

**United States District Court  
for the District of Rhode Island**

**AMENDMENTS TO THE LOCAL RULES  
FOR THE DISTRICT OF RHODE ISLAND**

**Redlined Draft  
for Public Comment**

**Comment Deadline: August 28, 2009**

**LOCAL RULES OF GENERAL APPLICATION  
AND LOCAL RULES GOVERNING  
ATTORNEY ADMISSIONS, APPEARANCES,  
AND DISCIPLINE**

## LR Gen 213 CRIMINAL CONVICTIONS

### (a) Criminal Convictions

- (1) **Summary Suspension.** ~~When a certified copy of a judgment is filed with this Court, showing that an attorney who is a member of the Bar of this Court or who is admitted to practice before this Court *pro hac vice* has been convicted of a serious crime, as hereinafter defined, in any court of the United States, the District of Columbia, any state, territory, commonwealth or possession of the United States, the Court shall enter an order immediately suspending that attorney from practicing before this Court, regardless of whether the conviction resulted from a plea of guilty or *nolo contendere*. A copy of such order shall immediately be served upon the attorney as provided in LR Gen 210(c)(2).~~

~~Upon good cause shown, the Court may set aside such order when it appears in the interest of justice to do so.~~

**Summary Suspension.** The Court shall enter an order immediately suspending an attorney who is a member of the Bar of this Court or who is admitted to practice *pro hac vice* from practicing before this Court upon receipt of:

- (A) An official record of the entry of a plea of guilty or *nolo contendere* to a serious crime, as hereinafter defined, in any court of the United States, the District of Columbia, any state, territory, commonwealth or possession of the United States, or;
- (B) A certified copy of a judgment showing conviction of a serious crime, as hereinafter defined, in any court of the United States, the District of Columbia, any state, territory, commonwealth or possession of the United States.

A copy of such order shall immediately be served upon the attorney as provided in LR Gen 210(c)(2). Upon good cause shown, the Court may set aside such order when it appears in the interest of justice to do so.

- (2) **Disciplinary proceeding.** In addition to suspending the attorney, the Court shall issue a show cause order as provided in LR Gen 210(c), provided, however, that a disciplinary proceeding so instituted shall not be brought to final hearing until all appeals from the conviction are concluded.

An official record showing the entry of a plea of guilty or *nolo contendere* or ~~A~~ a certified copy of a judgment of conviction of an attorney for any crime shall be conclusive evidence of the commission of that crime in any disciplinary proceeding instituted against that attorney based upon the conviction.

\* \* \*

**LOCAL RULES APPLICABLE  
TO CIVIL PROCEEDINGS**

**LR Cv 5 FORM AND FILING OF DOCUMENTS**

\* \* \*

(e) **Subpoenas.** Subpoenas, including proofs of service, shall not be filed with the Court, unless otherwise ordered by the Court or required by the Federal Rules of Civil Procedure. The parties in possession of such documents shall be responsible for preserving them and making them available for use at trial and/or for other purposes required by the Court.

~~(e)~~(f) **Place for Filing Documents.**

\* \* \*

---

**LR Cv 5.1 SERVICE AND PROOF OF SERVICE**

(a) **Proof of Service.**

(1) Proof of service of any document, except those listed in LR Cv 5(d) and (e) above, required to be served on a party or non-party shall be filed with the Court within three (3) days after service is made. In the case of documents required to be served personally, proof of service shall include a certification by the person making service that the documents were served, the date of service, and a description of the manner in which service was made.

\* \* \*

**LR Cv 72 AUTHORITY OF MAGISTRATE JUDGES IN CIVIL CASES**

\* \* \*

**(c) Appeals from Rulings on Nondispositive Matters.**

- (1) Time for Appeal; Failure to File.** Any appeal from an order or other ruling by a magistrate judge in a nondispositive matter shall be filed and served within ten (10) days after such order or ruling is served on the appellant. Failure to file specific objections in a timely manner constitutes waiver of the right to review by the district judge and the right to appeal the Court's decision.

\* \* \*

**(d) Objections to Reports and Recommendations.**

- (1) Time for Objections; Failure to File.** Any objection to a Report and Recommendation by a magistrate judge shall be filed and served within ten (10) days after such Report and Recommendation is served on the objecting party. Failure to file specific objections in a timely manner constitutes waiver of the right to review by the district judge and the right to appeal the Court's decision.

\* \* \*