

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

**PROPOSAL TO AMEND  
LOCAL RULE 83.40**

On September 28, 2022, the full Court approved a proposal to amend Local Rule 83.40

*Expenses* 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 83.40 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 5th day of October 2022

## LR 83.40 Expenses

**(a)** Any party for whom counsel has been recruited by the Court pursuant to [LR 83.36](#) and has filed an appearance on behalf of the party shall bear expenses of the litigation to the extent reasonably feasible considering the party's financial condition. Such expenses shall include, but not be limited to discovery expenses, subpoena and witness fees, and transcript expenses. If the party is unable to pay the expenses of litigation, recruited counsel may advance part or all the payment of any such expenses without requiring that the party remain ultimately liable for such expenses, except out of the proceeds of any recovery. The assigned attorney or firm is not required to advance the payment of such expenses.

**(b)** Counsel recruited pursuant to LR 83.36 may obtain prepayment or reimbursement of expenses from the District Court Fund in accordance with the provisions of the [Regulations Governing the Prepayment and Reimbursement of Expenses in Pro Bono Cases](#). If that a party derives funds from a settlement, judgment, or other award of costs or fees in excess of \$50,000, the receiving party shall be required to reimburse the District Court Fund for any expenditures in excess of \$5,000 (other than interpreter fees) made on behalf of that party. Receipt of payments and reimbursements from the District Court Fund operates as the receiving party's consent to this reimbursement requirement.

Amended June 30, 2015, December 23, 2016, and March 22, 2019, November 20, 2020

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November 20, 2020, ~~and~~ **XXX, 2022**

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