

Summary of Revisions to the Local Rules

**Office of the Clerk
United States District Court
District of North Dakota**

General Rules	
General Rule 1.1	Divisions <ul style="list-style-type: none"> • Corrected alphabetical order of counties • Added map with boundary lines between divisions
General Rule 1.2	Office of the Clerk <ul style="list-style-type: none"> • Removed specific list of holidays and added references to federal rules or when closed by court order
General Rule 1.3	Attorneys <ul style="list-style-type: none"> • (C)(1): Clarified applicants must apply for admission via PACER.gov • (C)(4): Added applicants must adhere to the North Dakota Rules of Professional Conduct for disciplinary matters • (D): Added attorneys applying for pro hac vice admission must adhere to the North Dakota Rules of Professional Conduct for disciplinary matters • (F): Clarified procedures for substitution and withdrawal of attorneys • (F)(4): Added allowing admitted attorneys to appear on behalf of an attorney of record without filing a notice of appearance or notice of substitution in certain circumstances • (G): Clarified attorneys must update PACER with contact information changes and added that attorneys must remain members in good standing of the bar of another federal court, the highest court of any state, or the District of Columbia • (H)(1): Added that an attorney who has been disciplined by the court may be ordered to notify other jurisdictions of the court's discipline • (H)(2): Specified that an attorney who has breached the North Dakota Rules of Professional Conduct may be subject to discipline in this district
General Rule 1.4	Student Practice Rule <ul style="list-style-type: none"> • (B): Removed specific references to UND School of Law • (B)(1): Removed duplicative requirement that a supervising attorney must move to admit an applicant • (D)(3): Added provision that students are not eligible for ECF access
General Rule 1.5	Use of Electronic Devices <ul style="list-style-type: none"> • Repealed rule and incorporated substance into Rule 1.6
General Rule 1.6	Courtroom Conduct and Use of Electronic Devices <ul style="list-style-type: none"> • (C): Clarified use of electronic devices and added areas where photographing, recording, broadcasting, etc. is prohibited • (D): Clarified exclusion and inspection provision from former General Rule 1.5
General Rule 1.7	Stipulations <ul style="list-style-type: none"> • Stylistic changes
General Rule 1.8	Court Reporter Transcripts <ul style="list-style-type: none"> • Stylistic changes
General Rule 1.9	Fees <ul style="list-style-type: none"> • Stylistic change

General Rule 1.10	Deposit and Withdrawal of Funds with the Court <ul style="list-style-type: none"> • Stylistic changes
General Rule 1.11	Bonds <ul style="list-style-type: none"> • (A): Added a court employee may not serve as a security provider and added a member of the bar may only serve as a security provider for a family member or closely related individual who is not a client
General Rule 1.12	Non-Appropriated Fund <ul style="list-style-type: none"> • Stylistic changes
General Rule 1.13	Highly Sensitive Documents <ul style="list-style-type: none"> • New Rule incorporating Standing Order re: Procedures for the Filing, Service, and Management of Highly Sensitive Documents dated 2/16/2021 • Defines highly sensitive documents (HSD) • Outlines factors to consider in determining what constitutes an HSD • Lists types of documents that are unlikely to be classified as HSDs • Notes instructions for filing a motion to designate a document as an HSD are on the court's website

Civil Rules	
Civil Rule 3.1	Case Assignment <ul style="list-style-type: none"> (C): Added reference to the court’s Plan for Direct Assignment of Civil Cases to a Magistrate Judge
Civil Rule 4.1	Service of Process and Court Orders <ul style="list-style-type: none"> Stylistic changes
Civil Rule 5.1	Files and Filing <ul style="list-style-type: none"> (B)(4): Removed requirement that pleadings filed by pro se parties must have an original signature Former (C): Moved “Filing of Pleadings Requiring Leave of Court” section to Civil Rule 7.1(A)(5) New (C): Added requirement that a party seeking to file a document under seal must comply with the Guide to Filing Sealed Documents and Motions
Civil Rule 6.1	Time <ul style="list-style-type: none"> Repealed rule
Civil Rule 7.1	Motions <ul style="list-style-type: none"> (A)(1)(a): Extended the response deadline for dispositive motions from 21 days to 28 days (A)(1)(a) and (A)(2): Moved language from former (D)(3) re: table of contents and table of authorities not counting towards page limits (A)(3): Added section for Motions for Injunctive Relief re: deadlines and page limits (A)(5): Added section for Motions for Leave to File Amended Document (moved from previous Civil Rule 5.1(C)) and added provision requiring a party moving to amend or supplement a pleading to file a version of the pleading that identifies proposed changes Former (D): Moved “Form of Filings and Exhibits” section to subsequent section (B)(1): Added deadline provision that pro se parties without access to electronic filing are often allowed 3 additional days when calculating deadlines under Fed. R. Civ. P. 6(d) (B)(2): Added provision clarifying when a party’s time to respond or reply begins (B)(3): Added provision that proposed orders should not be filed (B)(4): Added “Form of Filings and Exhibits” section (moved from former (D)) (C)(2): Clarified time for filing an amicus curiae brief and added requirement of filing the proposed brief (C)(3): Added deadline for filing amicus curiae brief without leave of court (C)(4): Added page limit for amicus curiae brief
Civil Rule 7.1.1	Disclosure Statement <ul style="list-style-type: none"> New Rule incorporating provisions of Fed. R. Civ. P. 7.1
Civil Rule 16.1	Civil Case Management <ul style="list-style-type: none"> Removed appeals from a magistrate judge and motions for attorney’s fees or costs from the list of actions exempted from Fed. R. Civ. P. 16(b) scheduling conferences

Civil Rule 16.2	Alternative Dispute Resolution (ADR) <ul style="list-style-type: none"> • (B): Added, in cases where a magistrate judge is the trial judge, another judge may be available to conduct a settlement conference • (D): Added the chief judge is the ADR program administrator and may delegate the authority to an employee or judge • (E)(3): Added if the ADR program administrator is disqualified, another judge will assign a judge to conduct further ADR proceedings
Civil Rule 26.1	Civil Discovery <ul style="list-style-type: none"> • (D): Removed consent cases from the list of proceedings exempt from Fed. R. Civ. P. 26(a)(1)
Civil Rule 37.1	Civil Discovery Motions <ul style="list-style-type: none"> • (A): Clarified scope of discovery motions and the acceptable means of conferring before requesting a conference with a magistrate judge • (B): Added provision requiring parties to contact chambers to request a conference with a magistrate judge
Civil Rule 41.1	Dismissal of Settled Civil Case <ul style="list-style-type: none"> • Stylistic changes
Civil Rule 43.1	Exhibits <ul style="list-style-type: none"> • (C)(1): Added types of items defined as sensitive exhibits • (C)(2): Added provision prohibiting explosives from being brought into the courthouse or entered into evidence unless approved in advance • (C)(3): Clarified the ways sensitive exhibits must be maintained • (C)(4): Expanded acceptable methods for making firearms inoperable and that if a weapon lock is used, the lock's key must be kept outside the courtroom • (C)(5): Added prohibition of sensitive exhibits being sent to a jury room, unless directed by the court • (C)(6): Added provision requiring court to determine who retains sensitive exhibits during a proceeding
Civil Rule 45.1	Subpoenas <ul style="list-style-type: none"> • Stylistic changes
Civil Rule 47.1	Civil Jury Trials <ul style="list-style-type: none"> • Stylistic changes
Civil Rule 51.1	Civil Jury Instructions <ul style="list-style-type: none"> • Stylistic changes
Civil Rule 54.1	Costs and Attorney's Fees <ul style="list-style-type: none"> • Clarified deadlines throughout
Civil Rule 72.1	United States Magistrate Judges <ul style="list-style-type: none"> • (A): Clarified assignment process • (C): Clarified civil consent procedure and added reference to the court's Plan for Direct Assignment of Civil Cases to a Magistrate Judge • (D)(2): Modified to mirror language in federal rules and statutes. Added page limit and prohibition against a reply re: objections to a magistrate judge's non-dispositive orders

	<ul style="list-style-type: none"> • (D)(3): Added page limits and prohibition against a reply re: objections to a magistrate judge's Report and Recommendations
Criminal Rules	
Criminal Rule 6.1	Grand Juries <ul style="list-style-type: none"> • (B): Added provision re: disclosure of grand jury witness's statements or reports incorporating Standing Order dated 8/7/2009
Criminal Rule 7.1	Superseding Indictments <ul style="list-style-type: none"> • New rule requiring United States to provide statement describing the differences between the original and superseding indictment to the court and opposing attorneys
Criminal Rule 17.1	Subpoena <ul style="list-style-type: none"> • (B): Added provision re: confidentiality of subpoena service for indigent defendants incorporating Standing Order re: Confidentiality of Criminal Justice Act Subpoena Service dated 10/26/2023
Criminal Rule 23.1	Criminal Jury Trials <ul style="list-style-type: none"> • Stylistic changes
Criminal Rule 26.1	Exhibits <ul style="list-style-type: none"> • (C)(1): Added types of items defined as sensitive exhibits • (C)(2): Added provision prohibiting explosives from being brought into the courthouse or entered into evidence unless approved in advance • (C)(3): Clarified the ways sensitive exhibits must be maintained • (C)(4): Expanded acceptable methods for making firearms inoperable and that if a weapon lock is used, the lock's key must be kept outside the courtroom • (C)(5): Added prohibition of sensitive exhibits being sent to a jury room, unless directed by the court • (C)(6): Added provision requiring court to determine who retains sensitive exhibits during a proceeding
Criminal Rule 30.1	Criminal Jury Instructions <ul style="list-style-type: none"> • Stylistic changes
Criminal Rule 32.1	Presentence Investigation Reports and Sentencing Memorandums <ul style="list-style-type: none"> • (A)(3): Added provision authorizing certain disclosures of USPO supervision files and disclosure limits incorporating 11/1/2019 Policy on the Authorization of Release of Information to North Dakota BCI or another state entity for sex offender registration. • (B): Clarified if a party files a sentencing memorandum, the party also must file a sentencing memorandum supplement, and clarified when both must be served and filed
Criminal Rule 45.1	Time <ul style="list-style-type: none"> • Repealed rule
Criminal Rule 47.1	Motions <ul style="list-style-type: none"> • (A)(1): Clarified motion deadlines and added table of contents and table of authorities do not count towards page limits (moved from former (C)(3)) • (A)(2): Added section on motions to reduce sentence

	<ul style="list-style-type: none"> • (A)(4): Added “Motions for Leave of Court” section (moved from former Criminal Rule 49.1(C)) • (A)(5): Added section on motions for oral argument (moved from former (D)) • (B)(1): Added deadline provision that <i>pro se</i> parties without access to electronic filing are often allowed 3 additional days when calculating deadlines under Fed. R. Crim. P. 45(c) • (B)(2): Added provision clarifying when a party’s time to respond or reply begins • (B)(3): Added provision that proposed orders should not be filed. • Former (C)(3): Removed table of contents and table of authorities provision and moved to (A)(1)
Criminal Rule 49.1	Files and Filing <ul style="list-style-type: none"> • (B)(4): Removed requirement that pleadings filed by pro se parties must have an original signature • Former (C): Removed section “Filing of Pleadings Requiring Leave of Court” and moved to Criminal Rule 47.1(A)(1)(4) • New (C)(1): Added requirement that a party seeking to file a document under seal must comply with the Guide to Filing Sealed Documents and Motions • New (C)(2): Added list of documents that must be filed under seal incorporating Standing Order re: Sealed Documents dated 9/18/2019 • New (C)(3): Added provision re: search and seizure documents incorporating Standing Order re: Sealed Documents dated 9/18/2019
Criminal Rule 59.1	United States Magistrate Judges <ul style="list-style-type: none"> • (A)(2): Clarified case assignments for Class A misdemeanors and petty offenses • (B): Added duties to the list of criminal duties: conducting all pre-adjudication duties in a juvenile delinquency case; requesting a presentence investigation report in misdemeanor cases; and accepting jury verdicts in cases tried before a district judge • (D)(2): Modified to mirror language in federal rules and statutes. Added page limits and prohibition against a reply re: objections to a magistrate judge’s non-dispositive orders • (D)(3): Added page limits and prohibition against filing a reply re: objections to a magistrate judge’s Report and Recommendations