

MODIFICATIONS TO LOCAL RULES

Date	Rule
January 3, 2022	Civil L.R. 3. Commencing an Action. Modification specifies procedures for assigning related actions, the obligation on the parties to bring related cases to the court’s attention and the opportunity to challenge the designation or non-designation of cases as related. Committee Comment: Removed. Committee Comment: Rewritten.
January 3, 2022	Civil L.R. 7. Form of Motions and Other Papers. Modification allows the Court to take adverse action if the Court construes the party’s lack of response as an “intent to abandon suit or as meriting a sanction.” Committee Comment: Rewritten.
January 3, 2022	Civil L.R. 7.1(e). Withdrawal as Counsel. Rule added. Committee Comment: Added.
January 3, 2022	Civil L.R. 56. Summary Judgment. Modification allows the Court to take adverse action if a party fails to comply with the requirements in the rule. Paragraphs reordered. Committee Comment revised: “Civil L. R. 56(b)(910)”
October 29, 2021	Criminal L.R. 16(a)(3). Expanded Discovery Policy. Editorial correction. Term “open file materials” replaced with “expanded discovery materials.”
May 1, 2021	Criminal L.R. 5. Reminder of <u>Brady</u> Obligations. Rule added.
December 1, 2020	General L.R. 84. Law Student Practice. Rule added. Committee Comment added.
October 1, 2020	Criminal L.R. 12. Pretrial Conferences; Motions; Evidentiary Hearings; Expanded Discovery Policy. Language added for clarification. “Expanded Discovery Policy” substituted for “open file policy.”

	<p>Criminal L.R. 12.4. Disclosure Statement. Language modified from “nongovernmental party” to “nongovernmental corporate party.”</p> <p>Criminal L. R. 12.4(c). Form. Deleted.</p> <p>Criminal L.R. 16. Discovery and Inspection. “Expanded Discovery” substituted for “open file policy.” Committee Comment added.</p> <p>Criminal L.R. 16.1. Pretrial Discovery Conferences. New Rule corresponds to Fed. R. Crim. P. 16.1 that became effective December 1, 2019. Sets forth a list of items to be discussed at the scheduling conference. Committee Comment added.</p>
<p>May 11, 2020</p>	<p>Civil L.R. 56(b)(1)(C)(i). Moving Party’s Principal Materials in Support of Motion. Language added to clarify that each numbered paragraph shall contain a single material fact.</p> <p>Civil L.R. 56(b)(2)(B)(ii). Opposing Party’s Materials in Opposition. Language added to clarify that each numbered paragraph shall be limited to one material fact.</p>
<p>January 16, 2020</p>	<p>Civil L. R. 16(a). Preliminary Pretrial Conferences. Language added to clarify that unless ordered by the judge certain categories of cases listed in Fed. R. Civ. 26(a)(1)(B)(i)-(ix) are exempted from the scheduling and planning requirements.</p>
<p>September 3, 2019</p>	<p>General L. R. 79(d). Confidential Matters; Restricted Records; Sealed Records. Modification creates a category of confidential documents for which access is restricted to the Court and counsel for the parties.</p> <p>Civil L. R. 5. Service of Papers Through the Court’s Electronic Transmission Facilities. Committee Comment deleted. Fed. R. Civ. P. 5(b)(2)(E) was amended to provide that service is to be made through ECF. The Committee Comment is no longer necessary.</p>

	<p>Civil L. R. 7(k). Notice of Supplemental Authority. Rule added. Committee Comment added.</p> <p>Civil L.R. 33. Interrogatories. Modification eliminates the "grouping" of parties represented by same counsel.</p> <p>Civil L. R. 36. Requests for Admission. Limitation of 50 written requests for admission added.</p> <p>Civil L. R. 41(c). Dismissal for Lack of Diligence. The language "Any affected party may petition for reinstatement of the action within 21 days" has caused confusion as to its meaning and ambiguity about when judgment should be entered. The language has been deleted.</p> <p>Civil L. R. 62. Supersedeas Bonds. Rule deleted. Fed. R. Civ. P. 62(b) was amended, and the stay procedures of Rule 62 were revised. All references to the term "supersedeas bond" were removed. As such, our local rule has become a nullity.</p>
July 21, 2016	<p>General L. R. 79(c). Withdrawal of Materials in Court Files.</p> <p>Committee Comment: New comment added.</p>
September 9, 2015	<p>General L. R. 79(d). Confidential Matters; Sealed Records. General L. R. 79(d)(3): "[M]ust" substituted for "shall."</p> <p>General L. R. 79(d)(5): Minor typographic changes. Changes to conform to Local Rule style.</p> <p>Civil L. R. 3. Commencing an Action. Committee Comment to new Civil L. R. 3(d): Minor typographic changes.</p> <p>Civil L. R. 16. Pretrial Conferences; Scheduling; Management; Alternative Dispute Resolution. Committee Comment: New; Revised to include December 1, 2015, effective date.</p> <p>Civil L. R. 26. Duty to Disclose; General Provisions Governing Discovery. Civil L. R. 26(e): Confidentiality of Discovery Materials: Minor typographic changes.</p>

	<p>Protective Order Template: Re-written and relocated as an Appendix to the Local Rules. “Order” substituted for “R/rule.”</p> <p>Committee Comment: Third paragraph of original comment deleted. Paragraphs reordered.</p> <p>Civil L. R. 37. Discovery Motions. Committee Comment: New. Revised to include December 1, 2015, effective date.</p> <p>Civil L. R. 67. Security; Deposit Into Court; Withdrawal of Monies; Registry Fee. Civil L. R. 67(c). Deposit of Monies. Minor typographic changes.</p> <p>Committee Comment: Minor typographic changes.</p> <p>Criminal L. R. 12. Pretrial Conferences; Motions; Evidentiary Hearings; Open File Policy. Criminal L. R. 12(a)(1). Pretrial Conferences: Fed. R. Crim. P. 12(e) Criminal L. R. 12(b)(5): Re-designated as Criminal L. R. 12(b)(4).</p>
<p>December 9, 2014</p>	<p>General L. R. 5(a). General Format of Papers Presented for Filing. General L. R. 5(a)(2): New provision to exempt pro se litigants from the electronic filing requirements of General L. R. 5(a)(1) and permit filing of original paper.</p> <p>General L. R. 5(a)(2)-(6): Re-designated as General L. R. 5(a)(3)-(7).</p> <p>General L. R. 79(d). Confidential Matters; Sealed Records. General L. R. 79(d): Rewritten.</p> <p>Committee Comment: “Counsel may, and in most circumstances should submit a redacted version of the document, with a separate request to seal the portions containing confidential material.”</p> <p>General L. R. 83(b). Appearing Before the Court. General L. R. 83(b): “This requirement does not apply to attorneys appearing pursuant to Fed. R. Civ. P. 45(f).”</p> <p>Civil L. R. 3. Commencing an Action.</p>

Civil L. R. 3(c). Bankruptcy Appeals: New provision.

Civil L. R. 3(d). Social Security Disability Appeals: New provision.

Committee Comment regarding Civil L. R. 3(d): New.

Civil L. R. 10. Form of Pleadings. Civil L. R. 10(c): Pseudonyms: ~~“The envelope in which the disclosure statement is filed must state prominently that the enclosed disclosure statement is being filed under seal pursuant to Civil L. R. 10.~~ Instructions for filing the material under seal are set forth in the Electronic Case Filing Policies and Procedures Manual, which may be found on the official website of the United States District Court for the Eastern District of Wisconsin.”

Civil L. R. 16. Pretrial Conferences; Scheduling; Management; Alternative Dispute Resolution. Civil L. R. 16(a)(H): New provision to direct parties to be prepared to discuss whether the case is included in one of the categories of proceedings exempted from initial disclosures and discovery conference pursuant to Fed. R. Civ. P. 26(a)(1)(B) and 26(f); and to indicate that appeals for review on an administrative record are exempted from Civil L. R. 16(C),(D) and (E).

Civil L. R. 16(a)(H): Re-designated Civil L. R. 16(a)(I).

Civil L. R. 26. Duty to Disclose; General Provisions Governing Discovery. Civil L. R. 26(b)(1): “Unless otherwise stipulated or ordered by the Court.”

Civil L. R. 26(b)(1)(B): “Fed. R. Civ. P. 26(a)(2)(B)(C)(i), ~~although a report written and signed by the witness is not required.~~”

Civil L. R. 26(e) Confidentiality of Discovery Materials: Civil L. R. 26(e)(1) rewritten; Protective Order Template rewritten and relocated as an Appendix to the Local Rules.

Civil L. R. 26(f) Filing Papers Under Seal: Revised to provide that a party filing information covered by a protective order must follow the procedure set forth in General L. R. 79(d).

Committee Comment: New comments added.

Civil L. R. 37. Discovery Motions.

Committee Comment: New.

Civil L. R. 41. Dismissal of Actions.

Civil L. R. 41(c). Dismissal for Lack of Diligence: “Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action and Civil L. R. 41(a) or (b) does not apply, the Court may enter an order of dismissal with or without prejudice.”

Civil L. R. 67. Security; Deposit Into Court; Withdrawal of Monies; Registry Fee.

Civil L. R. 67(c): Rewritten.

Civil L. R. 67(e): Revised.

Committee Comment: Rewritten.

Criminal L. R. 12. Pretrial Conferences; Motions; Evidentiary Hearings; Open File Policy.

Criminal L. R. 12(a)(1) Pretrial Conferences: ~~“Any time between the arraignment and the date set by pretrial scheduling order for filing pretrial motions must be deemed excluded from the speedy trial deadline under 18 U.S.C. § 3161(h)(7)(B)(ii), upon a specific finding and order by the judge under 18 U.S.C. § 3161(h)(7)(A).”~~

Criminal L. R. 12(a)(3): References to Fed. R. Crim. P. 12(b)(3) and Fed. R. Crim. P. 12(b)(4) deleted.

Criminal L. R. 12(a)(4): Repealed (regarding time to be excluded from speedy trial deadline under 18 U.S.C. § 3161(h)(1)(D)).

	Comments to Criminal Rules deleted.
November 9, 2012	<p>Civil L. R. 56. Summary Judgment.</p> <p>Civil L. R. 56 (a)(1)(B): “(B) In addition to the statement required by Civil L. R. 56(a)(1)(A), the text to Fed. R. Civ. P. 56 (c),(d), and (e), Civil L. R. 56(a), Civil L. R. 56(b), and Civil L. R. 7 must be part of the motion.”</p> <p>Civil L. R. 56 (b)(1)(D): “(D) any affidavits, declarations, and other materials referred to in Fed. R. Civ. P. 56(e)(c).”</p> <p>Civil L. R. 56 (b)(2)(C): “(C) any opposing affidavits, declarations, and other materials referred to in Fed. R. Civ. P. 56(e)(c).”</p> <p>Civil L. R. 56 (b)(3)(C): “(C) any affidavits, declarations, and other materials referred to in Fed. R. Civ. P. 56(e)(c) submitted in reply.”</p>
December 1, 2010	<p>Civil L. R. 56. Summary Judgment.</p> <p>Civil L. R. 56 (a)(1)(B): “In addition to the statement required by Civil L. R. 56(a)(1)(A), the text to Fed. R. Civ. P. 56(e) and (f), <i>Fed. R. Civ. P. 56 (c)(d) and (e)</i>, Civil L. R. 56(a), Civil L. R. 56(b), and Civil L. R. 7 must be part of the motion.”</p>