

NOTICE TO THE BAR
PROPOSED AMENDMENTS
TO THE
DISTRICT OF NEW JERSEY LOCAL CIVIL RULES

The United States District Court for the District of New Jersey announces that the following proposed amendments to the Local Civil Rules are posted for public comment as required by 28 U.S.C. § 2071(b) at <http://www.njd.uscourts.gov>.

Amendments are proposed to the following Local Civil Rules:

Local Civil Rule 9.1(c) (Social Security Rule)
Local Civil Rule 41.1(b) (Dismissal of Settled Cases)

Civ. RULE 9.1 SPECIAL MATTERS - REVIEW OF SOCIAL SECURITY MATTERS

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(c) Defendant's Response

(1) Within 60 days of receipt of the summons and complaint, Defendant will ~~either file an answer to the complaint or otherwise move~~ file the administrative record with the Clerk of this Court, which shall constitute Defendant's answer, or otherwise move. If Plaintiff is *pro se*, Defendant will also serve Plaintiff, by first class mail, a copy of the ~~answer or response administrative record or motion.~~

~~(2) If answering the complaint, Defendant will contemporaneously file and serve the administrative record on both the Clerk of this Court and Plaintiff's counsel, or pro se Plaintiff if there is no counsel.~~

~~(3)~~ (2) In the event a motion is made, Local Civil Rule 7.1 for the handling of motions will apply.

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Civ. RULE 41.1 DISMISSAL OF INACTIVE CASES

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~~(b) When a case has been settled, counsel shall promptly notify the Clerk and the Court, thereafter confirming the same in writing. Within 21 days of such notification, counsel shall file all papers necessary to terminate the case. Upon failure of counsel to do so, the Clerk shall~~

~~prepare an order for submission to the Court dismissing the action, without costs, and without prejudice to the right to reopen the action within 60 days upon good cause shown if the settlement is not consummated.~~

(b) When a case has been settled, counsel shall promptly notify the Court. Upon such notification, the Court shall enter a 60-day order administratively terminating the case and any pending motions. Such an administrative termination shall not operate as a dismissal order. Within 60 days after entry of the administrative termination order, counsel shall file all papers necessary to dismiss the case pursuant to Fed. R. Civ. 41(a)(1)(A)(ii). This 60-day period may be extended by the Court for good cause. Upon failure of counsel to file a proper stipulation of dismissal within the 60-day period, or within any extended period approved by the Court, the Court shall, pursuant to Fed. R. Civ. P. 41(a)(2), dismiss the action with prejudice and without costs. Such an order of dismissal may, but need not, include any other terms the Court considers proper.

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Comments must be received by the Clerk of the Court by November 1, 2016.
Comments should be addressed to:

William T. Walsh, Clerk of Court
United States District Court
Martin Luther King Jr. Federal Bldg. & U.S. Courthouse
50 Walnut St.
Newark, NJ 07101

or by e-mail to: localrules@njd.uscourts.gov

For the Court
Jerome B. Simandle
Chief Judge