

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
AMENDED GENERAL ORDER 13-0021**

The full Court met in executive session on Thursday, October 17, 2013 and approved an amendment to Local Criminal Rule 32.1 regarding Presentence Investigation Reports. The proposed amendment was published with comments due on September 6, 2013. A comment was received from the Federal Defender Program for the Northern District of Illinois.

The Rules Advisory Committee on Local Rules and Procedures met to discuss the rule and comment on September 10, 2013. They recommended that the Court adopt the amendment as published.

The Court's Rules Committee discussed the rule at its meeting of September 24, 2013. It recommended that the full Court adopt the proposed amendment as published.

The full Court considered the recommendation of the Rules Committee at its meeting on October 17, 2013 and agreed to modify Local Criminal Rule 32.1. Therefore,

By direction of the full Court, which met in executive session on Thursday, October 17, 2013,

IT IS HEREBY ORDERED that Local Criminal Rule 32.1: Presentence Investigation Reports be amended as follows (additions shown thus, deletions shown ~~thus~~):

LCrR32.1 Presentence Investigation Reports

(f) Presentence Investigation Report. Not later than 35 days prior to sentencing, the probation officer shall complete and issue the presentence investigation report to the court, the defendant and defense counsel, and counsel for the government. The recommendation of the presentence report shall be submitted initially only to the Court, but the Court may, in its discretion, and with notice to the Probation Office, direct disclosure of the recommendation to the defendant and defense counsel, and counsel for the government, as well. The recommendation section shall not include any factual information not already contained in the other sections of the report.

(j) Availability of Report. ~~Neither~~ The report ~~nor its contents~~ shall not be disclosed to any person or agency without the written permission of the sentencing judge. Upon notice of appeal, the probation department shall, with notification to the sentencing judge, forward under seal and apart from the appellate public file, a copy of the report to the clerk of the appellate court where it shall be ~~held in that clerk's vault and~~ available upon request for review by attorneys for the defendant and the government. Upon completion of all appellate matters, the report and the recommendation shall be returned to the probation department. Unauthorized copying, dissemination, or disclosure of the contents of the report in violation of these rules may be treated as contempt of court and punished accordingly.

Committee Comment to 2013 amendment: The Rule is amended in response to language in *United States v. Peterson*, 711 F.3d 770 (7th Cir. 2013) suggesting that parties should be permitted to "evaluate any analysis that might form the basis of a judicial determination."

ENTER:
FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 4th day of November, 2013