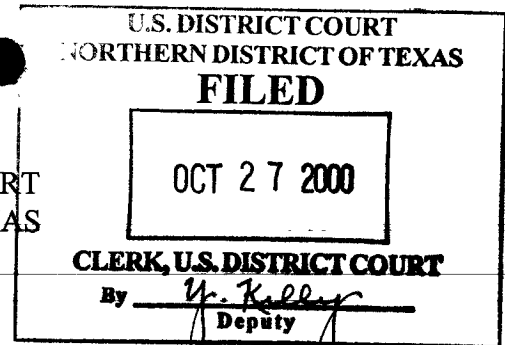


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS



Special Order No. 2-52

1. The District Judges of this court have considered and adopted the attached amendments to the local civil rules of this court. Special Order 2-46, § 1, provides:

Except when the court is required to act in an emergency, to comply with an Act of Congress, or to conform to the provisions of a national rule, the local civil, criminal, and bankruptcy rules will be modified no more than once each year, and any modifications will take effect on September 1 of the year in which they are adopted.

The amendments hereby adopted are required in order for the court to comply with amendments to the Federal Rules of Civil Procedure that take effect on December 1, 2000.

2. These amendments shall take effect on December 1, 2000, and shall govern all proceedings in civil cases thereafter commenced and, insofar as just and practicable, all proceedings in civil cases then pending.
3. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

October 27, 2000.

FOR THE COURT:

Jerry Buchmeyer
JERRY BUCHMEYER, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

New material is redlined; deleted material is ~~stricken out~~.

LOCAL CIVIL RULES

LR 1.1 Definitions.

* * *

(e) **Discovery Materials.** The term "discovery materials" means notices of and depositions upon oral examination or written questions, interrogatories, requests for documents and things, requests for inspection or to permit entry upon land, requests for admission, and answers and responses thereto, and disclosures made in compliance with Fed. R. Civ. P. 26(a)(1) or (2).

LR 5.1 Filing of Pleadings, Motions, or Other Papers.

(a) **Filing with the Clerk.** All pleadings, motions, or other papers that the Federal Rules of Civil Procedure permit or require to be filed, ~~except discovery materials~~ or that the court orders to be filed, must be filed with the clerk's office for the appropriate division. Such pleadings, motions, or other papers shall not be sent directly to the presiding judge.

(b) **Duplicates Required.** An original and one copy of each pleading, motion, or other paper must be filed with the clerk.

(c) **Document Containing More Than One Pleading, Motion, or Other Paper.** Except for a proposed order or judgment, a document may contain more than one pleading, motion, or other paper. Any such document must clearly identify each included pleading, motion, or other paper in its title.

LR 5.2 Filing Discovery Materials.

~~(a) **Discovery Materials Not to be Filed.** Discovery materials, except deposition notices, must not be filed unless the presiding judge otherwise directs. The party requesting the discovery material shall become its custodian.~~

~~(b) **Deposition Notices Not to be Filed.** Deposition notices must be filed by the clerk only if the attorney who served the notices requests that it be filed.~~

(c) Filing Discovery Materials for Use in Discovery Disputes Proceedings. A motion that relates to a discovery dispute proceeding must only contain the portions of the discovery materials in dispute.

(d) Filing Discovery Materials for Use in Pretrial Motions. When discovery materials are necessary for consideration of a pretrial motion, a party shall file only the portions of discovery on which that party relies to support or oppose the motion.

LR 16.1 Exemptions from Pretrial Scheduling and Management.

The following categories of cases are exempt from the scheduling and planning requirements of Fed. R. Civ. P. 16(b) and ~~26(f)~~:

- (a) actions for social security benefits, including appeals from decisions of the Secretary of Health and Human Services, and black lung cases subject to LR 9.1;
- (b) prisoner civil rights complaints filed pursuant to 42 U.S.C. § 1981 *et seq.*;
- (c) forfeiture actions;
- (d) cases filed by the United States Attorney for collection of promissory notes payable to the United States or any government agency;
- (e) bankruptcy appeals;
- (f) cases involving pro se plaintiffs;
- (g) habeas corpus complaints filed pursuant to 28 U.S.C. § 2254 or § 2255;
- (h) petitions for enforcement of an Internal Revenue Service summons;
- (i) actions for review of the administrative action of any federal agency; and
- (j) all cases not reported by the clerk for statistical purposes as filed cases.

~~LR 26.1 Initial Disclosures Not Required.~~

~~Unless the presiding judge otherwise directs by order or other appropriate notice issued in a civil action, or the parties otherwise stipulate, the parties shall not comply with the initial disclosure requirements of Fed. R. Civ. P. 26(a)(1).~~