

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

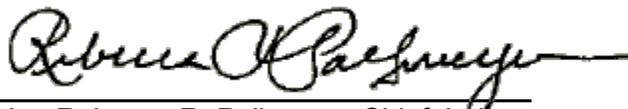
**PROPOSAL TO AMEND
THE LOCAL CRIMINAL RULE 10.1**

On November 19, 2021, the full Court approved a proposal to amend the Local Criminal Rule 10.1 as attached (additions shown thus, and deletions shown ~~thus~~):

* * * * *

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 amend the Local Criminal Rule 10.1 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



Hon Rebecca R. Pallmeyer, Chief Judge

Dated at Chicago, Illinois this 29th day of November 2021

LCR 10.1. Arraignments

Following the filing of an indictment or information the clerk shall promptly enter a minute order setting the date of arraignment in accordance with the applicable schedule below. All schedules below are subject to modification by the assigned judge:-

- (A) Where the defendant is not in custody, and an arrest warrant is not issued in connection with the filing of the indictment or information, the arraignment shall be conducted on or before ~~seven~~7 business days after the date of following such filing, unless the judge to whom the case is assigned orders that the arraignment shall be held within a shorter period of time.
- (B) Where the defendant is not in custody, but an arrest warrant is issued in connection with the filing of an indictment or information, the arraignment shall be set for no later than two business days after the United States Marshal for the Northern District of Illinois obtains custody of the defendant.
- (C) Where the defendant is in the custody of the United States Marshal for the Northern District of Illinois at the time of the filing of the indictment or information, the arraignment shall be set for no later than ~~five the second~~ business days following such filing.
- (D) Where the defendant is in the custody of a custodian other than the United States Marshal for the Northern District of Illinois at the time of the filing of the indictment or information, the arraignment shall be set for two business days after the United States Marshal for the Northern District of Illinois obtains custody of the defendant.

Copies of the minute order setting the arraignment shall be ~~mailed to each defendant and attorney for the defendant if their addresses are known. If their addresses are not known, the copies shall be~~ attached to the copy of the indictment or information to be served on the defendant and/or defendant's counsel by the United States Attorney.

LCR 10.1. Arraignments

Following the filing of an indictment or information the clerk shall promptly enter a minute order setting the date of arraignment in accordance with the applicable schedule below. All schedules below are subject to modification by the assigned judge:

- (A) Where the defendant is not in custody, and an arrest warrant is not issued in connection with the filing of the indictment or information, the arraignment shall be conducted on or before seven business days following such filing.
- (B) Where the defendant is not in custody, but an arrest warrant is issued in connection with the filing of an indictment or information, the arraignment shall be set for no later than two business days after the United States Marshal for the Northern District of Illinois obtains custody of the defendant.
- (C) Where the defendant is in the custody of the United States Marshal for the Northern District of Illinois at the time of the filing of the indictment or information, the arraignment shall be set for no later than five business days following such filing.
- (D) Where the defendant is in the custody of a custodian other than the United States Marshal for the Northern District of Illinois at the time of the filing of the indictment or information, the arraignment shall be set for two business days after the United States Marshal for the Northern District of Illinois obtains custody of the defendant.

Copies of the minute order setting the arraignment shall be attached to the copy of the indictment or information to be served on the defendant and/or defendant's counsel by the United States Attorney.