

PUBLIC NOTICE
OF
STANDING ORDER
ESTABLISHING AN ELECTRONIC CASE FILING SYSTEM AND
AMENDMENTS TO THE LOCAL RULES OF COURT FOR THE U.S.
DISTRICT COURT, MIDDLE DISTRICT OF PENNSYLVANIA

Pursuant to 28 U.S. C. § 2071, the judges of the U.S. District Court for the Middle District of Pennsylvania, on December 13, 2002 approved for publication and solicitation of comment, the Standing Order on Electronic Case Filing, establishing policies and procedures for the filing, signing, serving and verification of documents by electronic means. In order to implement the Standing Order on Electronic Case Filing, the judges of the court, also on December 13, 2002, approved for publication and solicitation of comment, various amendments to the Local Rules of Court. The judges also approved for publication and solicitation of comment other amendments to the Local Rules of Court. The Standing Order and amendments to the Local Rules of Court are to be effective March 1, 2003.

In accordance with 28 U.S.C. § 2071(b) and Fed. R. Civ. P. 83(a)(1) the court hereby offers public notice of the Standing Order on Electronic Case Filing, as well as amendments to the Local Rules of Court and seeks public comment.

A copy of the Standing Order on Electronic Case Filing and the proposed amendments to the Local Rules of Court may be obtained from the Clerk's Office and the court's web site @ www.pamd.uscourts.gov. Comments must be submitted in writing to the Clerk of Court, Mary E. D'Andrea, William J. Nealon Federal Building and U.S. Courthouse, 235 North Washington Ave. P.O. Box 1148, Scranton, PA 18501-1148 by January 17, 2003.

Amendments to the following rules are proposed:

1. **LR 5.1 Size and Other Physical Characteristics of Papers and Other Documents.** Proposed amendments are to accommodate CM/ECF and to make documents easier to scan.
2. **LR 5.2 Documents to be Filed with the Clerk.** Proposed amendments are to accommodate CM/ECF. Paragraph (a) has been amended because the need no longer exists for copies of documents since all documents will be available electronically. Paragraph (b) has been added because ICMS, FAX/Noticing and CM/ECF rely on the bar I.D. number as a unique identifier in the database. Having this identification number ensures that the correct attorney name/address is selected

by docket clerks to associate with parties and filings. Paragraph (c) has been amended to prevent problems with attempts to file matters by fax in the event of technical failure involving the CM/ECF system. Paragraph (d) has been added because according to recent Judicial Conference Policy, it is the responsibility of counsel to redact or exclude personal data identifiers from documents.

3. **LR 5.4 Service and Filing of Discovery Material.** An amendment to this rule is proposed to eliminate the requirement to file more than one copy of documents consistent with the conversion to CM/ECF.
4. **LR 5.6 Filing of Documents by Electronic Means.** This new rule is proposed to authorize the filing of documents by electronic means under the new CM/ECF system.
5. **LR 5.7 Service of Document by Electronic Means.** This new rule is proposed to authorize the use of the court's transmission facilities to serve documents.
6. **LR 7.2 Service of Pretrial documents by Movant and Respondent.** This rule is being deleted as unnecessary. Service is governed by the Federal Rules.
7. **LR 7.5 Submission of Briefs Supporting Pretrial Motions.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
8. **LR 7.6 Submission of Briefs or Memoranda Opposing Pretrial Motions.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
9. **LR 7.7 Pretrial Reply Briefs or Memoranda.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
10. **LR 7.8 Contents and Length of Pretrial Briefs.** Proposed amendment is to accommodate CM/ECF.
11. **LR 7.21 Service of Post-trial Motions by Movant and Respondent.** This rule is being deleted as unnecessary. Service is governed by the Federal Rules.
12. **LR 7.22 Exhibits and Other Documents Supporting Post-trial Motions.** This amendment corrects a typographical error.
13. **LR 7.30 Post-trial Briefs of Moving Party.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
14. **LR 7.31 Post-trial Briefs of Respondent.** Amendments to this rule are proposed

to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.

15. **LR 7.32 Post-trial Reply Briefs.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
16. **LR 7.36 Citation of Supplemental Authorities.** This new rule is proposed to deal with the situation in which new cases are decided or authorities enacted after a motion has been briefed but before it is decided.
17. **LR 15.1 Amended Pleadings.** Proposed amendments are to accommodate CM/ECF.
18. **LR 16.8.5 Scheduling Mediation Conference.** Proposed amendment accommodates the conversion to CM/ECF.
19. **LR 16.8.6 The Mediation Session.** Amendment is proposed because the current procedure of sending the mediator report in the form of a letter directly to chambers sometimes results in the report not being reflected on the docket.
20. **LR 24.1 Notification of Claim of Unconstitutionality.** This cross reference rule is being deleted as no longer needed.
21. **LR 26.3 Discovery Motions, Statement of Conference to Resolve Objections.** Amendment is proposed to make it clear under ECF that the certificate should be filed as part of the motion and not as a separate document.
22. **LR 30.12 Videotape Depositions, Expenses and Counsel Fees.** Amendment is proposed to delete unnecessary language in the rule.
23. **LR 51.1 Civil Trials, Requests to Instruct the Jury.** Amendments to this rule are proposed to eliminate the requirement to file the original and copies of documents consistent with the conversion to CM/ECF.
24. **LR 54.3 Bills of Costs.** Proposed amendment is to bring the rule into conformity with applicable case law.
25. **LR 54.4 Taxation of Costs.** Amendment is proposed to reflect the court's policy on the costs of videotaped depositions.
26. **LR 71A.1.5. Standard Form Complaint.** Proposed amendment is to accommodate CM/ECF.
27. **LCrR 58.2 Petty Offenses Brought by Violation Notice.** Amendments to this rule

are proposed in an effort to make the petty offense and collateral forfeiture rules easier to read and to understand.

- 28. LCrR 58.3 Authority for Forfeiture of Collateral in Certain Petty Offenses; Forfeiture of Collateral Cases - Procedures.** Amendments to this rule are proposed in an effort to make the petty offense and collateral forfeiture rules easier to read and to understand. A number of provisions have been eliminated. The reference to Rules of Procedure for the Trial of Misdemeanors before United States Magistrate Judges in subparagraph (j)(2) has been eliminated because there no longer is such a set of Rules.