

**Redline of Changes to Central District Local Rules
Proposed to Become Effective June 1, 2024**

**CHAPTER I
LOCAL CIVIL RULES**

L.R. 5-3 Serving Documents. Unless service is governed by F.R.Civ.P. 4, documents must be served as follows:

L.R. 5-3.1 Service of Documents Not Filed Electronically.

L.R. 5-3.1.1 Service. Documents presented to the Clerk for filing or lodging pursuant to L.R. 5-4.2 either in paper format or through the Court's Electronic Document Submission System pursuant to L.R. 5-4.2 must be served in accordance with F.R.Civ.P. 5. All documents served under this L.R. 5-3.1.1 must be accompanied by a proof of service in the form required by L.R. 5-3.1.2.

L.R. 5-4 Filing Documents.

L.R. 5-4.1 Electronic Filing in Civil Cases. Throughout these Local Rules, the terms “electronic filing,” “electronically filed,” and “filed electronically” refer to the submission of documents for filing through the Court’s CM/ECF System. Except as provided in L.R. 5-4.2, all documents filed in civil cases must be filed electronically ~~using the Court’s CM/ECF System.~~ Neither ~~S~~ending a document to the Court by email nor submitting a document through the Court’s Electronic Document Submission System does not constitute an electronic filing. To file documents using the CM/ECF System, an attorney must obtain an individual account login and password from the federal judiciary’s national Public Access to Court Electronic Records (“PACER”) system (www.pacer.gov) and link this account to the Court’s CM/ECF System. After the attorney’s PACER account has been linked to the Court’s CM/ECF System, the attorney must use the PACER-issued login and password to file documents through the Court’s CM/ECF System.

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L.R. 5-4.2 Exceptions to Electronic Filing in Civil Cases. Documents exempted from electronic filing pursuant to one of the subsections listed

below ~~shall~~must be presented to the Clerk for filing or lodging ~~in paper format as required below. , and shall~~All documents must comply with the requirements of L.R. 11 and all other applicable Local and Federal Rules.

- (a) *Exemptions for Particular Filers.* The following filers are exempt from the requirement to file documents electronically:
- (1) *Pro Se Litigants.* Unless otherwise ordered by the Court (~~see L.R. 5-4.1.1~~), pro se litigants ~~shall continue to may~~ present ~~all~~ documents to the Clerk for filing ~~either~~ in paper format or through the Court's Electronic Document Submission System. Documents in paper format received by the Clerk from pro se litigants under this rule will be scanned by the Clerk into the CM/ECF System. Once scanned, the original documents will be destroyed.
 - (2) *Other Exceptional Cases Involving Unregistered Filers.* For good cause shown, the Court may grant an exemption from the obligation to file electronically to an attorney who is not registered to file documents through the CM/ECF System. Any such exemption will not exceed one calendar year, but may be renewed upon good cause shown. If an attorney granted such an exemption thereafter registers to file documents through the CM/ECF System, that registration will abrogate any exemption granted under this rule. Documents presented for filing by an attorney granted an exemption under this rule must be presented to the Clerk for filing in paper format. Such Documents received by the Clerk from an attorney granted an exemption pursuant this rule will be scanned by the Clerk into the CM/ECF System. Once scanned, the original documents will be destroyed.
- (b) *Documents Excluded from Electronic Filing.* The following documents are excluded from the electronic filing requirement of L.R. 5-4.1:
- (1) *Nonpaper Exhibits.* Nonpaper physical exhibits may not be filed at any time or in any format. Such exhibits must either be lodged with the Clerk under L.R. 11-5.1 (if

submitted as an exhibit to a document) or submitted under L.R. 79-3 or 79-4 at the time of a trial or hearing.

- (2) *Oversized Paper Exhibits.* Any exhibit on a sheet of paper that is too large or irregularly shaped to be scanned into PDF format may not be filed. It must either be lodged with the Clerk in paper format under L.R. 11-5.4 (if submitted as an exhibit to a document) or submitted under L.R. 79-3 or 79-4 at the time of a trial or hearing.
- (3) *Under-Seal and Other Documents Excluded from the Public Case File.* Documents filed under seal or otherwise excluded from the public case file (such as documents filed pursuant to L.R. 5.2-2.2) ~~shall~~ must be filed electronically if required by L.R. 79-5. Otherwise, such documents ~~shall~~ must be filed in paper form, in accordance with the Federal Rules of Civil and Criminal Procedure and the Local Rules of this Court, unless the filer is permitted to submit the documents through the Court's Electronic Document Submission System under L.R. 5-4.2(a)(1).
- (4) *Other Exceptions.* For good cause shown, the Court may permit a particular document or exhibit to be filed or lodged in paper format, rather than electronically. If permission to file or lodge a document or exhibit in paper format is obtained, the document or exhibit shall be filed or lodged in compliance with L.R. 11-4. Unless the filer is exempted from electronic filing pursuant to L.R. 5-4.2(a), the filer shall first file electronically a Notice of Manual Filing or Lodging describing the document or exhibit being filed or lodged in paper format, and present a copy of the Notice of Manual Filing or Lodging, together with its NEF (see L.R. 5-3.2.1), with the document to be filed or lodged.

L.R. 11-3 Documents Presented to the Court - Form and Format

L.R. 11-3.1 Legibility. All pleadings, motions, affidavits, declarations, briefs, points and authorities, and other documents,

including all exhibits thereto (hereinafter collectively referred to as “documents”), presented for filing or lodging with the Clerk shall be typewritten or printed, or prepared by a photocopying or other duplicating process that will produce clear and permanent copies equally legible to printing, in black or dark blue ink. Handwritten documents presented for filing by prisoners without access to ink pens and prepared using a pencil will be accepted for filing if legible.

CHAPTER III LOCAL CRIMINAL RULES

L.Cr.R. 49-1.2 Exceptions to Electronic Filing in Criminal Cases. Documents exempted from electronic filing pursuant to one of the subsections listed below shall be presented to the Clerk for filing or lodging in paper format, and shall comply with the requirements of L.R. 11 and all other applicable Local and Federal Rules.

- (b) *Documents Excluded from Electronic Filing.* The following documents are excluded from the electronic filing requirement of Local Criminal Rule 49-1.1:
 - (3) *Under-Seal and In-Camera Documents, and Other Documents Excluded from the Public Case File.* Applications and proposed orders to seal or file in camera, along with the document for which protection is sought, and any documents for which under-seal or in-camera filing is authorized by statute, rule, or prior court order must be presented for filing in paper form. If the title of a document to be filed under seal contains confidential information that should not be reflected on the public docket, the document should be submitted with a cover sheet that uses a generic title like “SEALED APPLICATION,” “SEALED MOTION,” “SEALED PROPOSED ORDER,” OR “SEALED DOCUMENT” rather than the actual title of the document. Unless the documents are subject to L.Cr.R. 49-1.2(b)(4), or the Court orders otherwise, the original and the judge’s copy of the documents must be submitted for filing in separate sealed envelopes, with a copy of the title page attached to the front of each envelope, and must be accompanied by a PDF version of the documents on a CD.

Other documents excluded from the public case file pursuant to L.Cr.R. 49.1-2 shall not be filed electronically, but shall be filed, if appropriate, as otherwise provided in the Local Rules of this Court, and in accordance with the Federal Rules of Civil and Criminal Procedure.