

FBA-WDWA Local Rules Committee – Published Proposals
With Further Proposed Revisions in Response to Public Comments

April 11, 2024

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April 11, 2024

LCR 3(e)

COMMENCEMENT AND ASSIGNMENT OF ACTIONS: Intradistrict Assignment and Reassignment

Current Rule	Proposed Amendment
<p>(e) Intradistrict Assignment and Reassignment</p> <p>(1) In all civil cases in which all defendants reside, or in which all defendants have their principal places of business, or in which the claim arose in the counties of Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum, the case will usually be assigned to a judge in Tacoma. In all civil cases in which all defendants reside or in which all defendants have their principal places of business, or in which the claim arose in the counties of Island, King, San Juan, Skagit, Snohomish, or Whatcom, the case will usually be assigned to a judge in Seattle. A civil action arises where a substantial part of the events or omissions that give rise to the claim occurred or where a substantial part of the property that is the subject of the action is situated. Cases removed from state court will be initially assigned to the Seattle Division or Tacoma Division according to the county where the action is pending.</p> <p>(2) In some circumstances, the court may determine or a judge will order that a case that would otherwise be considered a Tacoma case be assigned to a Seattle judge, and vice versa.</p> <p>(3) See LCR 42 for additional information regarding the intradistrict transfer of cases to facilitate consolidation.</p>	<p>(e) Intradistrict Assignment and Reassignment</p> <p>(1) In all civil cases in which all defendants reside, or in which all defendants have their principal places of business, or in which the claim arose in the counties of Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum, the case will usually be assigned to a judge in Tacoma. In all civil cases in which all defendants reside or in which all defendants have their principal places of business, or in which the claim arose in the counties of Island, King, San Juan, Skagit, Snohomish, or Whatcom, the case will usually be assigned to a judge in Seattle. A civil action arises where a substantial part of the events or omissions that give rise to the claim occurred or where a substantial part of the property that is the subject of the action is situated. Cases removed from state court will be initially assigned to the Seattle Division or Tacoma Division according to the county where the action is pending.</p> <p>(2) In some circumstances, the court may determine or a judge will order that a case that would otherwise be considered a Tacoma case be assigned to a Seattle judge, and vice versa.</p> <p>(3) See LCR 42 for additional information regarding the intradistrict transfer of cases to facilitate consolidation.</p> <p><u>(4) See LCR 100 for additional information regarding the assignment of cases in which a petitioner is seeking habeas corpus relief challenging a state conviction or sentence under 28 U.S.C. § 2254.</u></p>

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**LCR 4
SUMMONS**

Current Rule	Proposed Amendment
<p>(a) Form of Summons</p> <p>It is the obligation of a party seeking the issuance of a summons by the clerk to present the summons to the clerk in the proper form, prepared for issuance, with sufficient copies for service. Forms of summons may be obtained from the clerk.</p> <p>(b) Reserved</p> <p>(c) Service with Complaint; by Whom Made</p> <p>Except as provided for herein, the United States Marshals Service is relieved from any and all civil process serving responsibilities within this district on behalf of private litigants. The private litigant or attorney of record for the private litigant shall make appropriate arrangements with a person authorized to serve process. Upon order of this court or pursuant to an express statutory provision, however, the United States Marshals Service shall make service of civil process on behalf of a private litigant or his attorney of record.</p>	<p>(a) Form of Summons</p> <p>It is the obligation of a party seeking the issuance of a summons by the clerk to present the summons to the clerk in the proper form, prepared for issuance, with sufficient copies for service. Forms of summons may be obtained from the clerk.</p> <p>(b) Reserved</p> <p>(c) Service with Complaint; by Whom Made</p> <p>Except as provided for <u>herein in the Federal Rules of Civil Procedure or other federal statute</u>, the United States Marshals Service is relieved from any and all civil process serving responsibilities within this district on behalf of private litigants. The private litigant or attorney of record for the private litigant shall make appropriate arrangements with a person authorized to serve process. Upon order of this court or pursuant to an express statutory provision, however, the United States Marshals Service shall make service of civil process on behalf of a private litigant or <u>his</u> <u>their</u> attorney of record. <u>Before seeking an order from this court, unless authorized by statute, a private litigant should-Private litigants are encouraged to seek a waiver of service as provided by Federal Rule of Civil Procedure 4 before seeking such an order.</u></p>

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LCR 5(d)

SERVING AND FILING PLEADINGS AND OTHER PAPERS: Electronic Filing and Signing

Current Rule	Proposed Amendment
<p>(d) Electronic Filing and Signing</p> <p>Unless otherwise specifically ordered by the court or directed by the clerk, all counsel are required to electronically file documents through the court’s electronic filing system and to comply with the electronic filing procedures for the district. Unrepresented parties may, but are not required to, electronically file documents. The court’s Electronic Filing Procedures for Civil and Criminal Cases can be found on the court’s website at www.wawd.uscourts.gov. Rule 26 initial disclosures and discovery requests and responses must not be filed unless they are used in the proceedings or the court orders filing.</p>	<p>(d) Electronic Filing and Signing</p> <p>Unless otherwise specifically ordered by the court or directed by the clerk, all counsel are required to electronically file documents through the court’s electronic filing system and to comply with the electronic filing procedures for the district. Unrepresented parties may, but are not required to, electronically file documents. The court’s Electronic Filing Procedures for Civil and Criminal Cases can be found on the court’s website at www.wawd.uscourts.gov.</p> <p>Rule 26 initial disclosures, and discovery requests and responses must not be filed unless they are used in the proceedings or the court orders filing. <u>Nor should expert witness reports be filed unless ordered by the court or unless a report is being submitted for use in the proceedings.</u></p>

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LCR 7(b)(1)

FORM AND SCHEDULING OF MOTIONS: Motions and Other Papers: Obligations of Movant

Current Rule	Proposed Amendment
<p>(1) <i>Obligations of Movant.</i> The moving party shall serve the motion and a proposed order on each party that has appeared in the action, and shall file the motion and proposed order with the clerk. The argument in support of the motion shall not be made in a separate document but shall be submitted as part of the motion itself. If the motion requires consideration of facts not appearing of record, the movant shall also serve and file copies of all affidavits, declarations, photographic or other evidence presented in support of the motion.</p> <p>All motions shall include in the caption (immediately below the title of the motion) the date the motion is to be noted for consideration upon the court’s motion calendar. See LCR 7(d) for scheduling motions and briefing deadlines. The noting date is the date by which all briefing is complete and the matter is ready for the court’s consideration, although the court may not issue a ruling on that day. The form for this notation shall be as follows:</p> <p>NOTE ON MOTION CALENDAR: [insert date noted for consideration]</p>	<p>(1) <i>Obligations of Movant.</i> The moving party shall serve the motion and a proposed order on each party that has appeared in the action, and shall file the motion and proposed order with the clerk, <u>and shall submit an editable version of the proposed order, in a format compatible with Microsoft Word, to chambers via email as provided in the Electronic Filing Procedures manual</u>. The argument in support of the motion shall not be made in a separate document but shall be submitted as part of the motion itself. If the motion requires consideration of facts not appearing of record, the movant shall also serve and file copies of all affidavits, declarations, photographic or other evidence presented in support of the motion.</p> <p>All motions shall include in the caption (immediately below the title of the motion) the date the motion is to be noted for consideration upon the court’s motion calendar. See LCR 7(d) for scheduling motions and briefing deadlines. The noting date is the date by which all briefing is complete and the matter is ready for the court’s consideration, although the court may not issue a ruling on that day. The form for this notation shall be as follows:</p> <p>NOTE ON MOTION CALENDAR: [insert date noted for consideration]</p>

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LCR 7(d)

FORM AND SCHEDULING OF MOTIONS: Noting Dates for Motions and Briefing Schedules

Current Rule	Proposed Amendment
<p>(d) Noting Dates for Motions and Briefing Schedules</p> <p>Unless otherwise provided by rule or court order, motions shall be noted for consideration as follows:</p> <p>(1) <i>Same Day Motions</i>. Stipulated, joint or unopposed motions (see for example LCR 10(g)), motions to file over-length motions or briefs (see LCR 7(f)), motions for reconsideration (see LCR 7(h)), joint submissions pursuant to the optional procedure established in LCR 37(a)(2), motions to appoint a mediator (LCR 39.1(c)(3)), motions for default (see LCR 55(a)), requests for the clerk to enter default judgment (see LCR 55(b)(1)), ex parte motions, motions for the court to enter default judgment where the opposing party has not appeared (see LCR 55(b)(2)), motions to recuse (see LCR3(f)), and motions for a temporary restraining order (“TRO”) (see LCR 65) shall be noted for consideration for the day they are filed.</p> <p>(2) <i>Second Friday Motions</i>. Except for same day motions, all other motions shall be noted for consideration on a Friday. Pursuant to a General Order of this court, the following motions may be noted for consideration no earlier than the second Friday after filing and service of the motion:</p> <p style="padding-left: 40px;">(A) motions for relief from a deadline; and</p> <p style="padding-left: 40px;">(B) motions for protective orders;</p> <p>For any motion brought pursuant to this subsection, the moving party shall ensure that the motion papers are</p>	<p>(d) Noting Dates for Motions and Briefing Schedules</p> <p><u>All motions shall be noted for consideration on a weekday, excluding legal holidays. If a motion is filed on a weekend or legal holiday, it will be deemed filed the next business day for purposes of this rule and must be noted accordingly.</u> Unless otherwise provided by rule or court order, motions shall be noted for consideration as follows:</p> <p>(1) <i>Same Day Motions</i>. Stipulated, joint or unopposed motions (see for example LCR 10(g)), motions to file over-length motions or briefs (see LCR 7(f)), motions for reconsideration (see LCR 7(h)), joint submissions pursuant to the optional procedure established in LCR 37(a)(2), motions to appoint a mediator (LCR 39.1(c)(3)), motions for default (see LCR 55(a)), requests for the clerk to enter default judgment (see LCR 55(b)(1)), ex parte motions, motions for the court to enter default judgment where the opposing party has not appeared (see LCR 55(b)(2)), motions to recuse (see LCR3(f)), and motions for a temporary restraining order (“TRO”) (see LCR 65) shall be noted for consideration for the day they are filed.</p> <p>(2) <i>Second Friday Motions 14-Day Motions</i>. <u>Motions for relief from a deadline, and motions for protective order, shall be noted for consideration no earlier than 14 days after filing.</u></p> <p><u>Any opposition papers shall be filed and received by the moving party no later than 9 days after the filing date of the motion.</u></p> <p><u>Any reply papers shall be filed and received by the opposing party no later than the noting date 14 days after the filing date of the motion.</u> Except for same day motions, all other motions shall be noted for consideration on a Friday. Pursuant to a General Order</p>

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LCR 7(d)

FORM AND SCHEDULING OF MOTIONS: Noting Dates for Motions and Briefing Schedules

Current Rule	Proposed Amendment
<p>received by the opposing party on or before the filing date. Unless otherwise provided by court rule, any papers opposing motions of the type described in this subsection shall be filed and received by the moving party no later than the Wednesday before the noting date. Any reply papers shall be filed, and shall be received by the opposing party, no later than the noting date.</p> <p>(3) <i>Third and Fourth Friday Motions.</i> Motions to dismiss, motions for summary judgment, motions seeking a preliminary injunction, motions for class certification, and motions directed toward changing the forum (through remand, transfer, or to compel arbitration) shall be noted for consideration on a date no earlier than the fourth Friday after filing and service of the motion. With the exception of the motions specifically listed in LCR 7(d)(1), 7(d)(2), and 7(d)(3), all other motions shall be noted for consideration on a date no earlier than the third Friday after filing and service of the motion.</p> <p>Any opposition papers shall be filed and served not later than the Monday before the noting date. If service is by mail, the opposition papers shall be mailed not later than the Friday preceding the noting date. Any reply papers shall be filed and served no later than the noting date.</p> <p>(4) <i>Motions in Limine.</i> Except upon a showing of good cause, any motions in limine shall be filed as one motion and shall be noted for consideration no earlier than the third Friday after filing and service of the motion but no later than the Friday before any scheduled pretrial conference. Any opposition papers shall be filed and served no later</p>	<p>of this court, the following motions may be noted for consideration no earlier than the second Friday after filing and service of the motion:</p> <p style="padding-left: 40px;">(A) motions for relief from a deadline; and</p> <p style="padding-left: 40px;">(B) motions for protective orders;</p> <p>For any motion brought pursuant to this subsection, the moving party shall ensure that the motion papers are received by the opposing party on or before the filing date. Unless otherwise provided by court rule, any papers opposing motions of the type described in this subsection shall be filed and received by the moving party no later than the Wednesday before the noting date. Any reply papers shall be filed, and shall be received by the opposing party, no later than the noting date.</p> <p><u>(3) 21-Day Motions.</u> With the exception of the motions specifically listed in LCR 7(d)(1), 7(d)(2), and 7(d)(4), all other motions shall be noted for consideration no earlier than 21 days from the date of filing.</p> <p><u>Any opposition papers shall be filed and received by the moving party no later than 15 days after the filing date of the motion.</u></p> <p><u>Any reply papers shall be filed and received by the opposing party no later than the noting date 21 days after the filing date of the motion.</u></p> <p><u>(43) <i>Third and Fourth Friday Motions</i> 28-Day Motions.</u> Motions to dismiss, motions for summary judgment, motions seeking a preliminary injunction, <u>motions to exclude expert testimony for</u></p>

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Current Rule	Proposed Amendment
<p>than the Monday before the noting date. No reply papers shall be filed.</p> <p>Any motion in limine must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve which matters really are in dispute. A good faith effort to confer requires a face-to-face meeting or a telephone conference. If the court finds that counsel for any party, or a party proceeding pro se, willfully refuses to confer, fails to confer in good faith, or fails to respond on a timely basis to a request to confer, the court may take action as stated in LCR 11 of these rules.</p> <p>(5) If the deadline for a party’s response or reply to a motion falls on a date that is a legal holiday as defined by Fed. R. Civ. P. 6, the party’s response or reply is due on the following day that is not a Saturday, Sunday, or legal holiday.</p> <p>(6) When a motion is filed on a Friday, that day is excluded from the time period under Fed. R. Civ. P. 6(a), so the following Friday is the first Friday after filing. When calculating time periods, parties should refer to LCR 6 and Fed. R. Civ. P. 6.</p> <p>(7) <i>Cases Involving Prisoners and Detainees.</i> Except for petitions for habeas corpus and motions filed pursuant to 28 U.S.C. § 2255, all motions filed in a case in which a party is under civil or criminal confinement shall be subject to the briefing schedule under Rule 7(d)(1) or 7(d)(3), not 7(d)(2).</p>	<p>failure to satisfy Fed. R. Evid. 702/Daubert. motions for class certification, and motions directed toward changing the forum (through remand, transfer, or to compel arbitration) shall be noted for consideration <u>no earlier than 28 days after filing, on a date no earlier than the fourth Friday after filing and service of the motion.</u> With the exception of the motions specifically listed in LCR 7(d)(1), 7(d)(2), and 7(d)(3), all other motions shall be noted for consideration on a date no earlier than the third Friday after filing and service of the motion.</p> <p><u>Any opposition papers shall be filed and received by the moving party no later than 21 days after the filing date of the motion.</u></p> <p><u>Any reply papers shall be filed and received by the opposing party no later than the noting date 28 days after the filing date of the motion.</u></p> <p>If service is by mail, the opposition papers shall be mailed not later than the Friday preceding the noting date.</p> <p><u>(54) Motions in Limine.</u> Except upon a showing of good cause <u>or if otherwise ordered</u>, any motions in limine shall be filed as one motion and noted for consideration <u>no later than 21 days prior to any scheduled pretrial conference. Any opposition papers shall be filed and received by the moving party no later than 6 days prior to the pretrial conference and shall be noted for consideration no earlier than the third Friday after filing and service of the motion but no later than the Friday before any scheduled pretrial conference. Any opposition papers shall be filed and served no later than the Monday before the noting date.</u> No reply papers shall be filed.</p>

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LCR 7(d)

FORM AND SCHEDULING OF MOTIONS: Noting Dates for Motions and Briefing Schedules

Current Rule	Proposed Amendment
<p>Petitions for habeas corpus and motions filed pursuant to 28 U.S.C. § 2255 are addressed by LCR 100.</p>	<p>Any motion in limine must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve which matters really are in dispute. A good faith effort to confer requires a face-to-face meeting or a telephone conference. If the court finds that counsel for any party, or a party proceeding pro se, willfully refuses to confer, fails to confer in good faith, or fails to respond on a timely basis to a request to confer, the court may take action as stated in LCR 11 of these rules.</p> <p><u>This subsection shall not apply to <i>Daubert</i> motions to exclude expert testimony. Such motions shall be filed by the dispositive motion deadline and, unless specified by the Court, follow the briefing schedule in LCR 7(d)(4) and conform with the word or page limits in LCR 7(e)(4).</u></p> <p>(6) If the deadline for a party’s response or reply to a motion falls on a date that is a <u>Saturday, Sunday, or</u> legal holiday as defined by Fed. R. Civ. P. 6, the party’s response or reply is due on the following day that is not a Saturday, Sunday, or legal holiday.</p> <p>(6) <u>When a motion is filed on a Friday, that day is excluded from the time period under Fed. R. Civ. P. 6(a), so the following Friday is the first Friday after filing. When calculating time periods, parties should refer to LCR 6 and Fed. R. Civ. P. 6.</u></p> <p>(7) <u>Service by Mail. If any opposition brief papers required to be served under LCR 7(d) is are served via mail, the deadline for filing and serving that such opposition brief papers shall be 3 days earlier than the deadlines provided in LCR 7(d)(2), 7(d)(3), or 7(d)(4). If doing so places the deadline on a Saturday, Sunday, or legal holiday, the opposition brief shall be filed and served on the next earliest date that is not a Saturday, Sunday, or legal holiday.</u></p>

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LCR 7(d)

FORM AND SCHEDULING OF MOTIONS: Noting Dates for Motions and Briefing Schedules

Current Rule	Proposed Amendment
	<p><u>(8)</u> <i>Cases Involving Prisoners and Detainees</i>. Except for petitions for habeas corpus and motions filed pursuant to 28 U.S.C. § 2255, all motions filed in a case in which a party is under civil or criminal confinement shall be subject to the briefing schedule under Rule 7(d)(1), or 7(d)(3), <u>or 7(d)(4)</u>, not 7(d)(2). Petitions for habeas corpus and motions filed pursuant to 28 U.S.C. § 2255 are addressed by LCR 100.</p>

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LCR 11(a)

SIGNING FILINGS; SANCTIONS: Signature

Current Rule	Proposed Amendment
<p>(a) Signature</p> <p>A document signed electronically (by either a digital signature or by an attorney using the “s/ Name” convention) has the same force and effect as if the person had affixed a signature to a paper copy of the document, unless an original document is otherwise required. If an original document is required to be filed with the court, any required signature thereto must also be original. Electronic signatures must be in conformance with this district’s Electronic Filing Procedures for Civil and Criminal Cases.</p>	<p>(a) Signature</p> <p><u>Except as otherwise required by law, a signature means any of the following when affixed to a document with the intent to sign the document:</u></p> <p><u>(1) A name or mark the signer created by hand in ink on paper.</u></p> <p><u>(2) A name or mark the signer created by hand using a stylus or other mechanism for creating a digital drawing.</u></p> <p><u>(3) A mechanical or digital reproduction of the signature described in (a)(1) or (a)(2), if the filer retains:</u></p> <p style="padding-left: 40px;"><u>(A) For a document executed on paper, an original paper copy of the signature page of the document; or</u></p> <p style="padding-left: 40px;"><u>(B) For a document to which a signature image is affixed, the original digital file to which the signer affixed the signature.</u></p> <p><u>(4) A name or mark the signer affixed digitally using a process that automatically creates a certificate of completion identifying the signer. A signature created with DocuSign, Adobe Acrobat Sign, or other similar software is presumed to meet this definition.</u></p> <p><u>(5) A mechanical or digital reproduction of the signature described in (a)(4), if the filer retains an original digital copy of the executed document and certificate of completion.</u></p> <p><u>(6) The signer’s name typed with the “s/ [Name]” convention if:</u></p>

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LCR 11(a)

SIGNING FILINGS; SANCTIONS: Signature

Current Rule	Proposed Amendment
	<p><u>(A) The signer is any of:</u></p> <p><u>(i) A lawyer admitted to the bar of this court;</u></p> <p><u>(ii) A lawyer admitted pro hac vice (or seeking pro hac vice admission) in the matter in which the signature is submitted;</u></p> <p><u>(iii) A pro se litigant in the matter in which the signature is submitted, provided that the signature does not authenticate a statement made under penalty of perjury; or</u></p> <p><u>(iv) The staff of a person described in (a)(6)(i)-(iii) when the signature is affixed to a certificate of service; and</u></p> <p><u>(B) The document:</u></p> <p><u>(i) Requires only one signature and the filer or the filer’s staff, at the filer’s direction, typed the “s/ [Name]” on the document; or</u></p> <p><u>(ii) Requires multiple signatures and the filer’s signature conforms with (a)(6)(B)(i) and for the additional signatures, the filer confirmed that the contents of the document are acceptable to all signers and received express written permission from the additional signer or signers to type (or direct the filer’s staff to type) the additional “s/ [Name]” signature or signatures.</u></p> <p>A document signed electronically (by either a digital signature or by an attorney using the “s/ Name” convention) has the same force and effect as if the person had affixed a signature to a paper copy of the document, unless an original document is otherwise required. If an original</p>

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LCR 11(a)

SIGNING FILINGS; SANCTIONS: Signature

Current Rule	Proposed Amendment
	document is required to be filed with the court, any required signature thereto must also be original. Electronic signatures must be in conformance with this district's Electronic Filing Procedures for Civil and Criminal Cases.

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LCR 15

AMENDED PLEADINGS

Current Rule	Proposed Amendment
<p>A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulated motion and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulated motion. The party must indicate on the proposed amended pleading how it differs from the pleading that it amends by bracketing or striking through the text to be deleted and underlining or highlighting the text to be added. The proposed amended pleading must not incorporate by reference any part of the preceding pleading, including exhibits. If a motion or stipulated motion for leave to amend is granted, the party who was given leave to amend must file and serve the amended pleading on all parties within fourteen (14) days of the filing of the order granting leave to amend, unless the court orders otherwise.</p>	<p><u>(a) Amendment with the court's leave.</u> A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulated motion and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulated motion. The party must indicate on the proposed amended pleading how it differs from the pleading that it amends by bracketing or striking through the text to be deleted and underlining or highlighting the text to be added. The proposed amended pleading must not incorporate by reference any part of the preceding pleading, including exhibits.</p> <p>If a motion or stipulated motion for leave to amend is granted, the party who was given leave to amend must file and serve the amended pleading on all parties within fourteen (14) days of the filing of the order granting leave to amend, unless the court orders otherwise.</p> <p><u>(b) Amendment with the opposing party's written consent.</u> <u>A party who amends a pleading by obtaining the opposing party's written consent shall file with the court a joint notice memorializing the parties' consent to the amended pleading and shall attach a redlined version of the amended pleading showing how it differs from the pleading that it amends. The amended pleading must not incorporate by reference any part of the preceding pleading, including exhibits. The amended pleading in final format, i.e., without redlining, should be filed simultaneously as a separate docket entry and served on all parties.</u></p>

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LCR 23(i)

CLASS ACTIONS: Format and time limits

Current Rule	Proposed Amendment
(i) Format and Time Limits [...]	(i) Format and Time Limits [...]

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April 11, 2024

LCR 73

MAGISTRATE JUDGES; TRIAL BY CONSENT

Current Rule	Proposed Amendment
<p>(a) Trial by Consent</p> <p>When authorized by 28 U.S.C. § 636(c), and subject to the consent of the parties, a magistrate judge may conduct a civil action or proceeding, including a trial. In cases that are assigned to a district judge, the clerk may seek consent of the parties, or parties may request at any time that the court reassign the case to a magistrate judge.</p> <p>More information regarding magistrate judges and the assignment of cases to them can be found on the court’s website and in this district’s United States Magistrate Judges’ Rules.</p>	<p>(a) Trial by Consent</p> <p>When authorized by 28 U.S.C. § 636(c), and subject to the consent of the parties, a magistrate judge may conduct a civil action or proceeding, including a trial. <u>In cases that are direct assigned to a magistrate judge, all parties must be provided with a declination of consent form approved by the court.</u> In cases that are assigned to a district judge, the clerk may seek consent of the parties, or parties may request at any time that the court reassign the case to a magistrate judge.</p> <p>More information regarding magistrate judges and the assignment of cases to them can be found on the court’s website and in this district’s United States Magistrate Judges’ Rules.</p>



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LCR 100

PETITIONS FOR HABEAS CORPUS UNDER TITLE 28 U.S.C. 2241 OR 2254 AND MOTIONS PURSUANT TO TITLE 28
U.S.C. § 2255: Place of Filing

Current Rule	Proposed Amendment
<p>(c) Place of Filing</p> <p>See LCR 3.</p>	<p>(c) Place of Filing</p> <p><u>See LCR 3. Pursuant to agreement between the Western and Eastern Districts of Washington, all cases in which a petitioner is seeking habeas corpus relief challenging a state conviction or sentence under 28 U.S.C. see. § 2254 shall be processed filed in or transferred after filing to the district where the conviction took place regardless of the district in which the petitioner is incarcerated.</u></p>
