

**FBA-WDWA Local Rules Committee –Proposed Amendments to Local Civil Rules
For Public Comment**

Rules Subject to Proposed Revision	
LCR 5(b)	SERVING AND FILING PLEADINGS AND OTHER PAPERS: The Court Authorizes Service Under Fed. R. Civ. P. 5(b) by Electronic Means
LCR 6(a)	COMPUTING AND EXTENDING TIME: Computing Time
LCR 67(a)	REGISTRY FUNDS: Deposit into Court Registry and Investment of Registry Funds

LCR 5(b) SERVING AND FILING PLEADINGS AND OTHER PAPERS: The Court Authorizes Service Under Fed. R. Civ. P. 5(b) by Electronic Means	
Current Rule	Proposed Amendment
<p>(b) The Court Authorizes Service Under Fed. R. Civ. P. 5(b) by Electronic Means</p> <p>As provided by Fed. R. Civ. P. 5(b)(2)(E), if a recipient is a registered participant in the ECF system, service is complete when the document is electronically filed or uploaded to the docket. If the recipient is not a registered participant in the ECF system, the filer must effect service in paper form according to the Federal Rules of Civil Procedure.</p>	<p>(b) Reserved The Court Authorizes Service Under Fed. R. Civ. P. 5(b) by Electronic Means</p> <p>As provided by Fed. R. Civ. P. 5(b)(2)(E), if a recipient is a registered participant in the ECF system, service is complete when the document is electronically filed or uploaded to the docket. If the recipient is not a registered participant in the ECF system, the filer must effect service in paper form according to the Federal Rules of Civil Procedure.</p>

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LCR 6(a)	
COMPUTING AND EXTENDING TIME: Computing Time	
Current Rule	Proposed Amendment
<p>(a) Computing Time</p> <p>When the Local Rules or a court order permits a party to act within a period of time stated in days or a longer unit of time and the last day of the period is a Saturday, Sunday, or legal holiday, the time period continues to run until the following day that is not a Saturday, Sunday, or legal holiday. “Following day” is determined by counting only forward in time. If an order of the court sets a specific calendar date by which a party must act, the date is not extended even if it falls on a Saturday, Sunday, or legal holiday unless otherwise ordered by the court. If access to the electronic filing system is not available due to failure of the court’s filing system(s) for a period longer than two hours, or any period after 5pm, or if the courthouse is closed for unanticipated reasons, filing deadlines are extended to the next business day. If the closure results in a party having additional time to file a response to a motion, then the deadline for the party filing a reply shall be extended by the same number of days.</p>	<p>(a) Computing Time</p> <p>When the Local Rules or a court order permits a party to act within a period of time stated in days or a longer unit of time and the last day of the period is a Saturday, Sunday, or legal holiday, <u>as defined by Fed. R. Civ. P. 6</u>, the time period continues to run until the following day that is not a Saturday, Sunday, or legal holiday. “Following day” is determined by counting only forward in time. If an order of the court sets a specific calendar date by which a party must act, the date is not extended even if it falls on a Saturday, Sunday, or legal holiday unless otherwise ordered by the court. If access to the electronic filing system is not available due to failure of the court’s filing system(s) for a period longer than two hours, or any period after 5pm, or if the courthouse is closed for unanticipated reasons, filing deadlines are extended to the next business day. If the closure results in a party having additional time to file a response to a motion, then the deadline for the party filing a reply shall be extended by the same number of days.</p>

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LCR 67(a)	
REGISTRY FUNDS: Deposit into Court Registry and Investment of Registry Funds	
Current Rule	Proposed Amendment
<p>(a) Deposit into Court Registry and Investment of Registry Funds</p> <p>All deposits into the Registry of the Court must be accompanied by a proposed order. Each proposed order shall contain the following language: “the Clerk is directed to deposit funds into the Registry of the Court in the principal amount of \$_____.”</p> <p>Acceptable forms of deposit into the Court Registry are cashier’s or business check.</p>	<p>(a) Deposit into Court Registry and Investment of Registry Funds</p> <p>All deposits into the Registry of the Court must be accompanied by an proposed order <u>approving the deposit signed by a judge</u>. Each proposed-signed order shall contain the following language: “the Clerk is directed to deposit funds into the Registry of the Court in the principal amount of \$_____.”</p> <p>Acceptable forms of deposit into the Court Registry are cashier’s or business check <u>made payable to “USDC Court Clerk.”</u></p>