



DISTRICT OF MONTANA QUARTERLY NEWSLETTER



VOLUME 5, ISSUE 2, APRIL 2015

"3 Day Rule"

The clerk's office has received several inquiries regarding the relationship between Local Rule 7.1(d)(1)(B), which requires that responses to motions be filed within 14 days or 21 days (depending on the type of motion) from the date the motion was filed, and Fed. R. Civ. P. 6(d), which states, "When a party must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (e), or (F), 3 days are added after the period would otherwise expire[.]" Please note that Fed. R. Civ. P. 6(d) does not add three days to the response time set forth in Local Rule 7.1(d)(1)(B), because while Rule 6(d) enlarges by three days the period of time within which a party must act after *service*, Local Rule 7.1(d)(1)(B) establishes a period of time within which a party must act after *filing*.

Veterans Court

The Court has entered into a Memorandum of Understanding with the U.S. Attorney's Office and the Eighth Judicial District of Montana providing for the diversion of qualifying federal criminal defendants to the Eighth Judicial District Veterans Court.

ADA Guidelines & Requests for Accommodations

Please see our website for ADA guidelines and requests for providing accommodations for trial participants with communications disabilities - <http://www.mtd.uscourts.gov/ada.html>.

Retirement of Bankruptcy Clerk of Court Bernie McCarthy

Bernard F. "Bernie" McCarthy, the Clerk of Court for the United States Bankruptcy Court for the District of Montana retired on February 27, 2015 after twenty-five years of service. United States District Court Clerk Tyler P. Gilman will serve as acting clerk of the bankruptcy court following Bernie's retirement.

Standing Order DLC-21A

The Court issued Standing Order DLC-21A on March 18th, which replaced Standing Order DLC-21 pertaining to motions filed under U.S.S.G. App. C Supp. Amendments 782 and 788 (retroactive drug guideline reduction). The changes in Standing Order DLC-21A are intended to clarify the Court's policy on sealing documents in such matters and to improve readability.

Clerk of Court Divisional Offices

Billings: 247-7000 Great Falls: 727-1922 Butte: 497-1279 Helena: 441-1355 Missoula: 542-7260
District of Montana Website: www.mtd.uscourts.gov

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