

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LOCAL RULES—AMENDED

SUMMARY (June 2011)

Item#	Local Rule Number (if applicable)	Title	Summary of Change Notes/Comments/Reference
1.	LR IA 9-1.	<p style="text-align: center;">INSPECTION, CONDUCT IN COURTOOM AND ENVIRONS, AND FORFEITURE</p>	<ul style="list-style-type: none"> • Prohibits weapons in courtrooms unless granted otherwise by presiding judge • Clarifies language concerning the existing wireless communication device policy LR IA 9-1. Pg. 1,2 (General Order 2006-02)
2.	LR IA 10-2.	<p style="text-align: center;">ADMISSION TO PRACTICE IN A PARTICULAR CASE</p>	<ul style="list-style-type: none"> • Deletes LR IA 10-2(a) (4): “attorney is not engaged in substantial business, professional, or other activities in the State of Nevada” • Establishes limits on <i>Pro Hac Vice</i> admissions; • Requires Certificate of “Good Standing” from the state bar or from the clerk of the supreme court or highest admitting court of each state, territory, or insular possess of the U.S. in which the applicant

			<p>has been admitted to practice law-LR IA 10-2.(b)(3)</p> <ul style="list-style-type: none"> • Extends filing periods for Rule compliance LR IA 10-2. (f)(g) • Defines excessive use regarding <i>pro hac vice</i> attorney appearances LR IA 10-2. (h)(1) <p>LR IA 10-2. Pg.2-5</p>
3.	LR IA 10-4.	LIMITED ADMISSION OF <i>EMERITUS PRO BONO</i> ATTORNEYS	<ul style="list-style-type: none"> • Replaces LR IA 10-4. (General Order 2007-03) • Requires certification to practice as an <i>emeritus pro bono</i> attorney <p>LR IA 10-4.Pg.5,6 (Interim General Order 2010-04)</p>
4.	LR IA 10-5.	LAW STUDENTS	<ul style="list-style-type: none"> • Limits a student's participation in Court related activities under the Rule: "Student participation in activities under this Rule terminates automatically on the first (1st) anniversary of the Court's granting permission for the student's appearance." LR IA 10-5(f) <p>LR IA 10-5. Pg. 7,8</p>
5.	LR IB 3-1(b), LR IB 3-2(b)	REVIEW AND APPEAL – UNITED STATES MAGISTRATE JUDGE; REVIEW OF MATTERS WHICH MAY BE FINALLY DETERMINED BY A MAGISTRATE JUDGE IN CIVIL AND CRIMINAL CASES – 28 U.S.C.§ 636 (b)(1)(A)(B)	<ul style="list-style-type: none"> • Expands time for filing written objections to final rulings by magistrate judge in pretrial matters: LRIB 3-1(a); • Expands time for filing written objections to rulings by magistrate judge made pursuant to LR IB 1-4, IB 1-5, IB 1-6 and IB 1-7 • Expands time for filing written opposition to objections LR IB 3-1(a) • Removes language directing the Clerk to

			submit files to a judge LR IB 3-1(b), LR IB 3-1, 3-2. Pg. 8,9
6.	LR 5-2.	LOCAL RULES OF PRACTICE FACSIMILE FILING	<ul style="list-style-type: none"> Expands filing time for original documents that were initially transmitted to the Clerk by fax LR 5-2(c) LR 5-2.Pg. 10
7.	LR 6-2.	REQUIRED FORM OF ORDER FOR STIPUATIONS AND <i>EX PARTE</i> AND UNOPPOSED MOTIONS	<ul style="list-style-type: none"> Requires <u>filed</u> stipulations, <i>ex parte</i> or unopposed motions to reflect "Received" by the Clerk; documents must also adhere to specific formatting LR 6-2 (a) Adds "unopposed motions" to the Rule that relates to forms of order LR 6-2. Pg. 10
8.	LR 7-2.	MOTIONS	<ul style="list-style-type: none"> References Federal Rules of Civil Procedure 56(b) re filing guidelines for motion of summary judgment Requires a party opposing a summary judgment motion to file a response within twenty-one (21) days after the motion is served or a responsive pleading is due LR 7-2. Pg. 11
9.	LR 7-2.1.	NOTICING THE COURT OF RELATED CASES (NEW RULE)	<ul style="list-style-type: none"> Defines "related actions" and requires "Notice of Related Cases" filings LR 7-2.1. Pg. 11,12 General Order 2006-05
10.	LR 7-3.	CITATIONS OF AUTHORITY	<ul style="list-style-type: none"> Clarifies the use of hyperlinks in electronically filed legal documents LR 7-3(c) LR 7-3. Pg. 12
11.	LR 7-5.	<i>EX PARTE</i> AND EMERGENCY MOTIONS	<ul style="list-style-type: none"> Defines <i>Ex Parte</i> in relation to the Rules

			<ul style="list-style-type: none"> • Clarifies conditions upon which <i>ex parte</i> motions may be submitted LR 7-5(a) • Adds language regarding “emergency motions” to clarify that such motions are different from <i>ex parte</i> motions LR 7-5(b) LR 7-5. Pg. 13
12.	LR 7-6.	EX PARTE COMMUNICATIONS	<ul style="list-style-type: none"> • Limits <i>ex parte</i> communication with the Court; establishes conditions under which <i>ex parte</i> communication is allowed • Permits counsel and/or an unrepresented party to send a letter of inquiry to the Chief Judge concerning the status of a matter that has been pending for more than 120 days LR 7-6 (b) LR 7-6. Pg. 13, 14
13.	LR 10-4.	COPIES	<ul style="list-style-type: none"> • Removes LR 10-4 (a)(1-7) of previous version; section addresses filed pleadings and other papers submitted to the Court • Establishes conditions under which <i>pro se</i> litigants may receive copies of pleadings or other papers LR 10-4. Pg. 14
14.	LR 10-5.	IN CAMERA SUBMISSIONS AND SEALED DOCUMENTS	<ul style="list-style-type: none"> • Specifies requirements for <i>in camera</i> submissions pursuant to the Court’s electronic filing procedures and LR 10-2 • Requires sealed documents to be accompanied by motion for leave, bearing the following notation on the first page: “FILED UNDER SEAL PURUANT TO COURT ORDER DATED____.” LR 10-5. Pg. 14, 15

15.	LR 16-3.	PRETRIAL ORDER, MOTIONS / /IN LIMINE, AND TRIAL SETTING	<ul style="list-style-type: none"> Limits filing time for opposition to <i>in limine</i> motions LR 16-3(b) LR 10-5. Pg. 15,16
16.	LR 16-6.	EARLY NEUTRAL EVALUATION	<ul style="list-style-type: none"> Clarifies "employment discrimination action" in relation to Rule LR 16-6(a) Requires actions falling under one or more statutes listed in LR 16-6(a) must be assigned to the Early Neutral Evaluation Program LR 16-6(b) Clarifies filing time for motion for relief and response; further clarifies employment discrimination action filed under related federal statutes LR 16-6. Pg. 16-18
17.	LR 16.1 through LR 16.21.	PATENT PRACTICE (NEW RULE)	<ul style="list-style-type: none"> Creates Rules in compliance with Fed. R. Civ. P. and 35 U.S.C. § 271 LR 16.1-LR 16.21. Pg. 20-27
18.	LR 26.4.	EXTENSION OF SCHEDULED DEADLINES	<ul style="list-style-type: none"> Requires showing of <i>good cause</i> for applications for extensions, in addition to satisfying LR 6-1 requirements Limits admissible filing times for extensions in discovery plans—extensions must be received by the Court 21 days <u>before</u> the expiration of the subject deadline LR 26.4. Pg. 27, 28
19.	LR 26-7.	DISCOVERY MOTIONS	<ul style="list-style-type: none"> Applies new nomenclature to the existing Rule: "the moving and opposing counsel" "movant and all affected parties" LR 26-7. Pg. 28
20.	LR 41-1.	DISMISSAL FOR WANT OF PROSECUTION	<ul style="list-style-type: none"> Redefines number of days a pending/aging action (270 days)--

			without any proceedings of record-- may be dismissed LR 41-1. Pg. 29
21.	LR 43-1.	INTERPRETERS/TAKING OF TESTIMONY	<ul style="list-style-type: none"> Extends filing time for interpreter service requests (extends to 14 days) LR 43-1. Pg. 29
22.	LR 54-1.	BILL OF COSTS	<ul style="list-style-type: none"> Extends filing time for a bill of costs and disbursements (extends to 14 days) LR 54-1. Pg. 29
23.	LR 54-13.	METHOD OF TAXATION OF COSTS	<ul style="list-style-type: none"> Extends filing time for objections to a bill of costs following service of the bill of costs LR 54-13(a) LR 54-13. Pg. 29,30
24.	LR 54-14.	REVIEW OF COSTS	<ul style="list-style-type: none"> Extends filing time for motions to retax costs (extends to 7 days) LR 54-14(a) LR 54-14. Pg. 30
25.	LR 66-2.	NOTICE; TEMPORARY RECEIVER	<ul style="list-style-type: none"> Alters notice to the party sought to be subjected to receivership LR 66-2. Pg. 30
26.	LR 66-4.	REPORTS TO RECEIVERS	<ul style="list-style-type: none"> Extends notice time to parties and known creditors concerning a receiver's verified report and account of administration LR 66-4(b) LR 66-4. Pg. 31
27.	LR 66-5.	NOTICE OF HEARINGS	<ul style="list-style-type: none"> Extends notice period (extends to 14 days) LR 66-5. Pg. 31
28.	LR 67-2.	INVESTMENT OF FUNDS ON DEPOSIT	<ul style="list-style-type: none"> Shortens Clerk's time to deposit funds in to interest bearing accounts or instruments after having been served with a copy of the order for such

			<p>investment LR 67-2.(d)</p> <ul style="list-style-type: none"> • Shortens a party's time to verify the investment of funds by Clerk LR 67-2(e) • Shortens service of notice by counsel in compliance to LCR 46-8(g), LCR 46-8(c) • Extends notice to parties concerning withdrawal of exhibits (extends to 21 days) <p>LR 67-2. Pg. 31-33</p>
	LR 79-1.	FILES AND EXHIBITS: CUSTODY AND WITHDRAWAL	<ul style="list-style-type: none"> • Under certain conditions, extends time to provide written notice to parties concerning the withdrawal of an exhibit (extends to 21 days) LR 79-1(d) <p>LR 79-1. Pg. 33</p>
		PART IV LOCAL RULES OF CRIMINAL PRACTICE	
29.	LCR 10-1.	WRITTEN WAIVER OF DEFENDANT'S APPEARANCE AT ARRAIGNMENT	<ul style="list-style-type: none"> • Extends filing time to submit written waivers (extends to 7 days) by defendant and counsel LCR 10-1(a) <p>LCR 10-1. Pg. 34</p>
30.	LCR 12-1.	TIME FOR FILING MOTIONS, RESPONSES AND REPLIES	<ul style="list-style-type: none"> • Removes "calendar" from the Rule • Extends response times to motions (extends to 14 days) LCR 12-1(2) <p>LCR 12-1. Pg. 34,35</p>
31.	LCR 16-1.	DISCOVERY	<ul style="list-style-type: none"> • Extends filing time for parties filing the proposed complex case schedule (extends to 7 days) LCR 16-1(a)(2) • Extends filing time for disclosures required by federal statute, rule, or the

			<p>United States Constitution (extends to 7 days) LCR 16-1 (b)(1)(C)</p> <ul style="list-style-type: none"> • Defines filing time for government disclosure statement LCR 16-(b)(2)(i),(ii) LCR 16-1. Pg. 35-38
32.	LCR 32-1.	SENTENCING	<ul style="list-style-type: none"> • Removes “calendar” from the Rule LCR 32-1. Pg. 38, 39
33.	LCR 32-2.	<p>DISCLOSURE OF PRESENTENCE INVESTIGATION REPORTS, SUPERVISION RECORDS OF THE UNITED STATES PROBATION OFFICE, AND TESTIMONY OF THE PROBATION OFFICER— Application for Disclosure of Presentence Investigation Reports or Supervision Records for Purposes Other Than Sentencing</p>	<ul style="list-style-type: none"> • Reduces delivery time of the written application for “Disclosure of Presentence Investigation Report or Supervision Records for Purposes Other Than Sentencing” to the determining official (extends to 14 days) in advance of the time the production of records is required LCR 32-2(c)(2) • Allows the determining official to waive fourteen day requirement re the submittal of the written application for “Disclosure of Presentence Investigation Report or Supervision Records for Purposes Other Than Sentencing” LCR 32-2(c)(3) LCR 32-2. Pg. 39,40
34.	LCR 35-1.	MOTION AND RESPONSES PURSUANT TO FED. R. CRIM. P. 35.	<ul style="list-style-type: none"> • Extends filing and service response times concerning motion for modification of sentence Reference Fed. R. Crim. 35 (extends to 21 days) and LSR 4-1 LCR 35-1. Pg. 40,41
35.	LCR 44-3.	CONTINUITY OF REPRESENTATION ON APPEAL	<ul style="list-style-type: none"> • Extends counsel's representation responsibilities through the appeal process for indigent defendants, unless relieved by the Court or the defendant

			<p><i>pro se</i> Rule 4-1 of the Ninth Circuit Rules</p> <ul style="list-style-type: none"> • Removes prior language concerning counsel's appointment by the District Court • Requires trial counsel to continue to represent defendant (if not indigent) until relieved by the trial court prior to the filing of the notice of appeal or by the circuit court of appeals after the filing of the notice of appeal • Requires retained counsel, for purposes of appeal, to submit a financial affidavit (Form CJA 23) completed by the defendant and an application for appointment of counsel to the District Court at the time of sentencing; if notice of appeal has been filed before the application for appointment of counsel is filed, the application for appointment and the financial affidavit must be filed with the court of appeals pursuant to the Ninth Circuit Rule 4-1. LCR 44-3(a)(1-2) • Extends counsel's responsibility of representation following the filing of a notice of appeal; permits relief of counsel as defined LCR 44-3 (b)(1-2) LCR 44-3. Pg. 41,42
36.	LCR 46-8.	INVESTMENT OF FUNDS ON DEPOSIT	<ul style="list-style-type: none"> • Shortens the Clerk's time to deposit funds into interest bearing accounts or instruments following the receipt of an order for such investment LCR 46-8(d) • Holds parties responsible for verifying

			<p>investment funds that are invested by the Clerk, when an order directing the investment of funds has been issued upon the Clerk LCR 46-8(e)</p> <ul style="list-style-type: none"> • Shortens filing time for service of notice by counsel (reduces to 14 days) in accordance with LCR 46-8(g) & LCR 46-8(c) LCR 46-8. Pg. 42,43
37.	LCR 55-1.	FILES AND EXHIBITS-CUSTODY AND WITHDRAWAL	<ul style="list-style-type: none"> • Under certain conditions , extends filing time for notice to withdraw an exhibit (extends to 21 days) by any party LCR 55-1. Pg. 43,44
		PART V LOCAL RULES OF SPECIAL PROCEEDINGS AND APPEALS	
48.	LSR 5-1.	DEATH PENALTY CASE; CAPTION; FACSIMILE FILING	<ul style="list-style-type: none"> • Extends the time to file an original document and accompanying proof of service with the Clerk, when these same document(s) were previously transmitted to the Clerk by fax (extends to 7 days) LSR 5-1. Pg. 44
49.	LSR 6-3.	CLERK'S RECORD ON APPEAL, DESIGNATION AND COSTS OF REPRODUCTION	<ul style="list-style-type: none"> • Eliminates prior language concerning cost for reproduction of papers for transmission to the Appellate Court • Delegates record retention authority in appeal cases: the Clerk shall determine when the original Clerk's record or any

			<p>part is required to be kept for use in the Court LSR 6-3(a)</p> <ul style="list-style-type: none"> • Requires notice by the Clerk to all parties in the case concerning the reproduction of papers LSR 6-3(a) • Provides the parties with an opportunity to designate which parts of the record should be reproduced for transmission to the Court of Appeals. LSR 6-3 (b) <p>LSR 6-3. Pg. 44,45 (Related: Costs for transcripts) General Order: 2007-02)</p>