



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 – 314), 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.

MOTIONS: A request for a court order must be made by motion. A motion must be in writing unless made during a hearing or trial or if the Court permits otherwise. All motions must state with particularity the grounds for seeking an order, the relief sought, and the legal argument necessary to support it.

STATEMENT OF UNDISPUTED FACTS: Motions 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. 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).

SEALED DOCUMENTS: Documents may be sealed by order of the court only upon the filing a motion to seal. A motion to seal in accordance with LR Cv 7 and LR Cr 47 stating the basis for the sealing and the document(s) subject to the motion to seal must be filed electronically and will remain provisionally under seal until the Court rules on the motion. Documents submitted by a party under seal, provisionally or otherwise, must be stamped or labeled by the party on the cover page "FILED UNDER SEAL." Litigants are directed to review the Court's guidance on filing motions to seal which is available on the Court's website.

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. Litigants are directed to review the sample certificates of service available on the Court's website.

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. No funds shall be sent to the Court or its officers for deposit into the registry of the Court without an order signed by the presiding judge. The party making the deposit shall serve the order permitting the deposit or transfer on the Clerk of Court. Unless otherwise ordered, all funds ordered to be paid to the Court or its officers shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. §2041. No funds may be paid out of the registry except by order of the Court. Any such order shall set forth the funds in question and name(s) of the payee(s). See: DRI LR Cv. 67.