

United States District Court

Eastern District of Missouri
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street
St. Louis, Missouri 63102

Gregory J. Linhares
Clerk of Court

314-244-7900

PUBLIC NOTICE OF PROPOSED AMENDMENTS TO LOCAL RULES New Local Rules Scheduled to Take Effect December 1, 2018 if Approved New Federal Rules Also Scheduled to Take Effect December 1, 2018

Date: October 12, 2018
Contact: Gregory J. Linhares, Clerk of Court, (314) 244-7890

The United States District Court for the Eastern District of Missouri is issuing proposed amendments to local rules 2.02, 2.11, and 2.12 for public comment. To read them, go to <http://www.moed.uscourts.gov>, contact the Office of the Clerk at the number above or via e-mail at greg_linhares@moed.uscourts.gov, or visit the Eagleton Courthouse (address above) or Limbaugh Courthouse at 555 Independence Street, Cape Girardeau, MO 63703.

A summary of the proposed amendments is provided below. The proposed effective date for these rules changes is December 1, 2018 to coincide with the effective date of several new Federal Rules. The Local Rules are being posted for public comment through Friday, November 2, 2018. Comments should be provided in writing to the Clerk of Court via e-mail or regular mail. They will be considered by the Court after the public comment deadline.

Local Rule 2.02, Forms to be Filed in Civil Cases

This proposed amendment to Local Rule 2.02 includes a Notice of Process Server form as a required form to be filed in civil cases, in order to make the Court's Local Rule consistent with the requirements contained in its posted Administrative Procedures manual.

Local Rule 2.11, Signatures on Electronic Filings

Federal Rule of Civil Procedure 5(d)(3)(C) has been amended to establish a uniform national signature provision; this amendment makes the Court's local rule consistent with the newly amended federal rule. The proposed amendment uses the text of the amended federal rule along with the local rule's previously-existing language regarding Rule 11.

Local Rule 2.12, Service in Electronic Cases

This proposed amendment changes the citation to the federal rules from Fed. R. Civ. P. 5(b)(2)(D) to 5(b)(2)(E). The amendment also divides the local rule into two sections, one addressing public documents and one addressing documents filed under seal, since documents filed under seal are not served via CM/ECF like public documents are. The section addressing sealed documents codifies in the local rule the same provisions that now exist in Section II G of the Court's Administrative Procedures manual, and also provides that the sealed document must include a certificate of service indicating the means by which service was made. This amendment will result in greater consistency between the local rules and the Court's administrative procedures.