

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

## PROPOSAL TO AMEND THE LOCAL RULES

The full Court met in executive session on Thursday, December 17, 2020, and approved a proposal to remove Local Rule 54.5 *Stipulation Regarding Payment of Fees and Costs not Prepaid* from the Civil Rules of this Court as attached (additions marked thus, deletions marked ~~thus~~).

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**COMMENT:** 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 notice of the proposal to abrogate Local Rule 54.5 to be published in the *Chicago Daily Law Bulletin*, (b) 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, (c) cause notice of the proposal to be posted in the Courthouses at Chicago and Rockford, (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



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Chief Judge

Dated at Chicago, Illinois this 30th day of December, 2020.

## ~~LR54.5. Stipulation Regarding Payment of Fees and Costs Not Prepaid~~

~~**(a) Stipulation.** Where, pursuant to 28 U.S.C. §1915, 28 U.S.C. §1916 or 45 U.S.C. §153(b), a plaintiff seeks to commence a civil action without paying fees and costs or giving security for them, the plaintiff and, if represented, counsel for the plaintiff, shall file with the complaint a stipulation that the recovery, if any, in the action shall be paid to the clerk, who shall pay from it the filing fees and other costs not previously paid and remit the balance to the plaintiff or counsel for plaintiff in accordance with section (b).~~

~~**(b) Notification of Payment.** Whenever money shall be paid to the clerk of this court in compliance with section (a), the clerk shall notify the judge to whom the case is assigned of the amount paid and of any fees prescribed by statute, including those established by the Judicial Conference of the United States, which were not collected because plaintiff was permitted to maintain an action without prepayment of such fees. The judge shall thereupon enter an order directing the clerk to pay from the amount such fees and costs as were not prepaid and to remit the balance to plaintiff or counsel for plaintiff.~~