

LOCAL RULES
OF THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS



Including Amendments Through
June 1, 2018

LOCAL RULES
OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Effective June 1, 2018

Including Amendments Effective Through
June 1, 2018

TABLE OF RULES

| | |
|--|----|
| PREFACE | 1 |
| RULE 1.1 TITLE | 2 |
| RULE 1.2 APPLICATION | 3 |
| RULE 1.3 SANCTIONS | 4 |
| RULE 3.1 CIVIL COVER SHEET | 5 |
| RULE 4.1 SERVICE OF PROCESS--DISMISSAL FOR FAILURE TO MAKE SERVICE ... | 6 |
| RULE 4.2 FEES | 7 |
| RULE 5.2 SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS | 9 |
| RULE 5.3 [DELETED]..... | 10 |
| RULE 5.4 FILING AND SERVICE BY ELECTRONIC MEANS..... | 11 |
| RULE 7.1 MOTION PRACTICE | 13 |
| RULE 7.2 IMPOUNDED AND CONFIDENTIAL MATERIALS..... | 15 |
| RULE 7.3 [DELETED]..... | 16 |
| RULE 15.1 ADDITION OF NEW PARTIES..... | 17 |
| RULE 16.1 EARLY ASSESSMENT OF CASES | 18 |
| RULE 16.2 EXEMPTIONS FROM FED. R. CIV. P. 16(b)..... | 22 |
| RULE 16.3 CASE MANAGEMENT CONFERENCES | 24 |
| RULE 16.4 ALTERNATIVE DISPUTE RESOLUTION | 26 |
| RULE 16.5 FINAL PRETRIAL CONFERENCE | 29 |
| RULE 26.1 CONTROL OF DISCOVERY..... | 40 |
| RULE 26.2 SEQUENCES OF DISCOVERY | 42 |
| RULE 26.3 PHASING OF DISCOVERY | 43 |
| RULE 26.4 SPECIAL PROCEDURES FOR HANDLING EXPERTS | 44 |
| RULE 26.5 UNIFORM DEFINITIONS IN DISCOVERY REQUESTS..... | 45 |

| | |
|---|----|
| RULE 26.6 COURT FILINGS AND COSTS..... | 47 |
| RULE 30.1 PLACE FOR TAKING DEPOSITIONS | 48 |
| RULE 30.2 OPENING OF DEPOSITIONS | 49 |
| RULE 33.1 INTERROGATORIES | 50 |
| RULE 34.1 DOCUMENT PRODUCTION | 52 |
| RULE 35.1 DISCLOSURE OF MEDICAL INFORMATION IN PERSONAL INJURY CASES | 53 |
| RULE 36.1 ADMISSIONS | 54 |
| RULE 37.1 DISCOVERY DISPUTES | 55 |
| RULE 40.1 ASSIGNMENT OF CASES | 56 |
| RULE 40.2 CONFLICT OF COURT APPEARANCES | 61 |
| RULE 40.3 CONTINUANCES | 63 |
| RULE 40.4 EMERGENCIES AND SPECIAL PROCEEDINGS | 64 |
| RULE 41.1 DISMISSAL FOR WANT OF PROSECUTION | 65 |
| RULE 43.1 TRIAL..... | 66 |
| RULE 48.1 [DELETED]..... | 68 |
| RULE 54.3 [DELETED]..... | 69 |
| RULE 56.1 MOTIONS FOR SUMMARY JUDGMENT | 70 |
| RULE 58.2 SATISFACTION OF JUDGMENTS | 71 |
| RULE 62.2 SUPERSEDEAS BOND..... | 72 |
| RULE 67.1 SURETIES | 73 |
| RULE 67.2 DEPOSIT IN COURT | 75 |
| RULE 67.3 DISBURSEMENT OF REGISTRY FUNDS | 77 |
| RULE 67.4 PAYMENTS AND DEPOSITS MADE WITH THE CLERK..... | 78 |
| RULE 68.2 SETTLEMENT | 79 |
| RULE 77.1 SITTINGS..... | 80 |
| RULE 77.2 OFFICE OF THE CLERK..... | 81 |
| RULE 79.1 EXHIBITS | 82 |
| RULE 81.1 REMOVAL..... | 83 |
| RULE 81.2 DEFINITION OF JUDICIAL OFFICER | 84 |
| RULE 83.1.1 PROCEDURE FOR ADOPTING, RESCINDING AND AMENDING RULES .. | 85 |
| RULE 83.1.2 GENERAL ORDER DOCKET | 86 |
| RULE 83.2.1 RELEASE OF INFORMATION BY ATTORNEYS..... | 87 |

...

| | |
|--|-----|
| RULE 83.2.2 SPECIAL ORDERS FOR THE PROTECTION OF THE ACCUSED OR THE LITIGANTS IN WIDELY PUBLICIZED OR SENSATIONAL CRIMINAL OR CIVIL CASES..... | 90 |
| RULE 83.3 PHOTOGRAPHING, RECORDING AND BROADCASTING | 91 |
| RULE 83.3.1 [DELETED]..... | 92 |
| RULE 83.3.2 [DELETED] | 93 |
| RULE 83.4 COURTROOM SEARCHES; COURTROOM SEATING..... | 94 |
| RULE 83.5.1 ADMISSION TO THE DISTRICT BAR | 95 |
| RULE 83.5.2 APPEARANCES | 97 |
| RULE 83.5.3 PRACTICE BY PERSONS NOT MEMBERS OF THE BAR | 98 |
| RULE 83.5.4 PRACTICE BY LAW STUDENTS | 100 |
| RULE 83.5.5 PRACTICE BY <i>PRO SE</i> LITIGANTS..... | 103 |
| RULE 83.5.6 ONGOING OBLIGATIONS | 104 |
| RULE 83.5.7 REGISTRATION FOR ELECTRONIC CASE MANAGEMENT/ELECTRONIC CASE FILES (CM/ECF) | 105 |
| RULE 83.6.1 RULES OF PROFESSIONAL CONDUCT | 106 |
| RULE 83.6.2 JURISDICTION FOR DISCIPLINARY MATTERS | 107 |
| RULE 83.6.3 FORMS OF MISCONDUCT | 108 |
| RULE 83.6.4 FORMS OF DISCIPLINE | 109 |
| RULE 83.6.5 DISCIPLINARY PROCEEDINGS | 110 |
| RULE 83.6.6 TEMPORARY SUSPENSION..... | 115 |
| RULE 83.6.7 DISBARMENT BY CONSENT..... | 117 |
| RULE 83.6.8 DISCIPLINE AFTER CRIMINAL CONVICTION | 118 |
| RULE 83.6.9 RECIPROCAL DISCIPLINE..... | 120 |
| RULE 83.6.10 REINSTATEMENT..... | 122 |
| RULE 83.6.11 PUBLIC ACCESS AND CONFIDENTIALITY | 124 |
| RULE 106.1 GRAND JURIES | 125 |
| RULE 106.2 RELEASE OF INFORMATION BY COURTHOUSE PERSONNEL IN CRIMINAL CASES | 126 |
| RULE 112.1 MOTION PRACTICE | 127 |
| RULE 112.2 EXCLUDABLE DELAY PURSUANT TO THE SPEEDY TRIAL ACT | 128 |
| RULE 112.4 CORPORATE DISCLOSURE STATEMENT | 129 |
| RULE 116.1 DISCOVERY IN CRIMINAL CASES | 130 |
| RULE 116.2 DISCLOSURE OF EXONERATORY EVIDENCE | 133 |
| RULE 116.3 DISCOVERY MOTION PRACTICE | 136 |

| | |
|---|-----|
| RULE 116.4 SPECIAL PROCEDURES FOR AUDIO AND VIDEO RECORDINGS | 138 |
| RULE 116.5 STATUS CONFERENCES AND STATUS REPORTS PROCEDURE | 139 |
| RULE 116.6 DECLINATION OF DISCLOSURE AND PROTECTIVE ORDERS..... | 142 |
| RULE 116.7 DUTY TO SUPPLEMENT | 143 |
| RULE 116.8 NOTIFICATION TO RELEVANT LAW ENFORCEMENT AGENCIES OF DISCOVERY OBLIGATIONS..... | 144 |
| RULE 116.9 PRESERVATION OF NOTES..... | 145 |
| RULE 116.10 REQUIREMENTS OF TABLE OF CONTENTS FOR VOLUMINOUS DISCOVERY..... | 146 |
| RULE 117.1 PRETRIAL CONFERENCES | 147 |
| RULE 117.2 SUBPOENAS IN CRIMINAL CASES INVOLVING COURT-APPOINTED COUNSEL..... | 150 |
| RULE 118.1 EFFECTIVE DATE..... | 151 |
| RULE 200 RENUMBERED AND AMENDED--SEE RULE 203 | 152 |
| RULE 201 REFERENCE TO BANKRUPTCY COURT..... | 153 |
| RULE 202 BANKRUPTCY COURT JURY TRIALS | 154 |
| RULE 203 BANKRUPTCY APPEALS | 155 |
| RULE 204 BANKRUPTCY COURT LOCAL RULES | 159 |
| RULE 205 DISCIPLINARY REFERRALS BY BANKRUPTCY JUDGES..... | 160 |
| RULE 206 CORE PROCEEDINGS REQUIRING FINAL ADJUDICATION BY THE DISTRICT COURT | 161 |
| APPENDIX A FEE SCHEDULE (LOCAL RULE 4.5 SUPPLEMENT)..... | 162 |
| APPENDIX B CIVIL COVER SHEET (JS44)..... | 164 |
| APPENDIX C LOCAL CIVIL CATEGORY SHEET..... | 167 |
| APPENDIX D NOTICE OF SCHEDULING CONFERENCE | 169 |

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.