

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

**PROPOSAL TO AMEND
LOCAL RULE 5.3**

On March 30, 2023 the full Court approved a proposal to amend Local Rule 5.3 *Motions: Notice of Motions and Objections* as attached (additions shown **thus**, and deletions shown ~~thus~~):

* * * * *

COMMENT: By direction of the full Court and pursuant to 28 U.S.C. §2071(e) regarding appropriate public notice and opportunity for comment, the Clerk is directed to: (a) cause notice of the proposal to amend the Local Rule 5.3 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, 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 4th day of April 2023

LR 5.3 Motions: Notice of Motions and Objections

(a) Service. Except in the case of an emergency or unless otherwise ordered, written notice of the intent to present a motion, or an objection to a magistrate judge's order or report under [F. R.Civ.P. 72](#), specifying the date on which the motion or objection is to be presented, a copy of the motion or objection and any accompanying documents must be served as follows:

(1) Personal service. Personal service must be accomplished no later than 4:00 p.m. of the second business day preceding the date of presentment. Personal service shall include actual delivery within the time specified by this section by a service organization providing for delivery within a specified time (e.g., overnight service) or by electronic transmission pursuant to [F. R.Civ.P. 5\(b\)\(2\)\(D\)](#) and [5\(b\)\(3\)](#).

(2) Mail service. Where the service is by mail, the notice and documents shall be mailed at least seven days before the date of presentment. Ex parte motions and agreed motions or objections may be presented without notice.

(b) Presentment. Every motion or objection shall be accompanied by a notice of presentment specifying the date and time on which, and judge before whom, the motion or objection is to be presented. The date of presentment shall be not more than 14 days following the date on which the motion or objection is delivered to the court pursuant to [LR 78.1](#).

Amended October 2, 2002; March 27, 2003; November 19, 2009

LR 5.3 Motions: **Review Judge's Procedures** and Notice of Motions and Objections

~~(a) Service.~~ Except in the case of an emergency or unless otherwise ordered, written notice of the intent to present a motion, or an objection to a magistrate judge's order or report under F. R. Civ. P. 72, specifying the date on which the motion or objection is to be presented, a copy of the motion or objection and any accompanying documents must be served as follows **(a) Review Judge's Procedures:** Parties should consult the assigned judge's web page on the Court's website regarding the judge's procedures on filing and presenting motions.

~~(1) Personal service.~~ Personal service must be accomplished no later than 4:00 p.m. of the second business day preceding the date of presentment. Personal service shall include actual delivery within the time specified by this section by a service organization providing for delivery within a specified time (e.g., overnight service) or by electronic transmission pursuant to F. R. Civ. P. 5(b)(2)(D) and 5(b)(3).

~~(2) Mail service.~~ Where the service is by mail, the notice and documents shall be mailed at least seven days before the date of presentment. Ex parte motions and agreed motions or objections may be presented without notice.

~~(b) Presentment.~~ Every A judge may require a motion or an objection shall to a magistrate judge's order to be accompanied by a notice of presentment specifying the date and time on which, and judge before whom, the motion or objection is to be presented. The date of presentment shall be not more than 14 days following the date on which the motion or objection is delivered to the court pursuant to [LR 78.1](#).

Amended October 2, 2002; March 27, 2003;
November 19, 2009; **INSERT DATE, 2023**