



## NEWS FROM U.S. DISTRICT COURT

June 10, 2022

**New Local Rules.** The Civil and Criminal Local Rules of Practice have been updated and are now available on our website in a new format. Although you can still download complete copies of each set of the local rules, they are now available individually as well. To access individual rules, select the blue For Attorneys tab, then select Local Rules from the drop-down menu. Next, select Civil or Criminal, then the applicable rule. A [memorandum from Chief Judge Lange](#) explaining the new rules can also be found on our website.

**Access to Criminal Documents.** Two local criminal rules restrict access to certain documents: Crim. LR 32.1 and LR 57.10. The purpose of these rules is to protect those who cooperate in criminal investigations and related prosecutions. [Crim. LR 32.1](#) clarifies that counsel may review confidential sentencing documents with their clients but may not provide copies to them.

[Crim. LR 57.10](#) is new. It incorporates Amended Standing Order 16-04, which requires court reporters to prepare two versions of change of plea and sentencing transcripts: a restricted transcript and a public transcript. It expands the requirement in section B.4 to *all transcripts involving cooperator information* and imposes a requirement on the prosecutor to notify the court, court reporter, clerk and counsel of cooperating witnesses prior to eliciting their testimony. If there is law enforcement testimony regarding cooperation or statements by counsel or others identifying a person as a cooperator, the prosecutor is to submit a redaction request, either orally at a bench conference or electronically prior to the preparation of the transcript. If public transcripts including cooperator information were filed prior to the effective date of the new rule, it imposes an obligation for prosecutors to retroactively move to seal and redact this information. Finally, the rule clarifies that when inmates request copies of documents in their case, only sealed and/or restricted documents must be sent to the warden. Absent an order to the contrary, publicly filed documents may be sent directly to an inmate.

**Social Security Cases.** The October newsletter described a new procedure based on a standing order that initially assigns social security case appeals to a magistrate judge. The procedure is now included in our Civil Local Rules. [Civ. LR 83.9](#).

Under the rule, after case opening, each party has 60 days to submit a completed Social Security Case Assignment Form, through which the party either consents to disposition of the case by the magistrate judge or asks to have a district judge assigned to the case. If there is not unanimous consent, the case is randomly assigned to a district judge. The rule also requires that within 60 days after the United States is served with a pleading under 42 U.S.C. § 405(g), the Commissioner of Social Security must electronically file and serve an answer and certified copy of the administrative record. Previously, the Clerk's Office electronically filed the administrative record.

**Reminder.** The Court will be closed on Monday, June 20<sup>th</sup> in observance of Juneteenth National Independence Day.