



UNITED STATES DISTRICT COURT
District of Rhode Island

NOTICE TO COUNSEL AND *PRO SE* LITIGANTS

Cases filed with the United States District Court for the District of Rhode Island are governed by the federal rules of procedure and the District of Rhode Island Local Rules. As a result, litigants appearing before this Court should become familiar with both sets of rules. Attention is called specifically to the requirements listed below.

ECF FILING: Electronic filers must familiarize themselves with the Local Rules governing Case Management/Electronic Case Files (CM/ECF) (DRI LR Gen. 301 – 313), complete the Electronic Learning Modules (ELMs) and review the CM/ECF section of the court's website for guidance on filing using CM/ECF.

TIMELINESS: A document filed using CM/ECF is deemed filed at the date and time stated on the Notice of Electronic Filing (NEF) from the Court. Unless otherwise required by statute, rule, or court order, filings must be completed by midnight Eastern Standard Time to be considered timely filed that day. For parties who are exempt from CM/ECF, all papers must be received before the Clerk's Office is scheduled to close.

MEMORANDUM OF LAW: Every motion except a motion to extend time or a motion to compel discovery shall be accompanied by a separate memorandum of law setting forth the reasons why the relief requested should be granted and any applicable points and authorities supporting the motion. See: DRI LR Cv. 7(a)

STATEMENT OF UNDISPUTED FACTS: In addition to the memorandum of law required by DRI LR Cv. 7, a motion for summary judgment shall be accompanied by a separate Statement of Undisputed Facts that concisely sets forth all facts that the movant contends are undisputed and entitle the movant to judgment as a matter of law. The Statement of Undisputed Facts shall be filed as a separate document following the motion and memorandum. Each "fact" shall be set forth in a separate, numbered paragraph and shall identify the evidence establishing that fact, including the page and line of any document to which reference is made, unless opposing counsel has expressly acknowledged that the fact is undisputed. See: DRI LR Cv. 56(a)(1) and (2).

CERTIFICATE OF SERVICE: The court will not consider any motion or document that has not been served on all parties. Therefore, all documents conventionally submitted for filing must contain a statement, preferably attached to the document's last page, indicating the date of service, the manner of service and the names and addresses of the persons served. See: DRI LR Cv. 5.1(b). ECF Filers must include certificates of service with any electronically filed document that state whether the parties being served are ECF Filers being served electronically by the NEF or whether they are being served using an alternate method of service permitted by Fed. R. Civ. P. 5(b), and, if so, which method. See: DRI LR Gen 309.

CORPORATE DISCLOSURE STATEMENT: Counsel representing a nongovernment corporate party in proceedings before the court must file a corporate disclosure statement with its first document filed with the Court, and properly file a supplemental statement if any required information changes. See: Fed. R. Civ. P. 7.1.

RULE 26 DISCOVERY PLAN: Parties are not required to present any written discovery plan with the Court but shall be prepared to present any discovery plan verbally at the initial Rule 16 Conference. See: DRI LR Cv. 26(a).

TRIAL PREPARATION: Counsel anticipating the need to present exhibits at trial or use personal electronic equipment during trial must contact the courtroom deputy for the presiding judge well in advance of trial to arrange for the testing of the compatibility of personal equipment and for the training in the use of the electronic exhibit presentation system.

COURT PROCEEDINGS & PRIVACY: The federal rules of procedure restrict the publication of certain personal data in documents filed with the Court. The rules require limiting Social Security, taxpayer identification, and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. [For criminal cases, also limit home addresses to city and state.] However, if such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for counsel to avoid introducing this information into the record in the first place. Please take this into account when questioning witnesses or making other statements in court. See: Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, and DRI LR Gen. 102(a).

FUNDS DEPOSITED WITH THE CLERK OF COURT: Any party who seeks to deposit funds into the Registry of the Court pursuant to 28 U.S.C. § 2041 or Fed. R. Civ. P. 67 or other rule or law must first file a motion in the form required by DRI LR Cv. 7. The motion must be accompanied by a proposed order specifying the amount of funds to be deposited, the name and address of a local financial institution into which the funds are to be deposited, and the type of account desired. The financial institution and the type of account must be approved in advance by the Clerk of Court. Counsel must also submit a motion and form of order to the Court for withdrawal of monies from the Registry, stating the exact amount to be disbursed to each party or person, and must include their names and addresses. See: DRI LR Cv. 67(a)(1) and (b).