

**FBA WDWA Local Rules Committee – Comparison Chart of Proposed Substantive Changes to Local Civil Rules
December 2021**

Rules Subject to Proposed Revision	
LCR 5.2	REDACTION OF FILINGS
LCR 7	FORM AND SCHEDULING OF MOTIONS
LCR 7.1	CORPORATE DISCLOSURE STATEMENT
LCR 10	FORM OF PLEADINGS, MOTIONS AND OTHER FILINGS
LCR 15	AMENDED PLEADINGS
LCR 16	PRETRIAL CONFERENCES; SCHEDULING; MANAGEMENT
LCR 23	CLASS ACTIONS
LCR 26	DUTY TO DISCLOSE; GENERAL PROVISIONS GOVERNING DISCOVERY
LCR 67	REGISTRY FUNDS
LCR 78	PHOTOGRAPHY, BROADCASTING, AND PERSONAL ELECTRONIC DEVICES IN THE COURTHOUSE
LCR 83.2	ATTORNEY APPEARANCE AND WITHDRAWAL
LCR 101	REMOVED CASES

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RULE 5.2(a)	
LCR 5.2(a)	Proposed Revision
<p style="text-align: center;">REDACTION OF FILINGS</p> <p>(a) Redacted Filings</p> <p>Parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court or used as exhibits in any hearing or at trial, unless otherwise ordered by the court:</p> <ol style="list-style-type: none"> (1) Dates of Birth - redact to the year of birth, unless deceased (2) Names of Minor Children - redact to the initials, unless deceased or currently over the age of 18 (3) Social Security Numbers and Taxpayer-Identification Numbers- redact in their entirety (4) Financial Accounting Information - redact to the last four digits (5) Passport Numbers and Driver License Numbers - redact in their entirety 	<p style="text-align: center;">REDACTION OF FILINGS</p> <p>(a) Redacted Filings</p> <p>Parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court or used as exhibits in any hearing or at trial, <u>to include state court records filed in removal actions</u>, unless otherwise ordered by the court:</p> <ol style="list-style-type: none"> (1) Dates of Birth - redact to the year of birth, unless deceased (2) Names of Minor Children - redact to the initials, unless deceased or currently over the age of 18 (3) Social Security Numbers and Taxpayer-Identification Numbers- redact in their entirety (4) Financial Accounting Information - redact to the last four digits (5) Passport Numbers and Driver License Numbers - redact in their entirety

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RULE 7(k)	
Rule LCR 7(k)	Proposed Revision
<p>(k) Cross Motions</p> <p>Parties anticipating filing cross motions are encouraged to agree on a briefing schedule and to submit it to the court for approval through a stipulation and proposed order. The court may order parties filing cross motions for summary judgment to combine their memoranda and forego reply briefs in exchange for an enlarged response brief.</p> <p>A party filing a cross motion must note it in accordance with the local rules. Even if the motion and cross motion are noted for different days, the court will typically consider them together.</p>	<p>(k) Cross Motions</p> <p>Parties anticipating filing cross motions are encouraged to agree on a briefing schedule and to submit it to the court for approval through a stipulation and motion and proposed order. The court may order parties filing cross motions for summary judgment to combine their memoranda and forego reply briefs in exchange for an enlarged response brief.</p> <p>A party filing a cross motion must note it in accordance with the local rules. Even if the motion and cross motion are noted for different days, the court will typically consider them together.</p>

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RULE 7 (m)	
LCR 7(m)	Proposed Revision
<p>(m) Praecipe</p> <p>Parties are expected to file accurate, complete documents, and the failure to do so may result in the court’s refusal to consider later filed corrections or additions to the record. In the event that an error is discovered, a party should file, as promptly as possible, a praecipe requesting that the court consider a corrected document, which must be filed with the praecipe. The praecipe must specify by docket number the document being corrected and the corrections by page and line number. If the party seeks to add an additional document in support of a previous filing, the praecipe must set forth why the document was not included with the original filing and reference the original filing by docket number.</p>	<p>(m) Praecipe <u>Filing a Corrected or Additional Document</u></p> <p>Parties are expected to file accurate, complete documents, and the failure to do so may result in the court’s refusal to consider later filed corrections or additions to the record. In the event that an error is discovered, a party should file, as promptly as possible, a praecipe requesting that the court consider a corrected document, which must be filed <u>as an attachment to</u>with the praecipe. The praecipe must specify by docket number the document being corrected and the corrections by page and line number. If the party seeks to add an additional document in support of a previous filing, the praecipe must set forth why the document was not included with the original filing and reference the original filing by docket number.</p>

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RULE 7.1	
LCR 7.1	Proposed Revision
<p>CORPORATE DISCLOSURE STATEMENT</p> <p>(a) Who Must File; Contents</p> <p>Any nongovernmental party, or any nongovernmental corporation that seeks to intervene, other than an individual or sole proprietorship, must file a corporate disclosure statement identifying:</p> <ol style="list-style-type: none"> (1) any parent corporation and any publicly held corporation owning more than 10% of its stock; (2) any member or owner in a joint venture or limited liability corporation (LLC); (3) all partners in a partnership or limited liability partnership (LLP); or (4) any corporate member, if the party is any other unincorporated association <p>If there is no parent, shareholder, member, or partner to list in response to items (1) through (4), a corporate disclosure statement must still be filed stating that no such entity exists.</p> <p>(b) Diversity Cases</p> <p>In diversity actions, for any person or entity identified in (a)(2)-(4) above must also list in the corporate disclosure statement those states in which the party, owners, partners, or members are citizens.</p>	<p>CORPORATE DISCLOSURE STATEMENT</p> <p>(a) Who Must File; Contents</p> <p>Any nongovernmental party, or any nongovernmental corporation that seeks to intervene, other than an individual or sole proprietorship, must file a corporate disclosure statement. <u>The corporate disclosure statement must do one of the following: identifying:</u></p> <ol style="list-style-type: none"> (1) <u>Identify</u> any parent corporation and any publicly held corporation owning more than 10% of its stock;; (2) any member or owner in a joint venture or limited liability corporation (LLC);; (3) all partners in a partnership or limited liability partnership (LLP); <u>and or</u> (4) any corporate member, if the party is any other unincorporated association; <u>or</u> <p><u>(2) State that there “is no parent, shareholder, member, or partner to identify as required by LCR 7.1(a)(1).”</u></p> <p>If there is no parent, shareholder, member, or partner to list in response to items (1) through (4), a corporate disclosure statement must still be filed stating that no such entity exists.</p> <p>(b) Diversity Cases</p> <p>In diversity actions, for any person or entity identified in (a)(2)-(4) above, <u>the corporate disclosure statement</u> must also list in the corporate disclosure statement those states in which the party, owners, partners, or members are citizens.</p>

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LCR 10	
LCR 10	Proposed Revision LCR 10(e)(10)
<p>(10) Marking Exhibits. All exhibits submitted in support of or opposition to a motion must be clearly marked with divider pages. References in the parties’ filings to such exhibits should be as specific as possible (i.e., the reference should cite specific page numbers, paragraphs, line numbers, etc.). All exhibits must be marked to designate testimony or evidence referred to in the parties’ filings. Acceptable forms of markings include highlighting, bracketing, underlining or similar methods of designations but must be clear and maintain the legibility of the text.</p>	<p>(10) Marking Exhibits. All exhibits submitted in support of or opposition to a motion must be clearly marked with divider pages. References in the parties’ filings to such exhibits should be as specific as possible (i.e., the reference should cite specific page numbers, paragraphs, line numbers, etc.). All exhibits must be marked to designate testimony or evidence referred to in the parties’ filings. Acceptable forms of markings include highlighting, bracketing, underlining or similar methods of designations but must be clear and maintain the legibility of the text.</p> <p><u>Filing parties shall submit only those excerpts of the referenced exhibits that are directly germane to the matter under consideration, or necessary to provide relevant context. Excerpted material must be clearly and prominently identified as such. Parties who file excerpts do so without prejudice to their right to timely file additional excerpts of the exhibit with reply briefs if otherwise appropriate. Responding parties may also timely file additional excerpts of the exhibit that they believe are directly germane.</u></p>

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RULE 15	
LCR 15	Proposed Revision
<p>AMENDED PLEADINGS</p> <p>A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulation and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulation. 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 stipulation for leave to amend is granted, the party whose pleading was amended 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>AMENDED PLEADINGS</p> <p>A party who moves for leave to amend a pleading, or who seeks to amend a pleading by stipulation <u>stipulated motion</u> and order, must attach a copy of the proposed amended pleading as an exhibit to the motion or stipulation <u>stipulated motion</u>. 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 stipulation <u>stipulated motion</u> for leave to amend is granted, the party whose was given leave to amend pleading was amended 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>

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RULE 16	
LCR 16(h),(i)	Proposed Revision
<p>(h) Plaintiff’s Pretrial Statement</p> <p>Not later than 30 days prior to the date for filing the proposed pretrial order, counsel for plaintiff(s) shall serve upon counsel for all other parties a brief statement as to:</p> <p style="text-align: center;">. . . .</p> <p>(i) Defendant’s Pretrial Statement</p> <p>Not later than 20 days prior to the filing of the proposed pretrial order, each defense counsel shall serve upon counsel for all other parties a brief statement as to:</p> <p style="text-align: center;">. . . .</p>	<p>(h) Plaintiff’s Pretrial Statement</p> <p>Not later than 30 days prior to the date for filing the proposed pretrial order, counsel for plaintiff(s) shall serve upon counsel for all other parties <u>(but not file)</u> a brief statement as to:</p> <p style="text-align: center;">. . . .</p> <p>(i) Defendant’s Pretrial Statement</p> <p>Not later than 20 days prior to the filing of the proposed pretrial order, each defense counsel shall serve upon counsel for all other parties <u>(but not file)</u> a brief statement as to:</p> <p style="text-align: center;">. . . .</p>

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LCR 23 & LCR 26	
LCR 23(i)(3)	Proposed Revision
<p>(i) Format and Time Limits</p> <p style="text-align: center;">. . . .</p> <p>(3) Within one hundred eighty days after the filing of a complaint in a class action, unless otherwise ordered by the court or provided by statute, the plaintiff shall move for a determination under Fed. R. Civ. P. 23(c)(1), as to whether the case is to be maintained as a class action. This period may be extended on motion for good cause. The court may certify the class, may disallow and strike the class allegations, or may order postponement of the determination pending discovery or such other preliminary procedures as appear appropriate and necessary in the circumstances. Whenever possible, where the determination is postponed, a date will be fixed by the court for renewal of the motion</p>	<p>(i) Format and Time Limits</p> <p style="text-align: center;">. . . .</p> <p>(3) Within one hundred eighty days after the filing of a complaint in a class action, unless otherwise ordered by the court or provided by statute, the plaintiff shall move for a determination under Fed. R. Civ. P. 23(c)(1), as to whether the case is to be maintained as a class action. This period may be extended on motion for good cause. The court may certify the class, may disallow and strike the class allegations, or may order postponement of the determination pending discovery or such other preliminary procedures as appear appropriate and necessary in the circumstances. Whenever possible, where the determination is postponed, a date will be fixed by the court for renewal of the motion</p>
LCR 26(f)(1)	Proposed Subsection LCR 26(f)(1)(K)
	<p><u>(K) The date upon which the plaintiff shall move for a determination under Fed. R. Civ. P. 23(c)(1), as to whether the case is to be maintained as a class action, and an appropriate briefing schedule for the motion.</u></p>

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RULE 67	
REGISTRY FUNDS	
Rule LCR 67	Proposed Revision
<p>(a) Deposit into Court Registry and Investment of Registry Funds</p> <p>All deposits into the Registry of the Court must be accompanied by a court order permitting the deposit.</p> <p>Funds deposited in the Registry of the Court will be invested in an interest-bearing account in accordance with the guidelines set up by the Administrative Office of the Court and approved by the court.</p> <p>The clerk is directed to deduct from the income earned on the investment a fee as proscribed by the Judicial Conference of the United States and set by the Director of the Administrative Office of the Court.</p> <p>(b) Disbursement of Registry Funds</p> <p>All motions for disbursement of registry funds shall specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed and to whom the disbursement is to be made. Each proposed order shall contain the following language: “... the clerk is authorized and directed to draw a check(s) on the funds deposited in the registry of this court in the principal amount of \$ _____ plus all accrued interest, minus any statutory users fees, payable to (name of payee) and mail or deliver the check(s) to (name of payee).” If more</p>	<p>(a) Deposit into Court Registry and Investment of Registry Funds</p> <p>All deposits into the Registry of the Court must be accompanied by a <u>proposed court order permitting the deposit. Each proposed order shall contain the following language: “the Clerk is directed to deposit funds into the Registry of the Court in the principal amount of \$ ____.”</u></p> <p><u>Acceptable forms of deposit into the Court Registry are cashier’s or business check.</u></p> <p><u>(b) Investing and Withdrawing Funds</u></p> <p>Funds deposited in the Registry of the Court will be invested in <u>the Court Registry Investment System (CRIS)</u>, an interest-bearing account in accordance with the guidelines set up by the Administrative Office of the Court and approved by the court.</p> <p>All motions for disbursement of registry funds shall specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed and to whom the disbursement is to be made. Each proposed order <u>seeking disbursement of registry funds</u> shall contain the following language: “... the clerk is authorized and directed to draw a check(s) on the funds deposited in the registry of this court in the principal amount of \$_plus all accrued interest, minus any statutory users fees, payable to (name of payee) and mail or deliver the check(s) to (name of payee).” If more than one check is to be issued pursuant to a single order, the portion of principal and interest due each payee must be separately stated.</p> <p><u>MThe court requires the mailing address(es) and a completed IRS W-9 form from each disbursement recipient be emailed to the Clerk’s Office Finance Department at seafin@wawd.uscourts.gov, but , email address(es), Social Security number(s) or Tax ID(s) of the disbursement recipients be provided to the Clerk and shall not be filed in the record.</u></p>

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<p>than one check is to be issued pursuant to a single order, the portion of principal and interest due each payee must be separately stated.</p> <p>The court requires the mailing address(es), email address(es), Social Security number(s) or Tax ID(s) of the disbursement recipients be provided to the Clerk and shall not be filed in the record.</p>	<p><u>(c) Clerk Fee</u></p> <p>The clerk is directed to deduct from the income earned on the investment a fee as <u>pre</u>scribed by the Judicial Conference of the United States and set by the Director of the Administrative Office of the Court.</p> <p>(b) — Disbursement of Registry Funds</p> <p><u>(d) Disputed Ownership Funds</u></p> <p><u>A Disputed Ownership Fund (DOF) is created when a plaintiff who disclaims ownership of the funds at issue files a statutory interpleader action under 28 U.S.C. § 1335.</u></p> <p><u>Statutory interpleader funds deposited under 28 U.S.C. § 1335 must meet the IRS definition of a “disputed ownership fund” (DOF), taxable entities that require tax administration. See 26 U.S.C. § 468B and 26 CFR § 1.468B-9(b)(1), 9(h)(3)</u></p> <p><u>A Motion for Interpleader Deposit is required. The motion must clearly identify that the funds are to be deposited into the Court Registry Investment System (CRIS) for Disputed Ownership Fund. The proposed order accompanying the motion must correctly identify the interpleader funds by stating that the funds are to be “deposited into the Court Registry as Disputed Ownership Funds (DOF) interpleader funds under 28 U.S.C. § 1335.”</u></p>
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LCR 78(b) Personal Electronic Devices in the Courthouse	
LCR 78(b)	Proposed Revision
<p>(b) Photography, Televising, Broadcasting</p> <p>The taking of photographs or any electronic (audio or video) recordings, and the broadcast or streaming thereof in connection with any Judicial Proceeding, is prohibited, except as authorized by the Judicial Conference of the United States or the Judicial Council of the Ninth Circuit.</p> <p>With the consent of the presiding judge or under such conditions as the presiding judge may prescribe, some variations of this rule may be allowed for ceremonial occasions.</p>	<p>(b) Photography, Televising, Broadcasting</p> <p>The taking of photographs or any electronic (audio or video) recordings, and the broadcast or streaming thereof in connection with any Judicial Proceeding, is prohibited, except as authorized by the Judicial Conference of the United States or the Judicial Council of the Ninth Circuit.</p> <p><u>Photographing, transmitting, or recording any court proceedings from a location outside the courthouse in conjunction with a remote appearance, or any other remote court proceeding conducted by telephone or video conference is also prohibited.</u></p> <p>With the consent of the presiding judge or under such conditions as the presiding judge may prescribe, some variations of this rule may be allowed for ceremonial occasions.</p> <p><u>Temporary modifications to this rule may be made via General Order and posted on the Court’s website.</u></p>

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LCR 78(c) Personal Electronic Devices in the Courthouse	
LCR 78(c)	Proposed Revision
<p>(c) Personal Electronic Devices in the Courthouse</p> <p>Personal electronic devices, such as smartphones, laptops, tablet computers, or similar functioning devices having wireless communications capabilities, may be brought into the courthouse.</p> <p>In the environs, personal electronic devices may be used to make telephone calls, transmit and receive data communications, such as email or text messages, or to access the Internet.</p> <p>In the courtrooms, personal electronic devices may be used to take notes, transmit and receive data communications, such as email or text messages, or to access the Internet. Telephone ring tones and other functional sounds produced by devices must be disabled while in the courtroom. Only silent keyboards may be used in the courtroom.</p> <p>A presiding judge may prohibit or further restrict use of such devices by all persons prior to or during a judicial proceeding when necessary to protect the rights of the parties or to ensure the orderly conduct of the proceedings.</p>	<p>(c) Personal Electronic Devices in the Courthouse</p> <p>Personal electronic devices, such as smartphones, laptops, tablet computers, or similar functioning devices having wireless communications capabilities, may be brought into the courthouse.</p> <p>In the environs, personal electronic devices may be used to make telephone calls, transmit and receive data communications, such as email or text messages, or to access the Internet.</p> <p>In the courtrooms, personal electronic devices may be used to take notes, transmit and receive data communications, such as email or text messages, or to access the Internet. Telephone ring tones and other functional sounds produced by devices must be disabled while in the courtroom. Only silent keyboards may be used in the courtroom.</p> <p>A presiding judge may prohibit or further restrict use of such devices by all persons prior to or during a judicial proceeding when necessary to protect the rights of the parties or to ensure the orderly conduct of the proceedings.</p> <p><u>Temporary modifications to this rule may be made via General Order and posted on the Court’s website.</u></p>

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RULE 83.2	
Rule	Proposed Revision
<p style="text-align: center;">ATTORNEY APPEARANCE AND WITHDRAWAL</p> <p>(a) Entry of Appearance</p> <p>An attorney eligible to appear may enter an appearance in a civil case by signing and filing a Notice of Appearance, complaint, amended complaint, answer, amended answer, Notice of Removal, motion to intervene, or motion for joinder on behalf of the party the attorney represents.</p> <p>(b) Withdrawal of Attorneys</p> <p>(1) No attorney shall withdraw an appearance in any case, civil or criminal, except by leave of court, unless the withdrawal complies with the requirements of subsections (b)(2) or (b)(3). Leave shall be obtained by filing a motion or a stipulation and proposed order for withdrawal or, if appropriate in a criminal case, by complying with the requirement of CrR 5(g). A motion for withdrawal shall be noted in accordance with LCR 7(d)(3) or CrR 12(b) (criminal cases) and shall include a certification that the motion was served on the client and opposing counsel. A stipulation and proposed order for withdrawal must (1) be signed by all opposing counsel or pro se parties, and (2) be signed by the party’s new counsel, if appropriate, or by the party. If a withdrawal will leave a party unrepresented, the motion to withdraw must include the party’s address and telephone number. The attorney will ordinarily be permitted to withdraw until sixty days before the discovery cut off date in a civil case, and at the discretion of the court in a criminal case.</p> <p>(2)</p> <p>(3) Where a party is represented by multiple attorneys from the same or different firms and one or more attorneys wish to withdraw but will not leave the client without representation, leave of the court to withdraw is not required. The withdrawing attorney(s) shall file a Notice of Withdrawal, which shall include a statement that the client</p>	<p style="text-align: center;">ATTORNEY APPEARANCE AND WITHDRAWAL</p> <p>(a) Entry of Appearance</p> <p>An attorney eligible to appear may enter an appearance in a civil case by <u>properly signing in accordance with the ECF Filing Procedures</u> and filing a Notice of Appearance, complaint, amended complaint, answer, amended answer, Notice of Removal, motion to intervene, or motion for joinder on behalf of the party the attorney represents.</p> <p>(b) Withdrawal of Attorneys</p> <p>(1) No attorney shall withdraw an appearance in any case, civil or criminal, except by leave of court, unless the withdrawal complies with the requirements of subsections (b)(2) or (b)(3). Leave shall be obtained by filing a motion or a stipulation and proposed order for withdrawal or, if appropriate in a criminal case, by complying with the requirement of CrR 5(g). A motion for withdrawal shall be noted in accordance with LCR 7(d)(3) or CrR 12(b) (criminal cases) and shall include a certification that the motion was served on the client and opposing counsel. A stipulation and proposed order for withdrawal must (1) be signed by all opposing counsel or pro se parties, and (2) be signed by the party’s new counsel, if appropriate, or by the party. If a withdrawal will leave a party unrepresented, the motion to withdraw must include the party’s address and telephone number. The attorney will ordinarily be permitted to withdraw until sixty days before the discovery cut off date in a civil case, and at the discretion of the court in a criminal case.</p> <p>(2)</p> <p>(3) Where a party is represented by multiple attorneys from the same or different firms and one or more attorneys wish to withdraw but will not leave the client without representation, leave of the court</p>

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<p>remains represented and identifies the remaining attorneys. The Notices shall be signed by the withdrawing attorneys and the remaining attorney(s) of record to confirm that fact.</p> <p>(4)</p> <p>(5) When a party is represented by an attorney of record in a case, the party cannot appear or act on his or her own behalf in that case, or take any step therein, until after the party requests by motion to proceed on his or her own behalf, certifies in the motion that he or she has provided copies of the motion to his or her current counsel and to the opposing party, and is granted an order of substitution by the court terminating the party’s attorney as counsel and substituting the party in to proceed pro se; provided, that the court may in its discretion hear a party in open court, notwithstanding the fact that he or she is represented by an attorney.</p> <p>(6) When an attorney suddenly becomes unable to act in a case due to death, incapacity, removal or suspension, the party for whom he or she was acting as attorney must, before any further proceedings are had in the action on his or her behalf, unless such party is already represented by another attorney, (i) appoint another attorney who must enter an appearance in accordance with subsection (a) or (ii) seek an order of substitution to proceed pro se in accordance with subsection (b)(4).</p> <p>(7) Unless the attorney withdraws in accordance with these rules, the authority and duty of an attorney of record shall continue after final judgment.</p> <p>(c) Notices of Unavailability. Notices of unavailability are not required. Such notices, if filed, do not alter dates set by the Court or civil rules. The Court expects the parties to confer about significant periods of unavailability. This rule does not preclude an attorney from requesting relief from a deadline due to a scheduling difficulty. <i>See</i> LCR 7(j).</p>	<p>to withdraw is not required. The <u>remaining or</u> withdrawing attorney(s) shall file a Notice of Withdrawal, which shall include a statement that the client remains represented and identifies the <u>withdrawing and</u> remaining attorneys. The Notices shall be signed by the withdrawing attorney(s) and the remaining attorney(s) of record to confirm that fact. <u>If circumstances prevent obtaining the signature of the withdrawing attorney(s), the Notice must state those circumstances in sufficient detail to satisfy the court that those circumstances in fact preventing obtaining signature.</u></p> <p>(4)</p> <p>(5) When a party is represented by an attorney of record in a case, the party cannot appear or act on his or her own behalf in that case, or take any step therein, until after the party requests by motion to proceed on his or her own behalf, certifies in the motion that he or she has provided copies of the motion to his or her current counsel and to the opposing party, and is granted an order of substitution by the court terminating the party’s attorney as counsel and substituting the party in to proceed pro se; provided, that the court may in its discretion hear a party in open court, notwithstanding the fact that he or she is represented by an attorney.</p> <p>(6) When an attorney suddenly becomes unable to act in a case due to death, incapacity, removal or suspension, the party for whom he or she was acting as attorney must, before any further proceedings are had in the action on his or her behalf, unless such party is already represented by another attorney, (i) appoint another attorney who must enter an appearance in accordance with subsection (a) or (ii) seek an order of substitution to proceed pro se in accordance with subsection (b)(54).</p> <p>(7) Unless the attorney withdraws in accordance with these rules, the authority and duty of an attorney of record shall continue after final judgment.</p> <p>(c) Notices of Unavailability. Notices of unavailability are not required. Such notices, if filed, do not alter dates set by the Court or civil rules. The Court expects the parties to confer about significant periods of unavailability. This</p>
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	rule does not preclude an attorney from requesting relief from a deadline due to a scheduling difficulty. <i>See</i> LCR 7(j).
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RULE 101	
LCR 101(b)	Proposed Revision
<p>(b) Documents to Be Filed with Notice of Removal.</p> <p>In cases removed from state court, the removing defendant(s) shall file contemporaneously with the notice of removal</p> <ol style="list-style-type: none"> (1) A copy of the operative complaint, which must be attached as a separate “attachment” in the electronic filing system and labeled as the “complaint” or “amended complaint.” (2) A certificate of service which lists all counsel and pro se parties who have appeared in the action with their contact information, including email address. (3) A copy of any Jury Demand filed in the state court, which must be filed as an attachment and labeled “Jury Demand.” 	<p>(b) Documents to Be Filed with Notice of Removal.</p> <p>In cases removed from state court, the removing defendant(s) shall file contemporaneously with the notice of removal</p> <ol style="list-style-type: none"> (1) A copy of the operative complaint, which must be attached as a separate “attachment” in the electronic filing system and labeled as the “complaint” or “amended complaint.” (2) A certificate of service which lists all counsel and pro se parties who have appeared in the action with their contact information, including email address. (3) A copy of any Jury Demand filed in the state court, which must be filed as an attachment and labeled “Jury Demand.” <li style="color: red;"><u>(4) A completed Civil Cover Sheet (AO44).</u>