

**SECOND JUDICIAL CIRCUIT OF THE UNITED STATES
UNITED STATES COURTHOUSE
40 FOLEY SQUARE-ROOM 2904
NEW YORK, NEW YORK 10007
(212) 857-8700 PHONE
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ROBERT A. KATZMANN
CHIEF JUDGE

KAREN GREVE MILTON
CIRCUIT EXECUTIVE

**MEMORANDUM
October 25, 2017**

**JUDICIAL COUNCIL
APPROVED**

OCT 26 2017

To: Second Circuit Judicial Council
From: Karen Greve Milton, Circuit Executive

kgm

C/E

Re: Proposed Revisions to Local Rules - District of Connecticut

The Board of Judges for the District of Connecticut requests approval from the Second Circuit Judicial Council to revise two Local Civil Rules, one Local Criminal Rule, and one standing order. The Board of Judges for the District Court for the District of Connecticut approved the proposed revisions.

The proposals are reflected in the attached proposed revised Local Rules. Also attached is a redlined version of each Rule that illustrates the specific changes.

1. Local Civil Rule 77.1(a) - Entry of Orders and Judgments
2. Local Civil Rule 83.11 - Recordings and Photographs
3. Standing Order on Trial Memoranda in Civil Cases
4. Criminal Rule 17(b) - Issuance of Subpoenas on Behalf of Public Defenders

The proposed changes have been published on the Court's website and in the *Connecticut Law Tribune* for comment.

Kindly return your ballot, by fax (212) 857-8680, or by email, by Tuesday, October 31, 2017. Thank you.

Ballot

Name: _____

_____ Yes, I approve the proposed revisions to Local Rules 77.1(a), 83.11, Criminal Rule 17(b) and Standing Order on Trial Memoranda in Civil Cases.

_____ No, I do not approve the proposed revisions to the Local Rules 77.1(a), 83.11, Criminal Rule 17(b) and Standing Order on Trial Memoranda in Civil Cases.

_____ I request additional information and/or further discussion.

LOCAL RULES OF CIVIL PROCEDURE

RULE 77.1

ENTRY OF ORDERS AND JUDGMENTS

~~(Amended February 7, 2014)~~

~~(Amended _____, 2017)~~

(a) By the Court

1. A memorandum signed by the Judge or Magistrate Judge 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 filed electronically, as required by these rules.~~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.

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RULE 83.11

RECORDINGS AND PHOTOGRAPHS

(Amended _____, 2017)

Except for ceremonial occasions, and then only upon the approval of the presiding Judge, the taking of photographs or the broadcasting by means of radio or television or the recording of the proceedings by any person other than the official court reporter in or from the courtroom during the progress of or in connection with judicial proceedings, including proceedings before the Grand Jury or a Magistrate Judge, whether or not the Court is actually in session, is prohibited.

STANDING ORDER REGARDING TRIAL MEMORANDA IN CIVIL CASES

~~(Amended December 31, 2013)~~

(Amended _____, 2017)

At the discretion of the presiding Judge, each party may be ordered to prepare and submit, or the parties may be ordered to jointly prepare and submit, a trial memorandum ~~in duplicate~~ which shall contain the following information:

....

19. Election for Trial by Magistrate Judge.

The parties shall indicate whether they have agreed to have the case tried by a United States Magistrate Judge, and if so, indicate whether the parties have elected to have any appeal heard by the District Court or by the Court of Appeals.

LOCAL RULES OF CRIMINAL PROCEDURE

RULE 17

ISSUANCE OF SUBPOENAS ON BEHALF OF PUBLIC DEFENDERS

(Amended _____, 2017)

(a) Within This District

Any Public Defender, which term shall include both staff members of the Federal Public Defender and counsel specially appointed pursuant to the Criminal Justice Act, may apply to the Clerk for a witness subpoena when the witness involved will be served within the boundaries of this District. The Clerk shall issue such subpoena to said Public Defender in blank, signed but not otherwise filled in. No subpoena so issued in blank may be served outside the boundaries of this District. The filling in of any such subpoena shall constitute a certificate by said Public Defender, that he or she believes the witness in question will be able to provide relevant and material testimony at the trial and that it is the Public Defender's opinion that the attendance of said witness is reasonably necessary to the defense of the charge.

(b) Outside This District

Where the witness to be subpoenaed will be served outside this District, an ex parte application for the issuance of such subpoena shall be made to a Judge or Magistrate Judge.

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