

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

PROPOSAL TO AMEND THE LOCAL RULES

The full Court met in executive session on Thursday, April 22, 2004, and approved a proposal to amend LR78.1 of the Civil Rules of this Court as follows (additions shown **thus**, and deletions shown ~~thus~~):

LR78.1. Motions: Filing in Advance of Hearing

Except where a judge fixes a different time in accordance with this rule, the original of any motion shall be filed by 4:30 p.m. of the *second* business day preceding the date of presentment ~~by counsel whose offices are located in Chicago. Counsel whose offices are outside of the Chicago city limits who wish to file the motion on the date of presentment shall give the minute clerk notice of the motion by telephone by 4:30 p.m. of the second business day preceding the date of presentment and file the notice and motion in open court on the date of presentment.~~

A judge may fix a time for delivery longer than that provided by this rule, or elect to hear motions less frequently than daily, or both. In those instances where a judge elects to fix a longer delivery time, or hear motions less frequently than daily, or both, the judge shall notify the clerk in writing of the practice to be adopted. The clerk shall maintain a list of the current motion practices of each of the judges at the assignment desk.

COMMENT: The proposed modification would no longer excuse out-of-town attorneys from the requirement that a motion be filed in advance or provided to the court in advance of hearing.

By direction of the full Court and pursuant to 28 U.S.C. §207(b) regarding appropriate public

notice and opportunity for comment, the Clerk is directed to: (a) cause the proposal to amend Local Rule 78.1 to be posted in the Courthouses at Chicago and Rockford, (b) cause notice of the proposal and requests for comment to be published in the *Chicago Daily Law Bulletin*, (c) cause notice of the proposal and requests for comment to be posted on the web site for the United States District Court Northern District of Illinois, (d) indicate in such notice a final date for receipt of comments, which date shall be sixty days from the first date of publication in the *Law Bulletin*, (e) collect and distribute among the members of the Advisory Committee for Local Rules all comments received, and (f) following receipt of a copy of the report and recommendation of the advisory committee to distribute copies of the comments together with copies of the report and recommendation among the members of the Court for consideration at a regular meeting of the full Court.

ENTER:

FOR THE COURT

Chief Judge

Dated at Chicago, Illinois this _____ day of May, 2004.