

MAR 7 2000

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

NANCY DOHERTY, CLERK
BY W. Kelly
Deputy

Special Order No. 2-50

1. The District Judges of this Court have considered and adopted the attached amendments to the local civil rules and local criminal rules of this Court. These amendments amend local civil rules 3.1 and 81.1 and local criminal rule 47.1(d), and adopt new local civil rules 7.4 and 81.2 and local criminal rule 49.2(d).
2. Unless modified after receipt of public comment, these rules shall take effect on September 1, 2000 and shall apply to all proceedings in civil and criminal actions thereafter commenced and, insofar as just and practicable, all proceedings in civil and criminal actions then pending.
3. Any persons who desire to comment on any of these rules may do so by submitting written comments to:

Clerk of Court
United States District Court for the Northern District of Texas
Attention: 2000 Rules Revision Comments
1100 Commerce Street, Room 14A20
Dallas, Texas 75242-1495

The deadline by which the Clerk must receive comments is June 1, 2000.

4. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

March 6, 2000.

FOR THE COURT:



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

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

LOCAL CRIMINAL RULES

Amend LCrR 47.1(d)

(d) Brief. An opposed motion must be accompanied by a brief that sets forth the moving party's contentions of fact and/or law, and argument and authorities, unless a brief is not required by subsection (h) of this rule. A response to an opposed motion must be accompanied by a brief that sets forth the responding party's contentions of fact and/or law, and argument and authorities. A responding party is not required to file a brief in opposition to a motion for which a brief is not required by subsection (h) of this rule.

New Rule LCrR 49.2(d)

(d) Certificate of Service. All pleadings, motions, notices, and similar papers that Fed. R. Crim. P. 49 or a court order requires or permits be served must contain a certificate of service.

LOCAL CIVIL RULES

Amend LR 3.1

LR 3.1 Filing Complaint.

When a complaint is filed, the plaintiff must provide the clerk with an original and one copy of the complaint, and with the following:

- (a) sufficient copies of the complaint for service on each defendant whom the plaintiff desires to be served;
- (b) an original and one copy of a completed civil summons form for each defendant whom the plaintiff desires to be served;
- (c) an original and one copy of a civil cover sheet;
- (d) the required filing fee or the appropriate application to proceed without prepayment of fees; **and**
- (e) two additional copies of the complaint and civil summons form, and the required fee, for each defendant whom the plaintiff desires to be served through an agent authorized by law to receive service of process; **and**
- (f) a separately signed certificate of interested persons that contains a complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent corporations, or other legal entities who or which are financially interested in the outcome of the case. If a large group of persons or firms can be specified by a generic description, individual listing is not necessary.

New Rule 7.4

LR 7.4 Certificate of Interested Persons.

The initial responsive pleading that a defendant files in a civil action must be accompanied by a separately signed certificate of interested persons that complies with LR 3.1(f). If the defendant concurs in the accuracy of another party's previously-filed certificate, the defendant may adopt that certificate.

Amend LR 81.1(a)

LR 81.1 Required Form of Documents to be Filed Upon Removal.

- (a) The party or parties who remove a civil action from state court must provide the following to the clerk for filing:
- (1) an original and one copy of a completed civil cover sheet;
 - (2) an original and one copy of a supplemental civil cover sheet; ~~and~~
 - (3) an original and one copy of a notice of removal with a copy of each of the following attached to both the original and copy—
 - (A) an index of all documents that clearly identifies each document and indicates the date the document was filed in state court;
 - (B) a copy of the docket sheet in the state court action; and
 - (C) each document filed in the state court action, except discovery material, individually tabbed and arranged in chronological order according to the state court file date; and
 - (D) a separately signed certificate of interested persons that complies with LR 3.1(f).

New Rule 81.2

LR 81.2 Certificate of Interested Persons.

Within 20 days after the notice of removal is filed, the plaintiff shall file a separately signed certificate of interested persons that complies with LR 3.1(f). If the plaintiff concurs in the accuracy of another party's previously-filed certificate, the plaintiff may adopt that certificate.