

Local Rules of the District of Montana
Table of Proposed Amendments 2018

This table is provided for guidance only. There is no substitute for reading the rules.

Current Page(s)	Current Number	Amended Number	Amended Title	Description
11	1.3(b)(3)	same	Records of the Court/Verbatim Record	clarifies how record may be taken and when electronic sound recording is available
11	1.3(b)(4)–(5)	1.3(b)(4)(A)–(C)	Records of the Court/Transcripts	consolidates provisions relating to transcripts
15–16	1.4(f), (g)	1.3(b)(5), (6)	Records of the Court/ Stricken Documents <i>and</i> Items Not Available in Electronic Record	relocates provisions relating to what is and is not in the electronic record of the case
13	1.3(d)(2)(G)	same	Cameras and Personal Electronic Devices	clarifies a limited exception to general ban
13–16	1.4(a)–(g)	1.4(a)–(c)	Manner Means of Filing (a) General Rules (b) Electronic Filing (c) Nonelectronic Filing	eliminates and reorganizes rules governing means of filing to conform to federal amendments effective Dec. 1, 2018; see also amended rule 1.3(b)(5), (6)
14–15	1.4(c)(4)(B)(i)	1.4(b)(3)	Attorneys/Technical Problems/Court’s Problem	allows clerk to accept filings by email when ECF filing site is not available
18	3.1(b)(2)	same	Patent, Trademark, and Copyright Cases	omits requirement for clerk’s signature
-	-	5.1	Filing with the Clerk	requires papers not filed electronically to be delivered to clerk rather than judge
30	7.1(d)(2)(E)	same	Length of Briefs	amends language re: certificate of service to conform to federal amendments
48	24.1	same	Motion to Intervene	reorganizes current rule for clarity
-	-	38.2	Jury Trial/Matter in Bankruptcy	incorporates Standing Order No. 12 authorizing jury trial by bankruptcy court when all parties consent

67–68	72.3	same	Magistrate Judges/Objection and Response	incorporates provisions of L.R. 7.1(d)(2)
-	-	78.3	Review of Matter in Bankruptcy	amends Standing Order No. 12 governing objections under 28 U.S.C. § 157 and bankruptcy appeals under § 158
72	83.1(d)(2), (3)	same	Pro Hac Vice Appearance	corrects typographical error in cross-reference and permits declaration or affidavit
82–83	83.8(c)–(e)	83.8(c)–(d)	Self-Represented Litigants/ Agreement with Clerk’s Office and Agreement with Parties	governs filing by email as between court and litigant and as between litigant and other parties
84	CR 1.1	same	Rules Incorporated from Chapter I	applies L.R. 83.8(c) and (d) to criminal cases
97	CR 41.1	same	Return of Seized Property	omits requirement to “accomplish” return of property at close of case
101	CR 47.2(c)	same	Briefing	amends language re: certificate of service to conform to federal amendments
-	-	CR 49.1	Filing with the Clerk	requires papers not filed electronically to be delivered to clerk rather than judge
-	-	CR 49.2	Signature	incorporates L.R. 11.1(b)–(d) and 11.2 in criminal cases to conform to federal amendments
-	-	CR 49.5	Non-Parties	requires electronic filing by counseled non-parties (such as material witnesses)
106	CR 55.1(d)(6)	same	Matters Held Under Seal/ Sealed Items	limits sealing of voir dire transcripts to cases where jurors’ names are used
110	CR 59.2	same	Objection to Findings and Recommendation of Magistrate Judge	incorporates provisions of L.R. 7.1(d)(2)
115	App. B(2)(D)(ii)(c)	same	Reciprocal Discipline/Response by Attorney; Findings; Order	allows disciplinary judge to accept another court’s public censure as sufficient