

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

**NOTICE REGARDING
PROPOSED REVISIONS TO LOCAL RULES**

Proposed revisions to the following Local Rules have been posted on the USDC website:

- **Local Civil Rule 40 – Assignments**
- **Local Civil Rule 77.1 - Entry of Orders and Judgments**
- **Local Criminal Rule 50 - Assignments**

The Rules can be reviewed in their entirety at:

www.ctd.uscourts.gov

Comments from members of the Bar are welcomed by the Court and should be directed to:

Robin D. Tabora, Clerk
141 Church Street, New Haven, CT 06510

or sent by email to:

commentstotheclerkofcourt@ctd.uscourts.gov

To be considered, comments must be received by January 27, 2014.

RULE 40

ASSIGNMENTS

(a) Place of Assignment of Cases.

The place of assignment of a case will be determined by the Court in accordance with a general policy on assignments adopted from time to time by the active Judges of the Court in the interest of the effective administration of justice.

(b) Individual Calendar System.

(1) All cases will be assigned to a single Judge from filing to termination. In the event that it is subsequently determined that there is pending in this District a related case, or, if one is later filed, such case should normally be ~~assigned~~ transferred to the Judge having the earliest filed case. A case may be reassigned at the discretion of the Chief Judge.

(2) Personnel of the Clerk's office shall not reveal to any person other than a Judge or the Clerk of this Court the order of assignment of cases or the identity of the Judge to be assigned a particular case, until after the case is filed and assigned.

(3) All cases transferred to this Court as multidistrict litigation, pursuant to the provisions of 28 U.S.C. § 1407, shall be assigned to a designated Judge.

(c) Assignment to Judge upon Remand

Whenever an appellate Court has remanded a matter to the District Court, and further proceedings not requiring the trial of an issue of fact are appropriate, an application with reference thereto, whether made upon the motion calendar or otherwise, shall be referred for such further proceedings to the Judge who heard the matter below unless the Chief Judge or the appellate Court otherwise directs.

RULE 77.1

ENTRY OF ORDERS AND JUDGMENTS

(a) By the Court

1. A memorandum signed by the Judge or Magistrate of the decision of a motion that does not finally determine all claims for relief shall constitute the required order unless such memorandum directs the submission or settlement of an order in more extended form.
2. The notation in the appropriate docket of an "order," as defined in the previous paragraph, shall constitute the entry of the order.
3. Unless otherwise directed by the Court, proposed orders, judgments and decrees shall be presented to the Clerk's office, and not directly to the Judge. Unless the form of order, judgment, or decree is consented to in writing, or unless the Court otherwise directs, seven (7) days' notice of settlement is required. Seven (7) days' notice is required on all counter proposals. Unless adopted by the Court, such proposed orders, judgments or decrees shall not form any part of the record of the action.

(b) By the Clerk

In addition to the other orders that the Clerk is authorized to sign and enter pursuant to these Local Rules or the Federal Rules of Civil Procedure, the Clerk is authorized to sign and enter the following orders and judgments without further direction of the Court:

1. Consent judgments for the payment of money; orders on consent dismissing actions, withdrawing stipulations, exonerating sureties and permitting visiting lawyers to appear; orders setting aside defaults entered under Fed. R. Civ. P. 55(a); and orders entered pursuant to Fed. R. Civ. P. 4.1(a) specially appointing persons to serve process other than a summons or subpoena.
2. Orders on consent for the substitution of attorneys in cases not assigned for trial.
3. Subject to the provisions of Fed. R. Civ. P. 54(b) and 58, judgments upon a general verdict of a jury, or upon a decision by the Court unless the Court otherwise directs. Every judgment shall be set forth on a separate document and shall become effective only when its substance is entered in the civil docket pursuant to Fed. R. Civ. P. 79(a).

(c) Legal Holidays

For the purpose of Rules 6 and 77(c), Fed.R.Civ.P., and for all other purposes, the following are hereby designated Legal Holidays for the United States District Court for the District of Connecticut:

New Year's Day (January 1), Martin Luther King, Jr. Day (third Monday in January), Presidents' Day (third Monday in February), Memorial Day (last Monday in May), Independence

Day (July 4), Labor Day (first Monday in September), Columbus Day (second Monday in October), Veterans' Day (November 11), Thanksgiving Day (fourth Thursday in November), Christmas Day (December 25); or whenever any such day falls on Sunday, the Monday next following such day; or whenever any such day falls on Saturday, the Friday preceding such day; and any other day appointed as a holiday by the President or the Congress of the United States. ~~, or by the Governor or General Assembly of the State of Connecticut.~~

When a particular holiday is celebrated on different days by the Federal government and the State of Connecticut, then the day designated by the Federal government, and not the day designated by the State of Connecticut, shall be observed as a holiday by the United States District Court for the District of Connecticut.

(d) District Court Library

The United States District Court Library is established for use by Court personnel. The library is available to attorneys who are admitted to practice in the United States District Court only on the day they appear before the Court on trial, to argue motions, or to participate in chambers conferences, and only for emergency research.

(e) Order or Judgment of Appellate Court

Any order or judgment of an appellate Court, when filed in the office of the Clerk of the District Court, shall automatically become the order or judgment of the District Court and shall be entered as such by the Clerk without further order, except that if such order or judgment of the appellate court requires further proceedings in the District Court other than a new trial, an order shall be entered making the order or judgment of the appellate court the order or judgment of the District Court.

RULE 50

ASSIGNMENTS

(a) Assignment of Judges

Assignment of Judges to criminal matters shall be made in accordance with a general policy on assignments adopted from time to time by the Judges of the Court in the interest of the effective administration of justice. The personnel of the Clerk's office shall not reveal to any person, other than a Judge or the Clerk of this Court, the order of assignment of Judges or the identity of the Judge assigned to a particular case, until such case has been filed and assigned.

(b) Individual Calendar System

All cases will be assigned to a single Judge from filing to termination. In the event that it is subsequently determined that there is pending in this District a related case, or, if one is later filed, such case should normally be ~~assigned~~ transferred to the Judge having the earliest filed case. A case may be reassigned at the discretion of the Chief Judge. ~~, after due consultation with the transferor and transferee Judge.~~

(c) Assignment of Judges to Special Proceedings

At any given time one Judge may be designated to hear special proceedings for a particular seat of Court. Each such Judge shall be assigned to hear special proceedings for a designated period, on a rotating basis. The personnel of the Clerk's office shall not reveal to any person, other than a Judge or the Clerk of the Court, the identity of the Judge assigned to hear special proceedings or the order of assignment of Judges.

(d) Substitution

In the event that justice requires that some action be taken in a case in the absence of the assigned Judge, another Judge may consent to act in his or her behalf.