
(2) Joinder of additional parties;
(3) Disclosure of expert witnesses;
(4) Completion of discovery;
(5) Filing of dispositive motions.

revised 04/2016

RULE 16.3 PRETRIAL PROCEDURES IN PRISONER AND DETAINEE CASES

The following procedures apply to civil cases filed by prisoners and civil detainees proceeding pro se. For purposes of this section, a "prisoner" is a person defined in 28 U.S.C. § 1915(h). A "civil detainee" is a person held in detention or committed to civil law, including but not limited to persons detained or civilly committed pursuant to the Illinois Sexually Violent Persons Commitment Act, 725 ILCS 207/1 et seq., or the Illinois Sexually Dangerous Persons Act, 725 ILCS 205/0.01 et seq..

(A) Complaint

(1) Upon written request, the clerk of this court will provide each pro se plaintiff with a complaint form, a petition to proceed in forma pauperis and an instruction sheet. The plaintiff is not required to use the court's complaint form. No complaint will be rejected for filing because of improper form or because of failure to comply with Local Rules. However, failure to comply with Local Rules may result in dismissal of the plaintiff's case by the Court.

(2) The plaintiff's complaint may be handwritten or typed. However, the original complaint, as well as all pleadings, must be legible and signed by the plaintiff. If there is more than one plaintiff, each must sign the complaint. A complaint need not be notarized. However, if the complaint contains false statements of material fact, the plaintiff may be subject to dismissal of the case or other sanctions.

(3) All copies of the original complaint provided by the plaintiff must be carbon copies or photocopies. No other copies, such as handwritten copies, will be accepted.

(4) The complaint should set forth a short and plain statement of the plaintiff's claim(s) showing that the plaintiff is entitled to relief. A short statement of names, dates and facts about what each defendant did will usually be enough. Legal argument and case citations are not necessary. If the Court requires additional information about a claim, the plaintiff will be ordered to provide a more complete statement. The complaint should also state what relief the plaintiff seeks, and if known, the grounds for the court's jurisdiction.

(5) The complaint should include the full first and last name of each defendant to be served and a full address where that defendant may be served, usually a work address. Failure of the plaintiff, without good cause, to timely and adequately identify a defendant for service will result in dismissal of that defendant from the case.

(6) The plaintiff should mail the complaint, along with the filing fee or the petition to proceed in forma pauperis, together in one package to: CLERK, U.S. DISTRICT COURT in the division in which the claim arose.

(7) The clerk will file the complaint upon receipt, regardless of the form of the complaint and regardless of whether the complaint is accompanied by payment of the filing fee or a petition to proceed in forma pauperis.

(B) Payment of Fees and Other Costs

(1) If the plaintiff files a complaint without the filing fee or a petition to proceed in forma pauperis, a deficiency order will enter directing the plaintiff to either pay the filing fee or file a petition to proceed in forma pauperis. Failure to comply will result in dismissal of the case.

(2) If the plaintiff is a prisoner under 28 U.S.C. § 1915(h) and files a petition to proceed in forma pauperis which demonstrates inability to pay the filing fee, the petition will be granted and an initial partial filing fee will be assessed in accordance with 28 U.S.C. § 1915(b). The agency having custody of the plaintiff will be directed to pay the initial partial filing fee from the plaintiff's prison account and to forward monthly payments from that account in accordance with 28 U.S.C. § 1915(b). If the plaintiff is not a prisoner under 28 U.S.C. § 1915(h), this provision does not apply.

(3) All requests for file-stamped copies of documents must be accompanied by a stamped, self-addressed envelope and an extra copy to be file-stamped and returned.

(4) Security for Costs

(a) In any case removed to this court under the provisions of 28 U.S.C. § 1441 or 1443 in which the plaintiff is a pro se prisoner who has been barred from proceeding in forma pauperis under the provisions of 28 U.S.C. § 1915(g), and who does not meet the exception of that section, the court may require security from the plaintiff for payment of costs.

(b) The court may require security for payment of costs from any plaintiff, regardless of whether that plaintiff is barred from proceeding in forma pauperis under 28 U.S.C. § 1915(g), where the court determines that such plaintiff: (1) has filed three or more prior actions in federal court that were dismissed as frivolous, malicious, or for failure to state a federal claim for relief; or, (2) has unpaid costs or sanctions assessed in a prior federal case.

This section does not limit the court's power to require security in other appropriate cases.

(c) The security may be in the form of cash or a surety bond with corporate or justified sureties acceptable to the court. Failure by the plaintiff to provide the required security may result in the dismissal of the action.

(C) Case Management Order

If practicable, the Court will conduct a review of the complaint before service is ordered, and enter a Case Management Order delineating the viable claims stated, if any. At any time a Case Management Order is issued by the court defining the remaining claims in the case, the case will proceed solely on those claims identified in the Case Management Order. Any claims not defined in the Case Management Order will not be included in the case, except in the Court's discretion on motion by a party for good cause shown, or pursuant to Federal Rule of Civil Procedure 15.

(D) Service of Process

In cases proceeding in forma pauperis, after the complaint is filed and a Case Management Order enters, if any, a Scheduling Order will enter directing service of the complaint. Generally, waivers of service will be sought from the defendants in lieu of personal service. If a defendant fails to return a signed waiver of service, personal service will be attempted on that defendant, with the costs of personal service assessed against that defendant to the extent allowed under the Federal Rules of Civil Procedure.

If the full statutory filing fee is paid, the plaintiff is responsible for arranging for service.

(E) Answer

(1) When the State of Illinois, any of its officers, agents, departments or employees is a defendant, a responsive pleading must be filed within 60 days of service or within 60 days of the date the waiver of service was sent, as the case may be. All other defendants, including officers and employees of counties and municipalities, must answer or otherwise plead within 21 days of personal service, or within 60 days after a waiver of service is sent, as the case may be. A motion to dismiss is not an answer. The answer must be considered a responsive pleading under Federal Rule of Civil Procedure 15(a) and should include all defenses appropriate under the Federal Rules. It is the responsibility of the individual named as a defendant to arrange for representation within that time limit. The Court will not extend the time for answer unless exceptional circumstances are

shown. Default may be entered against defendants who do not answer within the time limits.

(2) In civil rights cases where the pro se plaintiff is a prisoner or civil detainee, the answer and subsequent pleadings will be to the issues stated in the Case Management Order accompanying the process and complaint, if such an order is entered. A defendant need not parse the complaint and respond to it. If no Case Management Order has entered, the responsive pleading will be to the complaint.

(F) Scheduling Conference

A scheduling order directing service of the complaint will also set the case for a scheduling conference. At the scheduling conference, the parties will be prepared to argue all pending motions; determine whether all parties have been correctly designated and properly served; discuss the course and progress of discovery and resolve any disputes; determine whether a jury demand has been timely filed; set firm dates for the completion of discovery and the filing of case-dispositive motions. At the conclusion of the scheduling conference, the court will set the matter for further status conference or will set scheduling deadlines. Scheduling conferences will be held by telephone or video unless otherwise ordered by the court.

(G) Status Conference

A status conference may be set at any time by the court. At a status conference the parties will be prepared to argue all pending motions; discuss the progress of discovery and resolve any disputes; review dates for the completion of discovery and the filing of case-dispositive motions. Status conferences will be held by telephone or video unless otherwise ordered by the court.

(H) Motions

The parties are responsible for filing motions within the deadlines set by the Court. Responses to motions must be filed within 14 days, or a party must file a timely motion for extension of time to respond, that is within the time set for response. Motions to file "instanter" are not viewed favorably by the Court and will not be allowed routinely. Motions will not be specially set or noticed for hearing. The court may rule on any motion after the time for response has passed, whether a response is on file or not. At his or her discretion, the presiding judge may set any motion for hearing.

(I) Final Pretrial Conference

(1) As soon as practicable after the close of discovery and the resolution of dispositive motions, the presiding judge will set the case for final pretrial

conference. All discovery MUST BE COMPLETED before the conference is held. Appropriate sanctions will be imposed upon any party failing to complete discovery as ordered. No case-dispositive motions will be accepted after the cut-off date for the filing of such motions, except by leave of court and a showing of extraordinary circumstances, e.g., a recently decided relevant court opinion or newly discovered evidence that with due diligence could not have been found during the time allotted for discovery. The conference must be by personal appearance, by telephone, or by video as directed by the Court, with the plaintiff, if not represented, and with the attorneys who will try the case.

(2) The following documents are to be prepared and exchanged between the litigants, BUT NOT FILED WITH THE COURT, at least 30 days before the date set for the final pretrial conference.

(a) A statement of uncontested facts.

(b) A statement of contested issues of fact and law.

(c) An itemized statement of damages (plaintiff only).

(d) A list of names and addresses of witnesses that each party intends to call to testify at trial, including the names of expert witnesses.

(e) A list of names and addresses of witnesses for whom subpoenas are requested, and a brief summary of the expected testimony of each such witness.

(f) A list of names, registration numbers (if applicable), and addresses of prisoner or detainee witnesses from whom writs of habeas corpus ad testificandum are requested, and a brief summary of the facts to which each such witness will testify.

(g) A list of exhibits, sequentially numbered, which each party intends to offer into evidence.

(h) A list of all demonstrative aids to be used at the trial.

(3) An attorney for the defendants must prepare a proposed final pretrial order based on the documents described above and must file the proposed final pretrial order at least 14 days before the final pretrial conference. A suggested form of the order is included as Appendix 2 to these Rules. As far as is practicable, the litigants are encouraged to resolve any disputes concerning the order prior to the conference. When the plaintiff is

represented by counsel, a final, agreed-to order will be presented at the conference.

(4) At the final pretrial conference, the presiding judge and the litigants will consider the following:

(a) The prospects of settlement. Plaintiff will make a definite demand for settlement and defendants will have authority to make a definite offer of settlement.

(b) Simplification of the issues for trial;

(c) The final witness lists, including the issuance of subpoenas and writs for witnesses;

(d) Any problems of evidence;

(e) Limitation on the number of expert witnesses;

(f) The desirability and timing of trial briefs;

(g) Such other matters that may aid in the fair and expeditious trial and disposition of the action;

(h) The estimated length of trial.

(5) In cases to be tried to a jury, the parties will submit an agreed set of jury instructions, unless otherwise directed by the court. Instructions upon which the parties are unable to agree will be submitted separately by each party, unless excused by the presiding judge. Each instruction will be appropriately numbered and on a separate sheet of 8 1/2" by 11" (letter size) paper; will cover no more than one subject; will identify the source and authority upon which it is based; and will have the name of the party submitting it noted at the bottom of the page.

(6) Changes or amendments to the proposed final pretrial order will be made at the final pretrial conference. At the close of the pretrial conference, the parties and the presiding judge will sign the pretrial order. The court may direct that the parties' signatures be electronically affixed to the final pretrial order if the parties have not appeared in person for the final pretrial conference. The signed pretrial order takes the place of all prior pleadings. Any issue not contained in the final pretrial order WILL NOT BE TRIED. The parties are cautioned to consider the contents of the order very carefully, especially as to jury demand, types of damages sought, claims and defenses.

(7) A sample form of pretrial order is contained in Local Rules Appendix 2. The parties are cautioned to conform their pretrial order to the sample format.

(J) Sanctions

Failure of counsel or parties, if not represented by counsel, to appear at any scheduled pretrial conference, including telephone conferences, or otherwise to comply with the provisions of this Rule, may result in dismissal, default, awarding of attorney's fees and costs and such other sanctions as may be appropriate.

(K) Change of Address

Every pro se plaintiff must notify the clerk of this court in writing of any change of address during the entire pendency of his case. Failure to notify the clerk of a change of address will result in the dismissal of the case.

(L) Waiver

A plaintiff may request a waiver of any of the provisions of this rule by filing a motion with the clerk of this court stating in brief what requirements the plaintiff wants waived and why. The Court will consider each motion individually; however, motions to waive these requirements will not be routinely allowed.

revised 06/2010

RULE 16.4 ALTERNATIVE DISPUTE RESOLUTION

(A) General.

The court adopts these Rules pursuant to the Alternative Dispute Resolution Act of 1998 to make available to litigants a program of court-annexed dispute resolution processes designed to provide quick, inexpensive and satisfying alternatives to engaging in continuing litigation.

The court establishes mediation, summary jury trials and summary bench trials as the forms of alternative dispute resolution ("ADR") available to the litigants in this court. These are available in all civil actions, including adversary proceedings and contested matters in Bankruptcy being heard by the District Court, except those cases listed in CDIL-LR 16.2(A).

(B) Definitions.

"Presiding judge" is the judge to whom the case is assigned for trial. The presiding judge will not preside over any form of ADR.

"Mediation" is a non-binding settlement process involving a neutral mediator who assists the parties to overcome obstacles to effective negotiation. In cases assigned to a district judge, the neutral mediator will normally be the magistrate judge to whom the case is referred.

"Summary jury trial" is a non-binding pretrial procedure in which the parties try their cases by narration to a jury with a judge presiding. The verdict or verdicts will serve as an aid in the settlement process.

"Summary bench trial" is a non-binding pretrial procedure consisting of a summarized presentation of a case to a judge whose decision and analysis will serve as an aid to the settlement process.

(C) The ADR Administrator.

The "ADR Administrator" is a person appointed by the court with full authority and responsibility to direct the program created by these Rules. The ADR Administrator will:

(1) Oversee the operation of the ADR program in this court;

(2) Assign cases to various judges throughout the district for ADR processes;

(3) Prepare application for funding of the ADR program and administer any funds assigned; and

(4) Prepare such reports as may be required by the court or the Administrative Office of the U.S. courts concerning the operation of the program or the use of any funds allocated.

(D) Referral to ADR.

Parties are encouraged to use the ADR process created by these Rules. At the initial Rule 16 conference, the presiding judge will inform the parties of the availability of ADR processes and will encourage the parties to participate in ADR at an appropriate time. All litigants in civil cases, except those in cases listed in CDIL-LR 16.2(A), are to consider the use of alternative dispute resolution processes at an appropriate stage of the litigation.

(E) Mediation.

(1) Eligible Cases. Any civil case, including adversary proceedings in bankruptcy, may be referred to mediation.

(2) Reference to Mediation. A case may be referred to mediation at any time but only on agreement of the parties.

(3) Private Mediation. Nothing in these Rules will prevent the parties from agreeing or contracting to utilize private mediation. The parties will notify the ADR Administrator upon initiating private mediation and within 14 days after conclusion of private mediation.

(4) Neutrality of Mediator. If at any time the court-assigned mediator becomes aware of or a party raises an issue with respect to the mediator's neutrality, the mediator will either recuse himself or ask the ADR Administrator to determine the validity of the objection. In the event of recusal or well-founded objection, the ADR Administrator will designate another judge to act as mediator.

(5) Written submissions to the mediator. Within 7 days prior to the first mediation meeting, parties must submit to the mediator a memorandum setting forth their respective legal and factual positions. Such memoranda will be confidential and will not be disclosed to anyone.

(6) Attendance. The attorney who is primarily responsible for each party's case must personally attend all mediation conferences and must be prepared and authorized to discuss all relevant issues, including settlement. The parties must be present unless excused by the mediator. When a party's interest is represented by an insurance company, an authorized representative of the insurance company with full settlement authority must attend. Willful failure of a party to attend the mediation

conference will be reported by the mediator to the ADR Administrator for transmittal to the presiding judge, who may impose appropriate sanctions.

(7) Confidentiality. The entire mediation process is confidential. Neither the parties nor the mediator may disclose information regarding the process, including terms of settlement, to the court or to third persons unless all parties otherwise agree. Parties, counsel and mediators may, however, respond to confidential inquiries or surveys by persons authorized by the court to evaluate the mediation program. Information provided in such inquiries will remain confidential and will not be identified with particular cases.

The mediation process will be treated as a compromise negotiation for purposes of the Federal Rules of Evidence and corresponding state Rules of evidence. The mediator is disqualified as a witness, consultant, attorney, or expert in any pending or future action relating to the dispute, including action between persons not parties to the mediation process.

(F) Summary Jury Trial.

Any civil case triable by jury may be assigned for summary jury trial when all parties consent to such a proceeding. Such a proceeding will be conducted by a judge other than the presiding judge.

Summary jury trial is a flexible ADR process. The procedures to be followed should be set in advance by the judge who is to preside in light of the circumstances in the case.

revised 04/2016

RULE 26.2 IMPLEMENTATION OF FED. R. CIV. P. 26

(1) Fed. R. Civ. P. 26 controls the initial stages of discovery/disclosure in this court in all cases filed on or after January 1, 1994 with the exception of the categories of proceedings specified in Fed. R. Civ. P. 26(a)(1)(B). These categories are construed to include the following:

(a) Naturalization proceedings filed as civil cases or proceedings to cancel or revoke citizenship;

(b) Proceedings in bankruptcy;

(c) Proceedings to compel the giving of testimony or production of documents in this district in connection with discovery, or for perpetuation of testimony, for use in a matter pending or contemplated in a district court of another district;

(d) Actions to enforce out-of-state judgments;

(e) Cases exempted by the presiding judge on a case by case basis.

(2) The parties may not agree to opt out of the provisions of Fed. R. Civ. P. 26.

(3) Attorneys in all cases not exempt from Fed. R Civ. P. 26 will comply with Fed. R. Civ. P. 26(f) before the date set by the court for the initial scheduling conference. The parties must produce and file a proposed discovery plan which meets the requirements of Fed. R. Civ. P. 26(f). The attorney for the plaintiff is responsible for arranging the meeting and filing the proposed discovery plan.

RULE 26.3 FILING OF DISCOVERY OR DISCLOSURE MATERIALS

(A) Interrogatories under Fed. R. Civ. P. 33 and 26(b)(4), and the answers or objections thereto, requests for production or inspection under Fed. R. Civ. P. 34, and responses or objections thereto, requests for admission under Fed. R. Civ. P. 36, and responses and objections thereto, and depositions under Fed. R. Civ. P. 30 and 31 and disclosures under Rule 26, must not be filed with the clerk of this court except as hereinafter provided.

(B) The party responsible for the service of discovery materials must retain the originals as custodian.

(C) Any motion filed under Fed. R. Civ. P. 26 (c) or 37 must be accompanied by the relevant portions of discovery material relied upon or in dispute.

(D) That portion of discovery material necessary to the consideration of a pretrial motion or for a final order on any issue must be filed contemporaneously with the motion or response to the motion and attached to the pleading as an exhibit thereto.

RULE 30.1 SCHEDULING OF DEPOSITIONS

In scheduling any deposition, counsel must make a good faith effort to coordinate with all opposing counsel the scheduling of a time that is mutually convenient to all opposing counsel and the parties. The signing and serving of a Notice of Deposition constitutes a certification by the attorney signing and serving the Notice of Deposition that the attorney has complied with this rule.

RULE 33.1 INTERROGATORIES

Answers or objections to interrogatories under Fed. R. Civ. P. 33 and 26(b)(4) must set forth in full the interrogatory being answered or objected to immediately preceding the answer or objection. Objections to interrogatories must not be filed with the clerk of this court except as exhibits to motions for protective order or motions to compel pursuant to Fed. R. Civ. P. 26(c) and 37.

RULE 37.3 DISCOVERY

The Court will entertain emergency oral motions involving discovery, at the discretion of the presiding judge. These motions will be heard by telephone conference.

revised 11/2021

RULE 38.1 EQUITABLE RELIEF OR JURY DEMAND

The plaintiff, in every civil action in which the complaint prays for any equitable relief, must mark upon the face of the complaint: "Equitable relief is sought;" and if a demand for jury trial under Fed. R. Civ. P. 38 is endorsed upon a pleading, the title of the pleading must include the words "and demand for jury trial."

RULE 40.1 ASSIGNMENT OF CASES AND PLACE OF FILING

(A) PEORIA

All complaints and subsequent filings in cases which arise from the following counties: Fulton, Livingston, Marshall, McLean, Peoria, Putnam, Stark, Tazewell, and Woodford will be filed at PEORIA, ILLINOIS.

(B) SPRINGFIELD

All complaints and subsequent filings in cases which arise from the following counties: Adams, Brown, Cass, Christian, DeWitt, Greene, Logan, Macoupin, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Scott, and Shelby, will be filed at SPRINGFIELD, ILLINOIS.

(C) ROCK ISLAND

All complaints and subsequent filings in cases which arise from the following counties: Bureau, Hancock, Henderson, Henry, Knox, McDonough, Mercer, Rock Island, Schuyler and Warren will be filed at ROCK ISLAND, ILLINOIS.

(D) URBANA

All complaints and subsequent filings in cases which arise from the following counties: Champaign, Coles, Douglas, Edgar, Ford, Iroquois, Kankakee, Macon, Moultrie, Piatt, and Vermilion will be filed at URBANA, ILLINOIS.

(E) All complaints and subsequent filings in cases filed in the Central District of Illinois must identify in the caption of such pleading or document, the division in which the case is pending.

(F) As part of the statement of jurisdiction, the initial pleadings in each case must state the basis for filing in the division selected.

revised 11/2021

RULE 42.1 CONSOLIDATION AND TRANSFER OF RELATED CASES

When a party or counsel for a party knows that a newly filed case is related to another case already pending in the district, the parties are responsible for bringing the matter to the court's attention at the first opportunity but not later than the Rule 16 discovery conference or the first motion hearing, whichever occurs earliest. Consolidation of the cases will be considered at that time.

Later-filed cases may be transferred to the judge assigned to the first-filed suit, regardless of whether the cases are consolidated.

RULE 45.1 ISSUANCE OF BLANK SUBPOENAS

In a Civil Case, the Clerk must not issue blank subpoenas to a pro se party except upon order of the judge to whom the case is assigned.

Note on Use

Under Rule 45.1 ILCD, a pro se litigant may move the court, either orally or in writing, to issue a subpoena for specific witnesses or documents. The pro se litigant must present the court orally or in writing with a statement of what relevant information the documents contain or the person to be subpoenaed possesses.

RULE 47.2 COMMUNICATIONS WITH JURORS

(1) Before and during trial, no attorney, party or representative of either, may contact, converse or otherwise communicate with a juror or potential juror on any subject, whether pertaining to the case or not.

(2) No attorney, party, or representative of either may interrogate a juror after the verdict has been returned without prior approval of the presiding judge. Approval of the presiding judge may be sought only by application made by counsel orally in open court or upon written motion which states the grounds and the purpose of the interrogation. If a post-verdict interrogation of one or more of the members of the jury should be approved, the scope of the interrogation and other appropriate limitations upon the interrogation will be determined by the presiding judge prior to the interrogation.

RULE 47.3 CONDUCT BEFORE THE JURY

All attempts to curry favor with jurors by fawning, flattery, or pretending solicitude for their personal comfort are unprofessional. Suggestions of counsel regarding the comfort or convenience of jurors and propositions to dispense with argument or peremptory challenges must be made to the presiding judge out of the jury's hearing.

RULE 48.1 NUMBER OF JURORS

In all jury cases, except as may be otherwise required by law or controlling Rule, the jury will consist of no less than six members.

RULE 51.1 PROPOSED INSTRUCTIONS TO JURY

(1) All requests for jury instructions not previously tendered must be submitted to the presiding judge at the conclusion of all the evidence with copies submitted to all parties.

(2) The instructions read to the jury by the presiding judge will accompany the jury to the jury room when the jury retires for deliberation unless otherwise determined by the presiding judge.

RULE 54.1 REQUESTS FOR ATTORNEYS FEES AND BILLS OF COSTS

(A) Time for Requests.

In all civil cases, requests for attorneys fees must be filed no later than 14 days after entry of judgment. Bills of Costs must be filed within 30 days after entry of judgment.

(B) Form.

Bills of costs and supporting documentation may be filed in any format, but must include Form AO-133 as a summary.

RULE 72.1 UNITED STATES MAGISTRATE JUDGES

(A) Duties:

A magistrate judge in this district is authorized to perform all the duties in 28 U.S.C. § 636 and is designated to:

(1) upon the consent of the defendant, try either jury or non-jury cases of persons accused of misdemeanors and infractions committed within this district in accordance with 18 U.S.C. § 3401, and conduct all post-trial proceedings therein as may be warranted;

(2) conduct proceedings for commitment to another district and issue Commitments to Another District in accordance with Fed. R. Crim. P. 40;

(3) conduct extradition proceedings in accordance with 18 U.S.C. § 3184;

(4) order competency examinations of defendants pursuant to 18 U.S.C. § 4244;

(5) supervise proceedings conducted pursuant to letters of request, in accordance with 28 U.S.C. § 1782;

(6) hear and determine any non-dispositive pretrial motion pursuant to 28 U.S.C. § 636(b)(1)(A);

(7) conduct hearings, including such evidentiary hearings as are necessary or appropriate, and submit to a district judge proposed findings of fact and recommendations for the disposition of dispositive motions that are excepted in 28 U.S.C. § 636(b)(1)(A) in accordance with 28 U.S.C. § 636(b)(1)(B) and (C);

(8) exercise the powers enumerated in Rules 5, 8, 9 and 10 of the Rules Governing Section 2254 and Section 2255 Proceedings;

(9) upon the consent of the parties pursuant to 28 U.S.C. § 636(c), conduct any or all proceedings in a jury or non-jury civil matter and order the entry of judgment in the case;

(10) exercise general supervision of the civil and criminal calendars of the court, conduct calendar and status calls, and determine motions to expedite or postpone the trial of cases for the district judges;

(11) conduct pretrial conferences, settlement conferences, summary jury trials, omnibus hearings, and related pretrial proceedings;

(12) conduct arraignments in cases not triable by the magistrate judge to the extent of taking a not guilty plea or noting a defendant's intention to plead guilty or nolo contendere and ordering a presentence report in appropriate cases;

(13) receive grand jury returns in accordance with Fed. R. Crim. P. 6(f);

(14) upon the consent of the parties conduct voir dire and select petit juries for the court;

(15) accept petit jury verdicts in civil cases in the absence of a district judge;

(16) issue subpoenas, writs of habeas corpus ad testificandum or habeas corpus ad prosequendum, or other orders necessary to obtain the presence of parties or witnesses or evidence needed for court proceedings;

(17) order the exoneration or forfeiture of bonds;

(18) conduct proceedings for the collection of civil penalties of not more than $200 assessed under the Federal Boat Safety Act of 1971, in accordance with 46 U.S.C. §§ 4311(d) and 12309(c);

(19) conduct examinations of judgment debtors, in accordance with Fed. R. Civ. P. 69;

(20) impose sanctions under Fed. R. Civ. P. 11, 16, and 37, except for dismissal or contempt;

(21) authorize the withdrawal of funds from the Court's Registry;

(22) perform any additional duty that is not inconsistent with the Constitution and laws of the United States;

(23) conduct scheduling conferences pursuant to Rule 16 and enter, vacate or modify scheduling orders;

(24) accept guilty pleas in felony cases with the consent of the defendant and the United States Attorney, order a presentence investigation report, and file a report and recommendation with the District Court.

revised 04/2016

RULE 72.2 REVIEW AND APPEAL FROM MAGISTRATE JUDGES

(A) Appeal of Non-Dispositive Matters.

Any party may appeal from any order of a magistrate judge within 14 days after service of the order appealed from. Such an appeal must specifically designate the order appealed from and the basis for any objection. The appeal must be accompanied by a memorandum of law in support. Any party opposing the appeal must, within 14 days after service of the appeal, file a memorandum of law in opposition.

(B) Review of Dispositive Motions.

Any party may object to a magistrate judge's report and recommendation by filing an objection in accordance with Fed. R. Civ. P. 72(b) within 14 days after service thereof. Such objection must specifically identify the portions of the report and recommendation to which objection is made and the basis for the objection and must be accompanied by a memorandum of law in support of the objection. Any party who opposes the objection must file a memorandum of law in opposition within 14 days after service of the objection. Failure to file an objection to a report and recommendation constitutes waiver of further review of the issue.

RULE 79.1 CUSTODY AND DISPOSITION OF MODELS AND EXHIBITS

(A) Custody.

After being received into evidence, or offered and refused admission, all models, diagrams, exhibits and material forming part of the evidence in any cause pending or tried in this court, will be placed in the custody of the clerk of this court, unless otherwise ordered by the presiding judge.

(B) Removal.

All models, diagrams, exhibits or material placed in the custody of the clerk of this court must be taken away by the attorney or party if not represented by an attorney, who offered them within 60 days after the case is decided unless an appeal is taken. In all cases in which an appeal is taken, they must be taken away within 30 days after the filing of the mandate of the reviewing court which disposes of the case. At the time of removal, a detailed receipt must be given to the clerk of this court and filed in the cause. If bulky exhibits are included in the evidence received or offered, the presiding judge may order that a photograph be taken of the bulky exhibit and the photograph be placed in the record in place of the bulky item.

(C) Neglect to Remove.

If an attorney or a party, if not represented by an attorney, neglects to remove any models, diagrams, exhibits or materials within 30 days after notice from the clerk of this court, they may be sold by the clerk of this court at public or private sale or otherwise disposed of as the presiding judge may direct. If they are sold, the proceeds, less the expense of the sale, will be paid into the Registry of the Court pending further order of the presiding judge.

RULE 79.2 ACCESS TO RECORDS AND PAPERS

(A) Withdrawal of Original Documents.

No person, other than an employee of this court in the exercise of official duty, will withdraw any original pleading, paper, record, model or exhibit from the custody of the clerk of this court or other employee of this court having custody thereof, except upon written order of a judge of this court, and upon leaving a proper receipt with the clerk of this court or employee.

(B) Public Access

Electronic access to the electronic docket and to documents filed in the System is available to the public at no charge at the Clerk's Office during regular business hours. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1930. Public remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system, which charges a user fee for remotely accessing certain detailed case information. Conventional copies and certified copies of electronically filed documents may be purchased by the public at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

RULE 83.1 RULE MAKING

This court will from time to time adopt Local Rules of practice. When new Rules or amendments are proposed by the court, they will be offered for comment to the Local Rules Committee of the court. Local Rules will be adopted only after giving appropriate public notice and opportunity for comment. If emergency Rules are promulgated, they will be immediately sent to the Rules Committee for comment.

RULE 83.3 COURTROOM DECORUM

(1) During court proceedings, all attorneys may stand when speaking, unless otherwise directed by the presiding judge. All objections and comments thereon will be addressed to the presiding judge. There will be no oral confrontation between opposing counsel.

(2) During court proceedings, neither counsel nor parties may leave the courtroom without prior approval of the presiding judge.

RULE 83.5 ADMISSION TO PRACTICE

(A) Qualifications for Admission to Practice.

An attorney licensed to practice law in any state or in the District of Columbia may apply for admission to practice in this Court through PACER by completing a questionnaire and submitting a written motion for admission and a letter of good standing, dated within six months of application, from the state in which the attorney is licensed. The attorney may instead submit a motion for admission by a Central District of Illinois member in good standing. An attorney employed full time by a state, a county, or the United States may request the Court waive the admission fee.

A law student of an accredited law school or a graduate of an accredited law school awaiting bar results may, upon written motion by a Central District of Illinois member in good standing, be provisionally admitted to practice and may appear in this Court under the supervision and direction of the sponsoring attorney. The student or graduate may conduct all pretrial, trial, and post-trial proceedings, and the supervising member of the bar need not be present. The Court does not require a fee for provisional admission.

(B) Oath.

An attorney must complete the oath or affirmation as part of the attorney admission process.

(C) Admission to Practice in All Divisions.

Admission to practice in this Court includes all divisions.

(D) Reciprocal Admission.

An attorney admitted to practice in the Northern or Southern District of Illinois may apply for admission to practice in this Court through PACER. The attorney must complete a questionnaire and submit an admission certificate from the district in which the attorney is admitted and a letter of good standing, dated within six months of the application, from the state in which the attorney is licensed.

(E) Fee Assessed Upon Admission.

The Court shall advise by email that the application for admission has been accepted and the admission fee is due. Once the fee is paid, the attorney is admitted to the Central District of Illinois. The fee shall be established by the Court, in conjunction with the fee prescribed by the Judicial Conference of the United States pursuant to 28 U.S.C. § 1914.

(F) Admission Pro Hac Vice.

The Court does not permit pro hac vice admissions generally. At the discretion of the presiding judge, an attorney who is licensed to practice in any state or the District of Columbia may file a motion seeking leave to participate in a case while his or her application for admission to practice in the Central District of Illinois is pending. The application for admission must be submitted contemporaneously with the motion for leave.

(G) Unauthorized Practice.

An attorney who appears in person or by filing a pleading in this Court must be admitted to practice in accordance with this Rule. Any person who, before admission to the Central District of Illinois or during a suspension or disbarment, exercises any privileges of a member of this Court or who pretends to be entitled to do so, may be subject to discipline pursuant to Civil LR 83.6.

(H) Changes to Contact Information or Registration Status.

An attorney must update contact information (name, address, phone number, e-mail address in PACER within 14 days of the change. A change in registration status must be submitted to the Clerk within 14 days.

(I) Pro Bono Panel.

The Pro Bono Panel of this Court consists of all attorneys admitted to practice in this Court whose place of business is in the Central District of Illinois. Attorneys employed full time by the United States, the State of Illinois or a county are exempt from service on the panel. Statutory fees and expenses may be awarded to a pro bono attorney as provided by law.

An attorney appointed to represent an indigent party in a civil proceeding before this Court may petition the Court for reimbursement of expenses incurred in preparation and presentation of the proceeding, subject to the procedures and regulations contained in the Court's current plan governing reimbursement of expenses from the District Court Fund.

revised 11/2021

RULE 83.6 ATTORNEY DISCIPLINE

This court, in furtherance of its inherent power and responsibility to supervise the conduct of attorneys who are admitted to practice before it, promulgates the following Rule superseding all of its other Rules pertaining to disciplinary enforcement heretofore promulgated.

(A) Reciprocal Discipline.

When it is shown to a judge of this court that an attorney admitted to practice in the Central District of Illinois has been suspended or disbarred from practice in any other court of record, the same discipline is automatically imposed against the attorney in the Central District of Illinois. The Chief Judge will issue an order of automatic discipline to be served on the attorney by mail and also sent electronically to the attorney's email address on file. Within 30 days after the notice is postmarked or sent electronically, whichever is later, the attorney may apply to the Chief Judge to modify or vacate the discipline for good cause shown.

(B) Other Discipline.

1) When it is shown to a judge of this Court that an attorney admitted to practice in the Central District of Illinois has been guilty of conduct unbecoming a member of the bar of this Court, the attorney may be subject to suspension, disbarment, or other appropriate disciplinary action by the Court. An order to show cause will enter by the Chief Judge affording the attorney an opportunity to show good cause, within such time as the Chief Judge will prescribe, why the attorney should not be suspended, disbarred, or otherwise disciplined.

2) The order to show cause will be served on the attorney by mail to the address on file for the attorney and sent electronically to the attorney's email address on file. Upon the attorney's response to the rule to show cause, and after hearing, if requested, or upon expiration of the time prescribed for a response if no response is made, the Chief Judge will enter an appropriate order.

(C) Appointment of Counsel.

The court may appoint an attorney from its pro bono panel to prosecute its interests under this Rule.

(D) Other Sanctions.

Notwithstanding this Rule, but in supplement to it, the judges of this court may

impose sanctions against a member of the bar of this court pursuant to Fed. R. Civ. P. 16 and 37 and initiate civil or criminal contempt proceedings when appropriate.

(E) Rules of Professional Conduct.

The Rules of Professional Conduct adopted by this court are the Rules of Professional Conduct adopted by the Supreme Court of Illinois, as amended from time to time by that court, except as otherwise provided by specific Rule of this court after consideration of comments by representatives of bar associations within the state.

revised 11/2021

RULE 83.7 POSSESSION AND/OR USE OF ELECTRONIC DEVICES WITHIN THE COURTHOUSE

DEFINITION: "Electronic Devices," as used within this Rule, includes cameras, video recorders, audio recorders, cellular or digital phones, palm pilots and pda's, computers, and all similar electronic, cable, digital, computerized or other forms and methods of recording, transmitting, or communicating.

(A) PROHIBITIONS

No electronic devices will be permitted into the courthouse subject to the exceptions below. To avert delays in security screening in the lobby, those entering the courthouse are strongly urged to heed this prohibition, because such devices will not be held within the courthouse.

News media representatives wishing to conduct interviews in relation to a court case may contact the presiding judge to seek permission to bring electronic equipment into the building for that purpose. If permission is granted, the judge will designate a specific area of the courthouse where such electronic equipment may be stored and used. After the interviews are completed the equipment must be immediately removed from the courthouse.

(B) EXCEPTIONS

(1) This Rule may be suspended for naturalization or other ceremonial proceedings or otherwise as ordered by the presiding judge.

(2) Attorneys are allowed to possess and carry electronic devices within the courthouse (upon showing proper identification to court security personnel at the front desk) and in the courtrooms. However, such equipment will not be used in a courtroom without the permission of the presiding judge, and such equipment may not in any event be used to record or transmit court proceedings by audio, visual, or other means. Also, an attorney may not allow any other person (e.g., a client, whether in custody or not) to use the attorney's cell phone or other electronic device in the courthouse.

(3) This Rule does not apply to official court reporters in the performance of their official duties. Any use of recording or transcription services or equipment other than by the official court reporters must be approved by the presiding judge.

(4) This Rule does not apply to the United States Marshal, Deputy U.S. Marshals, Court Security Officers, law enforcement personnel known to Court Security Officers upon production of proper identification, and

employees of the Illinois Department of Corrections who have transported state prisoners to court.

Note: This Rule does apply to prospective jurors.

RULE 83.8 PROHIBITION OF FIREARMS IN COURTROOMS

(A) No one, except a Deputy United States Marshal acting in the scope of employment, will possess any firearm or other weapon in any courtroom of this court.

(B) Deputy United States Marshals are directed to take and secure any firearm or other weapon from anyone, including law enforcement officers, before admittance to any courtroom.

(C) Law enforcement officers, other than employees of the United States Marshal Service, may possess firearms or other weapons in a courtroom in this district only with the express authorization of the United States Marshal or his or her designee.

RULE 83.9 COURT REPORTING FEES

A current schedule of transcript fees, as established by the Judicial Conference of the United States, is posted in each office of the clerk of this court and is available from the official court reporters.

RULE 83.10 STANDING COMMITTEES

(A) Committee on Local Rules

The court will appoint a committee from the bar of the district to review and give comment on Local Rules. The committee will meet at least once a year to review the existing Rules, propose any changes, and to give comment on changes proposed by the court.

(B) Advisory Committee Under the Civil Justice Reform Act

The court will appoint a committee from the district to carry out the duties required by the Civil Justice Reform Act of 1990, 28 U.S.C. § 471 et seq. The United States Attorney, or his or her designee, will be a permanent member; other members will serve not more than four years. Members will be representative geographically and of major litigation groups within the district. At least one member will be a non-attorney.

RULE 83.11 TRANSMISSION OF PLEADINGS BY FACSIMILE NOT ALLOWED

No pleading, motion, or other document shall be transmitted to the court or the office of the clerk of the court by means of electronic facsimile.

RULE 83.12 ADVANCE PAYMENT OF FEES

Except as may now or hereafter be required or permitted by law, by direction of the Judicial Conference of the United States, or by special order of the court in exceptional circumstances, the fees required by Section 1914 of Title 28 of the United States Code will be paid to the clerk of this court in advance of filing the document or documents involved.

RULE 83.13 PAYMENT OF COSTS IN ACTIONS BY POOR PERSONS

At the time application is made under 28 U.S.C. § 1915 for leave to commence any civil action without being required to prepay fees and costs or give security for the same, the applicant and his or her attorney must enter into an agreement to be filed with the court that any recovery secured in the action will be paid into the hands of the clerk of this court, who will pay therefrom all unpaid costs taxed against the plaintiff and remit the balance to the attorney of record for the plaintiff, or to the plaintiff if unrepresented. If the attorney has filed notice with the clerk that a contingent fee contract has been entered into by the plaintiff, the balance will be paid to the plaintiff and the attorney in accordance with the order of the presiding judge.

RULE 83.14 ASSESSMENT OF JURY COSTS

If for any reason attributable to counsel or parties, including settlement, the court is unable to commence a jury trial as scheduled where a panel of prospective jurors has reported for the voir dire, or a selected jury reports to try the case, all or part of the costs of the panel, including, but not limited to, mileage, attendance fees, and per diem for each juror reporting for service, may be assessed against the parties and attorneys responsible for the court's inability to proceed. Any monies collected as a result of assessment will be paid to the clerk of this court for transmittal to the Treasury of the United States.

RULE 83.15 DISTRICT COURT FUND

The District Court assesses attorneys a special fee determined by the Court at the time of admission to practice in this Court. This fee is established in Local Rule 83.5(E) and deposited in the District Court Fund. The Fund is administered in accordance with the Plan for the Establishment and Administration of the District Court Fund and Regulations Governing Reimbursement from the District Court Fund. The Clerk of this Court is the custodian of the District Court Fund.

revised 04/2013

RULE 83.16 PRODUCTION AND DISCLOSURE OF DOCUMENTS AND TESTIMONY OF JUDICIAL PERSONNEL IN LEGAL PROCEEDINGS

(A) The purpose of the Rule is to implement the policy of the Judicial Conference of the United States with regard

(1) to the production or disclosure of official information or records by the federal judiciary, and

(2) the testimony of present or former judiciary personnel relating to any official information acquired by any such individual as part of the individual's performance of official duties, or by virtue of that individual's official status, in federal, state, or other legal proceedings.

Implementation of this Rule is subject to the regulations established by the Judicial Conference of the United States which are incorporated herein (a copy of such regulations can be obtained from the Clerk of the Court).

(B) Requests covered by this Rule include an order, subpoena, or other demand of a court or administrative or other authority, or competent jurisdiction, under color of law, or any other request by whatever method, for the production, disclosure, or release of information or records by the federal judiciary, or for the appearance and testimony of federal judicial personnel as witnesses as to matters arising out of the performance of their official duties, in legal proceedings. This includes requests for voluntary production or testimony in the absence of any legal process.

(C) This Rule does not apply to requests by members of the public, when properly made through the procedures established by the court for records or documents, such as court files or dockets, routinely made available to members of the public for inspection or copying.

(D) Any request for testimony or production of records must set forth a written statement by the party seeking the testimony of production of records containing an explanation of the nature of the testimony or records sought, the relevance of the testimony or records sought to the legal proceedings, and the reasons why the testimony or records sought, or the information contained therein, are not readily available from other sources or by other means. This explanation must contain sufficient information for the determining officer to decide whether or not federal judicial personnel should be allowed to testify or the records should be produced. Where the request does not contain an explanation sufficient for this purpose, the determining officer may deny the request or may ask the requester to provide additional information.

The request for testimony or production of records must be provided to the federal judicial personnel from whom testimony or production of records is sought at

least 14 days in advance of the time by which the testimony or production of records is to be required. Failure to meet this requirement will provide a sufficient basis for denial of the request.

(E) In the case of a request directed to a district judge, or magistrate judge, or directed to a current or former member of such a judge's personal staff, the determining officer will be the district judge or magistrate judge.

(F) In the case of a request directed to an employee or former employee of a court office, such as the office of the clerk or the probation office, the determining officer will be the unit executive of the particular office. The unit executive consults with the chief judge of the district court for determination of all proper response to a request.

(G) In the case of presentence reports:

(1) In all criminal cases in which sentence is imposed, the presentence report will be made a part of the official court record. The original report, including the recommendation to the court and statement of reasons, will be placed under seal in the record. In the event of an appeal, the report, the recommendation, and the statement of reasons will be sent to the reviewing court under separate seal.

(2) A copy of the presentence report will be made available to appellate counsel on request, under the same terms and conditions as apply to use of the report by counsel in the trial court.

CRIMINAL RULES

RULE 12.1 PLEADINGS AND MOTIONS

(A) In the event a defendant desires to file any pretrial motion, the motion supported by a brief must be filed within 21 days of arraignment, or such later time as may be set by the presiding judge.

(B) All written pleadings, motions, and other papers in a criminal case filed in this district must be signed by the attorney of record, in the attorney's individual name, whose address, telephone number, and typed name will also be stated. A defendant who is not represented by counsel must sign pleadings in the same manner.

(C) The signature of an attorney or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other paper; that, to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it will be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant.

RULE 16.1 RULE FOR PRETRIAL DISCOVERY AND INSPECTION

(A) Within 7 days after the arraignment in any criminal case, the United States Attorney and the attorney(s) for the defendant(s) will confer, and, will comply with Federal Rule of Criminal Procedure 16.

(B) If, in the judgment of the United States Attorney, it would not be in the interests of justice to make any one or more disclosures as set forth in Section (A) as requested by counsel for the defendant(s), disclosure may be declined. A declination of any requested disclosure must be in writing directed to counsel for defendant(s), and signed by the Assistant United States Attorney in charge of the prosecution, and must specify the disclosure that is declined. A defendant seeking to challenge the declination will proceed pursuant to Section (D) below.

(C) If additional discovery or inspection is sought, attorney(s) for the defendant(s) will confer with the appropriate Assistant United States Attorney within 14 days of the arraignment (or such later time as may be set by the presiding judge for the filing of pretrial motions) with a view to satisfying those requests in a cooperative atmosphere without recourse to the court. The request must be in writing, and the United States Attorney will respond in a like manner.

(D) In the event a defendant thereafter moves for additional discovery or inspection, a motion to compel discovery supported by a brief must be filed within 14 days of the arraignment (or such later time as may be set by the presiding judge for the filing of pretrial motions). It must contain:

(1) the statement that the prescribed conference was held;

(2) the date of the conference;

(3) the name of the Assistant United States Attorney with whom the conference was held; and

(4) the statement that agreement could not be reached concerning the discovery or inspection sought.

RULE 16.2 RULE FOR USE OF PRETRIAL DISCOVERY MATERIALS IN CRIMINAL CASES

The Court abrogated Criminal Local Rule 16.2 effective September 13, 2021. Former Rule 16.2 remains effective for pretrial discovery materials provided by the United States Attorney's Office on or before September 12, 2021. The previous version of this rule can be found in Local Rules effective 10/20/2017, which is available in the Local Rules Archive.

RULE 32.1 IMPLEMENTATION OF SENTENCING GUIDELINES

The following procedures are established to govern sentencing proceedings under the Sentencing Reform Act of 1984, 18 U.S.C. § 3551, et seq.

(A) The sentencing hearing in each criminal case will be scheduled by the presiding judge no earlier than 70 days following the entry of a guilty plea or a verdict of guilty.

(B) It is the obligation of a complaining party to seek resolution of disputed factors or facts through opposing counsel and the assigned probation officer prior to the sentencing hearing.

(C) The presentence investigation report, the statement of reasons in the judgment of conviction, and the probation officer's sentencing recommendation will be sealed unless otherwise directed by the presiding judge.

(D) Unless otherwise ordered by the presiding judge, the probation officer's recommendation on the sentence will not be disclosed.

(E) The presiding judge may seal any other document related to sentencing, or a party may move to seal any such document in accordance with Local Rule 49.9(A).

revised 04/2013

RULE 49.1 ELIGIBILITY, REGISTRATION, AND PASSWORDS

Each attorney admitted to practice in the Central District of Illinois and pro se party given leave of court to proceed electronically must register for electronic filing and obtain a password. Pro se parties are not required to register for electronic filing. An attorney may apply to the assigned judge for permission to file papers conventionally. Even if the assigned judge initially grants an attorney permission to file papers conventionally, however, the assigned judge may withdraw that permission at any time during the pendency of a case and require the attorney to file papers electronically using the System. If a user comes to believe that the security of an existing password has been compromised and that a threat to the System exists, the user must change his or her password immediately. Additionally, if an attorney's or pro se party's e-mail address, mailing address, telephone number, or fax number changes after he or she registers for electronic filing, he or she must file notice of this change within 14 days and serve a copy of the notice on all other parties.

revised 11/2021

RULE 49.2 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 upload it to CM/ECF, unless these Rules provide otherwise. Once it is uploaded, it is deemed electronically filed.

(C) "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."

(D) "Notice of Electronic Filing" 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 paper, which allows recipients to retrieve the paper automatically.

(E) "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.

(F) "PDF" refers to a paper that exists in Portable Document Format. A file created with a word processor, or a paper document that has been scanned, first must be converted to portable document format before it can be electronically filed. Converted files contain the extension ".pdf."

revised 11/2021

RULE 49.3 SCOPE OF ELECTRONIC FILING; SERVICE

(A) Requirements.

Unless otherwise provided by the court, all papers submitted for filing in criminal cases in this district, no matter when a case was filed originally, must be filed electronically using CM/ECF.

(B) Exceptions.

(1) All charging documents (including the complaint, information, indictment, and superseding indictment) must be filed conventionally and then uploaded by the Clerk.

(2) A non-registered pro se party or non-registered attorney of record must file paper originals of all documents, except that original documentary evidence should be filed as a paper copy, not a paper original. The Clerk will scan paper filings into an electronic file in the System and then destroy the paper filings. The official court record will be the electronic file.

(3) Juvenile criminal matters must be filed conventionally and under seal unless, after hearing, the Court Rules that the juvenile will be tried as an adult.

(4) 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.

(C) Service.

A registered user will receive electronic service of any paper filed by a registered user or a non-registered pro se party or non-registered attorney of record. In that circumstance, no certificate of service is required. A non-registered pro se party or non-registered attorney of record is entitled to a paper copy of any papers required to be served by the Federal Rules of Civil Procedure. A party filing a document that must be served on a non-registered pro se party or non-registered attorney of record must include at the time of filing, or within a reasonable time after service, a certificate of service. If a document is served, but not filed with the Court, a certificate of service may be filed but is not necessary unless ordered by the Court. The filing party is solely responsible for determining a party or attorney's registration status.

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RULE 49.6 ELECTRONIC FILING PROCEDURES

(A) Charging Documents.

All charging documents (including the complaint, information, indictment, and superseding indictment) must be filed conventionally and then uploaded by the Clerk. All such documents must comply with the privacy policy set forth by these Rules.

(B) Pleadings and Documents Other Than Charging Documents.

(1) All subsequent pleadings, including motions, applications, briefs, memoranda of law, exhibits, or other documents in a criminal case must be electronically filed on the System except as otherwise provided by these Rules.

(2) A document submitted electronically will not be considered filed for purposes of the Federal Rules of Criminal Procedure until the System-generated Notice of Electronic Filing has been sent electronically to the filing party.

(3) E-mailing a document to the Clerk's Office or to the assigned judge will not constitute "filing" of the document.

(4) A document filed electronically by 11:59 p.m. central standard time will be deemed filed on that date.

(5) If filing a document requires leave of the court, such as filing a reply brief, the filing party must attach the proposed document as an exhibit to a motion to file. If the court then grants the motion to file, the Clerk will file the attached document electronically; the filing party should not do so.

(C) Titling Docket Entries.

The party electronically filing a pleading or other document will be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the court.

(D) Filing Problems.

(1) 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. 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) Technical Problems.

(a) Technical Failures.

The Clerk's Office will deem the Central District of Illinois CM/ECF site to be subject to a technical failure on a given day if the site is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour after 10:00 a.m. that day. In the event a technical failure occurs, and despite the best efforts of the filing party a document cannot be filed electronically, the party should print (if possible) a copy of the error message received. As soon as possible, the party should file this message with a Declaration That Party Was Unable to File in a Timely Manner Due to Technical Difficulties.

(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.

RULE 49.7 ATTACHMENTS AND EXHIBITS

(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 attachments or exhibits are longer than 30 pages, a courtesy paper copy will be provided to the presiding judge's chambers.

(B) Non-Trial Exhibits.

A party may conventionally file exhibits that are not readily available in electronic form (e.g. blueprints, large maps). If possible, however, a filing party should scan a paper exhibit and file it electronically, in accordance with the size and scanning limitations set forth in these Rules. A party electronically submitting evidentiary materials to the Clerk's Office must attach an index listing each item of evidence then being filed and identifying the motion or pleading to which it relates.

(C) Trial Exhibits.

Trial exhibits will not be scanned into the electronic record unless specifically ordered by the judge presiding over the matter.

revised 03/2010

RULE 49.8 COURT RECORD AND ORDERS

(A) Official Court Record.

The Clerk's Office will not maintain a paper court file except as otherwise provided in these Rules. The official court record is the electronic file maintained by the court, supplemented with any documents or exhibits conventionally filed in accordance with these Rules.

(1) The Clerk's Office will retain all original indictments, petitions to enter plea of guilty, plea agreements, and those documents requiring the signatures of non-attorneys (such as grand jury foreperson, defendants, third-party custodians, United States Marshals, officers from Probation, and other federal officers and agents). When these documents are filed conventionally, the Clerk's Office will scan them, upload them to the System, and retain the original documents in conventional format or sealed electronic format. Signatures of judiciary and justice department officials will be redacted by the filing party and replaced with "s/ name." Signatures of jurors on verdict forms and of the foreperson on indictments will be redacted by the Clerk before scanning and uploading. The electronic document as it is maintained on the Court's servers constitutes the official version of that record.

(2) Any party filing any original document conventionally (other than those listed above) must accompany such filing with a self-addressed, postage-paid envelope. The Clerk's Office will scan and upload the document filed into the System and then return the conventional document to the filing party in the self-addressed envelope. If a party fails to submit a self-addressed, postage-paid envelope with the conventionally filed document, the Clerk's Office will discard the documents after they are scanned and uploaded to the System. The electronic document as it is maintained on the Court's servers constitutes the official version of the document.

(B) Orders

(1) Judges' Signatures.

The assigned judge or the Clerk's Office must electronically file all signed orders. Any order signed electronically has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and it had been entered on the docket conventionally.

(2) Proposed Orders.

Proposed orders must be filed as attachments to motions. A filing party moving for issuance of a writ, warrant, or summons should advise the judge that a prompt ruling is required and submit the writ, warrant, or summons in .pdf form with the proposed order. The presiding judge may request a copy of the proposed order be sent in Word or Word Perfect format (i.e., not .pdf) to the chambers e-mail address.

(3) Text-Only Orders.

The assigned judge may grant routine orders by a text-only entry upon the docket. When text-only entries are made, no separate .pdf document will issue; the text-only entry constitutes the Court's only order on the matter. The System will generate a "Notice of Electronic Filing."

RULE 49.9 SEALED CASES, DOCUMENTS FOR IN CAMERA REVIEW, AND EX PARTE DOCUMENTS

(A) Filing Under Seal.

(1) Sealed Cases.

All documents in sealed cases must be submitted conventionally to the Clerk for filing.

(2) Sealed Documents.

The Court does not approve of filing of documents under seal as a general matter. A party who has a legal basis for filing a document under seal without prior court order must electronically file a motion for leave to file under seal. The motion must include an explanation of how the document meets the legal standards for filing sealed documents. The document in question may not be attached to the motion as an attachment but rather must be electronically filed contemporaneously using the separate docket event "Sealed Document." In the rare event that the motion itself must be filed under seal, the motion must be electronically filed using the docket event "Sealed Motion."

(3) Service.

Parties must not use the Court's electronic notice facilities to serve documents in sealed cases or individually sealed documents. A publicly viewable Notice of Electronic Filing will be generated for a sealed document, but the document itself will not be viewable electronically. Service must be made in accordance with the Federal Rules of Criminal Procedure and the Local Rules of this Court. A certificate of service must be attached to the filed document or filed within a reasonable time after service.

(4) Denial of Requests to Seal.

In the event that a motion for leave to file under seal is denied, the document tendered will remain under seal, and it will not be considered by the presiding judge for any purpose. If the filer wishes to have the document considered by the Court, it must be re-filed in the normal fashion as an unsealed document. The Court may, in its discretion, order a sealed document to be made public if (1) the document is filed in disregard of legal standards, or (2) the document is so intricately connected with a pending matter that the interests of justice are best served by doing so.

(B) Documents Submitted for In Camera Review.

The Rules applicable to Sealed Documents also apply to documents submitted for in camera review.

(C) Ex Parte Submissions.

A party who has a legal basis to file a submission without giving notice to other parties should file the submission electronically as either an "Ex Parte Document" or an "Ex Parte Motion."

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RULE 49.10 ELECTRONIC SIGNATURES

(A) Signatures by Electronic Filers.

(1) Use of a log-in and password for electronic filing constitutes and has the same force and effect as the filer's signature for purposes of Fed. R. Civ. P. 11, the Local Rules of this Court, and any other purpose for which a signature may be required in connection with proceedings in this Court.

(2) Electronic filers should sign in the following manner: "s/Jane Doe." Documents signed by an attorney must be filed using that attorney's log-in and password; they may not be filed using a log-in and password belonging to another attorney.

(3) Where multiple attorney signatures are required, such as on a joint motion or a stipulation, the filing attorney may enter the "s/" of the other attorneys to reflect their agreement with the contents of the documents.

(B) Signatures by Non-Electronic Filers.

(1) If an original document requires the signature[s] of one or more persons not registered for electronic filing (e.g. settlement agreement with a pro se party, or a witness' affidavit), the filing party or its attorney must initially confirm that the content of the document is acceptable to all persons required to sign the documents. Original signatures of all non-electronic filers must be obtained before the document is filed.

(2) The filing party must either redact the original signature[s] and efile the redacted version of the document, or provide the redacted version to the Clerk's Office for scanning and electronic filing. The filed document must indicate the identity of each non-registered signatory in the form "s/Jane Doe". A certificate of Service upon all parties and/or counsel of record must be filed with the document.

(3) The filing party must retain the original document until one year after the date that the judgment has become final by the conclusion of direct review or the expiration of the time for seeking such review has passed.

(4) The electronically filed document as it is maintained on the court's servers constitutes the official version of that record. The court will not maintain a paper copy of the original document except as otherwise provided in these Rules.

(C) Disputes Over Authenticity.

Any party or non-filing signatory who disputes the authenticity of an electronically filed document or the signatures on that document must file an objection to the document within 14 days of receiving the notice that the document has been filed.

revised 03/2010

RULE 49.11 ACCESS TO RECORDS AND PAPERS

(A) Withdrawal.

No person, other than an employee of this court in the exercise of official duty, may withdraw any original pleading, paper, record, model or exhibit from the custody of the clerk of this court or other employee of this court having custody thereof, except upon written order of a judge of this court, and upon leaving a proper receipt with the clerk of this court or employee.

(B) Public Access.

(1) Electronic access to the electronic docket and to documents filed in the System is available for viewing to the public at no charge at the Clerk's Office during regular business hours. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1930. Public remote electronic access to the System for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records ("PACER") system, which charges a user fee for remotely accessing certain detailed case information. Conventional copies and certified copies of electronically filed documents may be purchased by the public at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

(2) An exception to the prohibition on general public remote access is possible in a high-profile criminal case where the demand for documents may impose extraordinary demands on the Court's resources. The Court is authorized to provide Internet access to documents filed in such a case if all parties thereto consent and the trial judge finds that such access is warranted.

(C) Conventional Copies.

Conventional copies and certified copies of electronically filed documents may be purchased by the public at the Clerk's Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

RULE 49.12 PRIVACY

(A) Redactions.

To address the privacy concerns created by Internet access to court documents, litigants must modify or partially redact certain personal data identifiers appearing in case initiating documents, pleadings, affidavits, or other papers. In addition to those set out in Fed. R. Crim. P. 49.1, these identifiers and the suggested modifications are as follows:

(1) Addresses: Use only City and State;
(2) Signatures: Use s/name; and
(3) Driver's License numbers: Use only last four numbers.

Litigants also should consider redacting or filing a motion to file under seal any document that contains information that might bring harm to anyone or should not be made public for law enforcement or security reasons.

(B) Unredacted Documents and Reference Lists.

When redactions result in a documents' intent being unclear or if ordered by the Court, the filing party must file under seal an unredacted document or a reference list. A reference list must contain the complete personal identifier(s) and the redacted identifiers(s) to be used in its (their) place in the filing. If an unredacted version is not filed, the unredacted version of the document or the reference list must be retained by the filing party for one year after completion of the case, including all appeals. Upon a showing that the redacted information is both relevant and legitimately needed, the Court may, in its discretion, order the information disclosed to counsel for all parties.

(C) Transcript Redactions.

Parties and attorneys may order transcripts. A court reporter then will file the transcripts electronically in CM/ECF. The transcript will be available for viewing at the Clerk's Office public terminal, but may not be copied nor reproduced by the Clerk's Office for a period of 90 days. A Notice of Filing of Official Transcript will be served on all parties. If any material should be redacted from a transcript, a party must file a Notice of Intent to Request Redaction within 7 days of the filing of the transcript. The responsibility for identifying material that should be redacted, in a transcript, lies solely with counsel and the parties. Within 21 days from the filing of the transcript, the parties must file under seal a Motion of Requested Redactions indicating where the material to be redacted is located, by page and line. If a party fails to follow the procedures for requesting redaction, the official transcripts will be made available electronically to the public 90 days after the transcript was initially filed with the Clerk.

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RULE 57.2 CONFIDENTIAL PROBATION RECORDS

(A) Any person seeking release of any confidential records maintained by the U.S. Probation Office, including presentence and supervision records, must file a written request with the court for such records, which establishes with particularity the need for specific information in the records.

(B) Whenever a probation officer is subpoenaed to provide confidential information, he or she will apply to the presiding judge in writing for authority to release such information or provide testimony with regard to any confidential information. No disclosure will be made except upon an order issued by the presiding judge.

(1) In all criminal cases in which sentence is not imposed under the Sentencing Reform Act of 1984, 18 U.S.C. § 3551, et seq., when the presentence report has been requested by a reviewing court in connection with the appeal of a criminal conviction or sentence, the report must be sent to the reviewing court by the United States Probation Office by registered mail. The presentence report must be accompanied by a written request that the report be returned to the submitting office when it has served the court's purpose; that it be opened and examined in camera only, and that it not be made a part of the public record.

(2) In all criminal cases in which sentence is imposed under the provisions of the Sentencing Reform Act of 1984, 18 U.S.C. § 3551, et seq., the presentence report must be made a part of the official court record. The original report, including the recommendation to the court, must be placed under seal in the record. In the event of an appeal, the report and recommendation must be sent to the reviewing court under separate seal.

(3) A copy of the presentence report must be made available to appellate counsel on request, under the same terms and conditions as apply to use of the report by counsel in the trial court.

RULE 57.3 APPEARANCES IN CRIMINAL CASES

No attorney may appear on behalf of a criminal defendant unless the attorney is admitted to practice in this court and has filed a written entry of appearance in the case.

RULE 58.2 FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE

Except as hereinafter provided, a person who is charged with an infraction as defined in 18 U.S.C. § 19, and which is specifically listed in a schedule published by order of this court pursuant to this Rule, may, in lieu of appearance, post collateral in the amount specified in such schedule for the offense, waive appearance before a United States magistrate judge, and consent to forfeiture of the collateral as the fixed sum payment referred to in Rule 58(d) of the Federal Rules of Criminal Procedure.

If in the discretion of the law enforcement officer the offense is of an aggravated nature, the law enforcement officer, notwithstanding any other provision of this Rule, may, in the violation notice, require appearance, and any punishment established by law, including fine, imprisonment or probation, may be imposed upon conviction. Nothing contained in this Rule will prohibit a law enforcement officer from arresting a person for the commission of any offense, including those for which collateral may be posted and forfeited, and taking that person immediately before a United States magistrate judge or requiring the person charged to appear before a United States magistrate judge, as provided in the Federal Rules of Criminal Procedure.

BANKRUPTCY RULES

RULE 4.1 REFERENCE IN TITLE 11 CASES

All cases under Title 11, United States Code, and any or all proceedings arising under Title 11 or arising in or related to a case under Title 11 are referred to by the bankruptcy judges for the district.

RULE 4.2 JURY TRIAL PROCEDURES IN BANKRUPTCY COURT

The following procedures may apply to jury trials conducted by the bankruptcy court in this district.

(A) Designation of Bankruptcy Judges to Conduct Jury Trials.

In bankruptcy cases filed on or after October 22, 1994, if the right to a jury trial applies in a proceeding that may be heard by a bankruptcy judge, the bankruptcy judges of this district are specially designated to exercise such jurisdiction, upon the express consent of all the parties, and upon compliance with all of the terms and conditions set forth in this Rule.

(B) Trial by Jury.

Issues triable of right by jury will, if timely demanded, be by jury, unless the parties or their attorneys of record, by written stipulation filed with the court or by an oral stipulation made in open court and entered in the record, consent to trial by the court sitting without a jury.

(C) Demand.

(1) Time; Forum.

Any party may demand a trial by jury of any issue triable by a jury by serving on the other parties a demand therefor in writing not later than 14 days after service of the last pleading directed to such issue. The demand may be endorsed on a pleading of the party. When a jury trial is demanded, it must be designated by the clerk in the docket as a jury matter.

(2) Specification of Issues.

In the demand, a party may specify the issues to be so tried; otherwise, the demand will be deemed a demand for trial by jury of all the issues so triable. If the demand for trial by jury is directed to some of the issues, any other party, within 14 days after the service of the demand, or such lesser time as the court may order, may serve a demand for trial by jury of other or all of the issues.

(3) Determination by Court.

On motion, or on its own initiative, the presiding judge may determine whether there is a right to trial by jury of the issues for which a jury trial is demanded or whether a demand for trial by jury will be granted.

(D) Waiver and Withdrawal.

The failure of a party to serve a demand as required by this Rule and to file it as required by Federal Rule of Bankruptcy Procedure 5005, constitutes a waiver of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the consent of all parties and the approval of the court.

(E) Trial by the Court.

Issues not demanded for trial by jury will be tried by the court.

(F) Applicability of Certain of the Federal Rules of Civil Procedure.

Federal Rules of Civil Procedure 47 through 51 will apply when a jury trial is conducted pursuant to this Rule.

APPENDIX TO RULES

1. Form of Pretrial Order - Civil

2. Form of Pretrial Order - Prisoner

FORM OF PRE-TRIAL ORDER: CIVIL

NOTE TO LITIGANTS: DO NOT FILL IN BLANKS ON THESE SHEETS. USE AS A GUIDE IN DRAFTING, AS YOU WOULD A FORM BOOK.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

Plaintiff	)	
	)	
vs.	)	CASE NO.
	)	
Defendant	)	

PRE-TRIAL ORDER

This matter having come before the Court at a pre-trial conference held pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16.1; and

_____ having appeared as counsel for the plaintiff(s), or

the plaintiff having appeared pro se, and

_____ having appeared as counsel for the defendant(s),

(The listing of parties must be complete and appearances must show the individuals who were actually present.)

the following action was taken:

I. NATURE OF ACTION AND JURISDICTION

This is an action for _____ and the jurisdiction of the Court is invoked under_____. The jurisdiction of the Court is not disputed.

II. JOINT STATEMENT

A. JURISDICTION

B. UNCONTESTED ISSUES OF FACT

C. CONTESTED ISSUES OF FACT

D. CONTESTED ISSUES OF LAW

E. JURY DEMAND

III. PLAINTIFF'S STATEMENT

A. ITEMIZED STATEMENT OF DAMAGES

IV. WAIVER OF CLAIMS OR DEFENSES
(OR JURY DEMAND)

(If nothing is waived, leave this section out.)

V. EXHIBITS ATTACHED

The following are attached as exhibits to this order and are made a part hereof:

A. Stipulation of Uncontested facts and issues of law (signed by all parties).

B. Plaintiff's Witness List (for each plaintiff).

C. Defendant's Witness List (for each defendant).

D. Plaintiff's Exhibit List (for each plaintiff).

E. Defendant's Exhibit List (for each defendant).

F. Joint Exhibit List.

G. Proposed Jury Instructions (Joint) (or Findings and Conclusions).

H. Plaintiff's Proposed Instructions (only if objections by defendant).

I. Defendant's Proposed Instructions (only if objections by plaintiff).

VI. GENERAL ADDITIONAL

The following additional action was taken:

[Recite amendments to pleadings, additional agreements of the parties on the qualifications of expert witnesses or any other subject, disposition of motions at the conference, etc., if necessary. If no such action was taken, leave this paragraph out of the Order.]

IT IS UNDERSTOOD BY THE PARTIES THAT:

The plaintiff(s) is (are) limited to _____ expert witnesses whose names and qualifications have been disclosed to the defendant(s). The defendant(s) is (are) limited to _____ expert witnesses whose names and qualifications have been disclosed to the plaintiff(s).

[This paragraph does not refer to treating or examining physicians or other highly trained witnesses who have actual knowledge of the case. It should be left out if no expert witnesses have been listed.]

Any Trial Briefs or Motions in limine must be filed as directed by the Court but in no event less than 14 days prior to trial. [Leave out if no trial briefs will be used.]

A party may supplement a list of witnesses or exhibits only upon good cause shown in a motion filed and served upon the other parties prior to trial; except that, upon the development of testimony fairly shown to be unexpected, any party may, with leave of court, call such contrary witnesses or use such exhibits as may be necessary to counter the unexpected evidence, although not previously listed, and without prior notice of any other party.

It is mutually estimated that the length of trial will not exceed ____ full days. The case will be listed on the trial calendar to be tried when reached.

Once a final version of this order has been approved by the Court, it may be modified at the trial of the action, or prior thereto, only to prevent manifest injustice. Such modification may be made either on motion of counsel for any party or on the Court's own motion.

[The foregoing three paragraphs must be contained in every order.]

Any additional proposed jury instructions shall be submitted to the Court within five days before the commencement of the trial, but there is reserved to counsel for the respective parties the right to submit supplemental proposals for instructions during the course of the trial or at the conclusion of the evidence on matters that could not reasonably have been anticipated.

[This paragraph should be left out in a non-jury case.]

IT IS SO ORDERED.

_____
JUDGE

ENTERED: _____

APPROVED AS TO FORM AND SUBSTANCE:

_____
Attorney for the Plaintiff(s)

_____
Attorney for the Defendant(s)

EXHIBIT LIST FOR PLAINTIFF/DEFENDANT/JOINT

(One for Each)

Counsel reminded to review Local Rule 5.11 regarding redactions.

Case Name:	Case No:	Page ____ of ____

No:	Description	Admit Without Objection	Authentication Waived	Objection

WITNESS LIST FOR PLAINTIFF/DEFENDANT
(One for Each)

Counsel reminded to review Local Rule 5.11 regarding redactions.

Case Name:	**Case No:**	**Page ____ of ____**

Witness Name	Address (City and State Only)	Expert	Adverse

FORM OF PRE-TRIAL ORDER: PRISONER

NOTE TO LITIGANTS: DO NOT FILL IN BLANKS ON THESE SHEETS. USE THIS DOCUMENT AS A GUIDE IN DRAFTING YOUR PRETRIAL ORDER. IF THE PLAINTIFF IS PROCEEDING PRO SE, THE DEFENDANTS ARE REMINDED THEY BEAR THE RESPONSIBILITY FOR PREPARING THE JOINT PRETRIAL ORDER PURSUANT TO LOCAL RULE16.3(I)(3).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

Plaintiff	)	
	)	
vs.	)	CASE NO.
	)	
Defendant	)	

PRE-TRIAL ORDER

This matter having come before the Court at a pre-trial conference held pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16.3; and

_____ having appeared as counsel for the plaintiff(s), or

the plaintiff having appeared pro se, and

_____ having appeared as counsel for the defendant(s),

(The listing of parties must be complete).

the following action was taken:

I. NATURE OF ACTION

This is an action brought pursuant to 42 U.S.C. § 1983 for violations of the (i.e. list specific constitutional amendments) and violations of (if any other claims). The jurisdiction of the Court is invoked under Section 28 U.S.C. § 1331 and 28 U.S.C. § 1343. The jurisdiction of the Court is not disputed.

The plaintiff alleges (brief statement of case).

II. JOINT STATEMENT

A. JURISDICTION

B. UNCONTESTED ISSUES OF FACT

C. CONTESTED ISSUES OF FACT

D. CONTESTED ISSUES OF LAW

E. JURY DEMAND

III. PLAINTIFF'S STATEMENT

A. ITEMIZED STATEMENT OF DAMAGES

IV. WAIVER OF CLAIMS OR DEFENSES
(OR JURY DEMAND)

(If nothing is waived, leave this section out.)

V. EXHIBITS ATTACHED

The following are attached as exhibits to this order and are made a part hereof:

A. Stipulation of Uncontested facts and issues of law (signed by all parties).

B. Plaintiff's Witness List (for each plaintiff).

C. Defendant's Witness List (for each defendant).

D. Plaintiff's Exhibit List (for each plaintiff).

E. Defendant's Exhibit List (for each defendant).

F. Joint Exhibit List.

*G. Proposed Jury Instructions (Joint) (or Findings and Conclusions).

*H. Plaintiff's Proposed Instructions (only if objections by defendant).

*I. Defendant's Proposed Instructions (only if objections by plaintiff).

* Unless otherwise ordered by the Presiding Judge.

VI. GENERAL ADDITIONAL

The following additional action was taken:

1. The testimony of the following inmate witnesses is necessary for trial. The Clerk is directed to issue a Video Writ for the following inmate witnesses to appear by video conferencing:

   Inmate Name Inmate No. Current Correctional Center

2. The testimony of the following IDOC employees is necessary for trial. The defendants are ordered to produce these witnesses for trial.

   a) The following IDOC employees will appear by video conferencing. The Clerk is to directed to issue a Video Writ for their appearance during the trial:

      Name Title Current Correctional Center

   b) The defendants will produce the following IDOC employees to testify in person at trial:

      Name Title Current Correctional Center

3. The testimony of the following witnesses who are neither inmates nor employees is necessary for trial. The Clerk is directed to issue trial subpoenas for the following. The plaintiff must provide the witness fee and mileage fee to the witness.

[Recite amendments to pleadings, additional agreements of the parties on the qualifications of expert witnesses or any other subject, disposition of motions at the conference, etc., if necessary. If no such action was taken, leave this paragraph out of the Order.]

IT IS UNDERSTOOD BY THE PARTIES THAT:

The plaintiff(s) is (are) limited to _____ expert witnesses whose names and qualifications have been disclosed to the defendant(s). The defendant(s) is (are) limited to _____ expert witnesses whose names and qualifications have been disclosed to the plaintiff(s).

[This paragraph does not refer to treating or examining physicians or other highly trained witnesses who have actual knowledge of the case. It should be left out if no expert witnesses have been listed.]

Any Trial Briefs or Motions in limine shall be submitted no later than fourteen (14) days prior to the commencement of the trial. [Leave out if no trial briefs will be used.]

A party may supplement a list of witnesses or exhibits only upon good cause shown in a motion filed and served upon the other parties prior to trial; except that, upon the development of testimony fairly shown to be unexpected, any party may, with leave of court, call such contrary witnesses or use such exhibits as may be necessary to counter the unexpected evidence, although not previously listed, and without prior notice of any other party.

It is mutually estimated that the length of trial will not exceed ____ full days. The case will be listed on the trial calendar to be tried when reached.

This pre-trial order may be modified at the trial of the action, or prior thereto, to prevent manifest injustice. [Such modification may be made either on motion of counsel for any party or on the Court's own motion.]

[The foregoing three paragraphs must be contained in every order.]

Any additional proposed jury instructions shall be submitted to the Court within five days before the commencement of the trial, but there is reserved to the respective parties the right to submit supplemental proposals for instructions during the course of the trial or at the conclusion of the evidence on matters that could not reasonably have been anticipated.

[This paragraph should be left out in a non-jury case.]

IT IS SO ORDERED.

_____
JUDGE

ENTERED: _____

APPROVED AS TO FORM AND SUBSTANCE:

_____
Attorney for the Plaintiff(s)

_____
Attorney for the Defendant(s)

EXHIBIT LIST FOR PLAINTIFF/DEFENDANT/JOINT
(One for Each)

Parties reminded to review Local Rule 5.11 regarding redactions.

Case Name:	**Case No:**	**Page ____ of ____**

No:	Description	Admit Without Objection	Authentication Waived	Objection

WITNESS LIST FOR PLAINTIFF/DEFENDANT
(One for Each)

Parties reminded to review Local Rule 5.11 regarding redactions.

Case Name:	Case No:	Page ____ of ____

Witness Name	Address (City and State Only)	Expert	Adverse