

# United States District Court

Eastern District of Missouri  
Thomas F. Eagleton U.S. Courthouse  
111 South 10<sup>th</sup> Street  
St. Louis, Missouri 63102

Gregory J. Linhares  
Clerk of Court

314-244-7900

## PUBLIC NOTICE OF PROPOSED AMENDMENTS TO LOCAL RULES

**Date:** September 5, 2019  
**Contact:** Gregory J. Linhares, Clerk of Court, (314) 244-7890

The United States District Court for the Eastern District of Missouri is issuing proposed local rules for public comment. To read them, go to <http://www.moed.uscourts.gov>, contact the Office of the Clerk at the number above or via e-mail at [greg\\_linhares@moed.uscourts.gov](mailto:greg_linhares@moed.uscourts.gov), or visit the Eagleton Courthouse (address above) or Limbaugh Courthouse at 555 Independence Street, Cape Girardeau, MO 63703. Clean and track changes versions of the rules are available.

In addition to the proposals noted below, Local Rules will be identified by Local Rule (Federal Rule). For example, 5-2.01 is now Local Rule 2.01 (FRCP 5). Hyperlinks have been added, references to *pro se* litigants are reflected as self-represented litigants, and minor grammar/style changes have been made. A summary of the changes is provided below. The proposed effective date for these changes is November 1, 2019. Public comment is open through October 5, 2019. Comments should be provided in writing to the Clerk of Court via e-mail or regular mail. They will be considered by the Court after the public comment deadline. The Court thanks the Federal Practice Committee for their diligent work on these proposals.

### ***Local Rule 2.01 (FRCP 11) Files and Filing***

A standard font has been set for all pleadings filed with the Court.

Modifications were made to the signature block format to include email address and Eastern District of Missouri registration number (state bar number followed by the applicable issuing state; e.g. #12345(MO) as set forth in the Court's CM/ECF Procedures Manual).

### ***Local Rule 2.03 (FRCP 81) Cases Removed to the District Court***

The state court docket sheet shall be included with pleadings filed in all removal cases.

### ***Local Rule 2.09 (FRCP 3) Disclosure of Organization Interests***

Disclosure of Organization Interests Certificate shall be filed within ten (10) days of initial pleading or entry of appearance rather than having to be filed at the same time as the initial pleading.

***Local Rule 2.11 (FRCP 11) Signatures on Electronic Filings***

A document created for litigation and signed by person(s) other than the attorney of record must be physically signed. The requirement that a paper copy be retained by the filing attorney is eliminated.

***Local Rule 2.15 (FRCP 83) Procedures for Electronic Filing***

The Court's adopted procedures governing electronic case filing, formerly known as the Administrative Procedures Manual, shall be referenced as the CM/ECF Procedures Manual.

***Local Rule 2.17 (FRCP 5) Redaction of Personal Data Identifiers***

An unredacted copy of a document or reference sheet is no longer required, but may be requested by the Court, if needed.

***Local Rule 3.03 (FRCP 33) Interrogatories, Documents Requests and Requests to Admit***

Documents Requests and Requests to Admit are newly added to this rule. With discovery provided to the parties electronically, the allotted space for the response is not necessary.

***Local Rule 4.01 (FRCP 7) Motions and Memoranda***

Modification to this rule changes the response deadline for most non-dispositive motions from seven (7) to fourteen (14) days and any reply memorandum from seven (7) to ten (10) days. The Response in Opposition deadline to a motion for extension of time remains at seven (7) days. If a motion is filed by consent or is unopposed, the motion shall so state for immediate consideration by the Court.

Additional edits were made to clarify the required filings for Motions for Summary Judgment.

***Local Rule 6.01(FRCP 16) Mediation and Early Neutral Evaluation***

***Local Rule 6.02 (FRCP 16) Referral to Alternative Dispute Resolution and Duties of Participants; Appointment of Counsel***

***Local Rule 6.03 (FRCP 16) Certification of Neutrals***

***Local Rule 6.05 (FRCP 16) Reporting Requirements***

In addition to minor formatting changes, numerous changes were made to Local Rules for Alternative Dispute Resolution (ADR), moving large segments of the Court's Order Referring Case to ADR to the Local Rules themselves. Upon approval of the proposals, counsel should note changes to the Court's ADR Orders after the effective date of the Local Rules.

The deadline for filing a report of settlement as a result of an ADR referral is extended from fourteen (14) to thirty (30) days after conclusion of conference.

A conflict of interest for an assigned neutral shall be reported within five (5) days of learning the basis for possible disqualification.

***Local Rule 12.01 (FRCP 83) Attorney Admissions***

Procedure for admissions will require a certificate of service dated within thirty (30) days of application in order to be considered current.

The Eastern District of Missouri registration number for attorneys is the state bar number followed by the applicable state; e.g. #12345(MO).

In order to improve participation in the Court's attorney panel for civil appointments, a number of changes are proposed: a) mentor panel for attorneys taking civil case appointments is established; b) attorneys taking civil cases may be excused from subsequent civil appointments for a period of one year after disposition of the prior civil appointment; and c) self-represented litigants in civil cases may be limited to one appointed counsel per case, absent extraordinary circumstances.

***Local Rule 12.04 (FRCP 83) Former Clerks***

A former law clerk is prohibited from serving as counsel of record in any action wherein the cause of action was pending with the employing judge during the former law clerk's tenure with the Court.

***Local Rule 12.06 (FRCP 83) Appointed Counsel's Fees and Expenses in Civil Cases***

If consistent with all applicable ethical rules, an appointed attorney may notify the Court, in writing, if a self-represented litigant becomes able to afford counsel.

***Local Rule 13.02 (FRCP 83) Use of Photographic, Recording and Communication Equipment***

Authorization for noted equipment can be approved by a judge in any courtroom or adjacent area. The reference to specified proceedings was eliminated.