

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

NOTICE TO THE BAR

AMENDMENTS TO THE LOCAL CIVIL RULES

Notice is hereby given to the Bar and all interested parties that the United States District Court for the District of New Jersey proposes the following amendments to the Local Civil Rules as approved by the Board of Judges pursuant to 28 U.S.C. § 2071 and in accordance with Fed. R. Civ. P. 83(a)(1).

The full text of the proposed amendments may be obtained from the Clerk's Office and the Court's web site @ [www.njd.uscourts.gov](http://www.njd.uscourts.gov) under the headings *Notice to the Bar* and *What's New*.

Summary of Amendments to the following:

**Civ. Rule 4.1 SERVICE OF PROCESS** - The proposed amendment mirrors the language of Fed. R. Civ. P. 4(c)(2), which provides litigants the option of using different methods of service of process.

**Civ. Rule 5.3 PROTECTIVE ORDERS AND PUBLIC ACCESS UNDER CM/ECF**  
The proposed amendment of submitting Proposed Findings of Fact and Conclusions of Law will assist in the preparation of orders and opinions and will remind lawyers of their obligations under the rule.

**Civ. Rule 10.1 FORM OF PLEADINGS AND OTHER DOCUMENTS** - Because of privacy concerns and Public Access to Electronic Case Files, the Court suspended the requirement that attorneys provide personal information such as the last four digits of Social Security number when filing pleadings and other documents with the Court. The proposed amendment reflects the Court's Standing Order of July 26, 2005.

**Civ. Rule 72.1(c) APPEALS FROM JUDGMENTS AND OTHER ORDERS** - The proposed amendment is to provide a temporary stay of any Magistrate Judge order denying a motion to seal so that an aggrieved party may appeal to a District Judge without loss of confidentiality.

**Civ. Rule 81.2 HABEAS CORPUS AND MOTIONS UNDER 28 U.S.C. § 2255 IN NON-DEATH PENALTY CASES** - The last sentence of this provision of the rule was suspended because Rule 3(b) of the Rules Governing Section 2254 cases [Habeas Corpus] was added to parallel Rule 5(e), Fed. R. Civ. P., which requires the Clerk not to refuse to accept a filing solely for the reason that it fails to comply with Federal and Local Rules. The proposed amendment reflects the Court's Standing Order of July 26, 2005.

**Civ. Rule 101.1 ADMISSION OF ATTORNEYS** - The proposed amendment will require a motion to admit an attorney *pro hac* vice to include a certification stating that no disciplinary proceedings are pending and disclosing any discipline previously imposed within the past five years.

**Civ. Rule 201.1 ARBITRATION** - Proposed amendments of the rule reflect the Court's Order of June 30, 2004, which suspended provisions: (h)(1); (2); and (3). See D'Iorio v. Majestic Lanes, Inc., 370 F.3d 354 (3d Cir. 2004) (permitting a party to withdraw de novo request and reinstating arbitration award is inconsistent with the Alternate Dispute Resolution Act of 1998, 28 U.S.C. § 651, et seq.).

**Civ. Rule 501.1 POSSESSION AND USE OF ELECTRONIC EQUIPMENT** - The entire text of the rule was suspended to ensure compliance with the Model Circuit Electronic Device Policy, which the Court adopted in September 2004, and in accordance with the Court's Standing Order dated July 26, 2005.

Comments regarding this proposal are to be submitted within 30 days of publication to:

William T. Walsh, Clerk  
United States District Court  
Martin Luther King, Jr. Federal Building  
and Courthouse  
P.O. Box 419  
Newark, NJ 07101

FOR THE COURT  
Garrett E. Brown, Jr.  
Chief Judge

January 29, 2007