

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 EXCULPATORY 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.