

NOTICE TO THE BAR
**PROPOSED AMENDMENTS
TO THE
DISTRICT OF NEW JERSEY LOCAL CIVIL RULES**

The United States District Court for the District of New Jersey announces that the following proposed amendments to the Local Civil Rules are posted for public comment as required by 28 U.S.C. § 2071(b) at <http://www.njd.uscourts.gov>.

Amendments are proposed to the following Local Civil Rules:

Local Civil Rule 7.1(f) (Motions Regarding Additional Pleadings)
PROPOSED NEW Local Civil Rule 15.1 Motions to File Amended Pleadings
Local Civil Rule 41.1(a) (Dismissal of Inactive Cases)
Local Civil Rule 101.1(b) (New Jersey Attorneys)

Civ. RULE 7.1(f) Certain Motions Regarding Additional Pleadings

(1) Upon filing of a motion for leave to file ~~an amended complaint or answer, a complaint in intervention, or other pleading requiring leave of Court~~, the moving party shall attach to the motion a copy of the proposed pleading ~~or amendments and retain the original until the Court has ruled~~ and shall state whether the motion is opposed. If leave to file is granted, the moving party shall file the original forthwith. Service shall be accomplished consistent with the Fed. R. Civ. P. and these Rules.

(2) Provisions relating to the filing and service of motions for leave to file an amended pleading are set forth in L. Civ. R. 15.1.

Civ. RULE 15.1 MOTIONS TO FILE AMENDED PLEADINGS

(a) Except as provided in section (b) of this Rule, or as may be excused by the Court, a party who seeks leave to amend a pleading shall do so by motion, which shall state whether such motion is opposed, and shall attach to the motion:

(1) a copy of the proposed amended pleading; and
(2) a form of the amended pleading which shall indicate in what respect(s) it differs from the pleading which it proposes to amend, by bracketing or striking through materials to be deleted and underlining materials to be added.

If the motion to amend is granted, the moving party shall file the original forthwith as the amended pleading. Service shall be accomplished consistent with the Fed. R. Civ. P. and these Rules.

(b) Except as may be excused by the Court, a party who files an amended pleading in response to an Order authorizing the filing of that pleading to cure a defect in its pleading shall file:

(1) a copy of the amended pleading, complete with a handwritten or electronic signature;
and

(2) a form of the amended pleading that shall indicate in what respect(s) it differs from the pleading that it amends, by bracketing or striking through materials to be deleted and underlining materials to be added.

Service shall be accomplished consistent with the Fed. R. Civ. P. and these Rules.

Civ. RULE 41.1 DISMISSAL OF INACTIVE CASES

(a) Civil cases, other than bankruptcy matters, which have been pending in the Court for more than ~~120~~ 90 days without any proceedings having been taken therein must be dismissed for lack of prosecution by the Court (1) on its own motion, or (2) on notice from the Clerk to all parties who have appeared, unless good cause is shown with the filing of an affidavit or other document complying with 28 U.S.C. §1746 from counsel of record or the unrepresented party. Notice shall be provided by the Clerk of either action contemplated above under sub-paragraphs (1) and (2) to counsel, their client(s) and/or unrepresented persons who have appeared.

Civ. RULE 101.1 ADMISSION OF ATTORNEYS

(b) New Jersey Attorneys

Any attorney licensed to practice by the Supreme Court of New Jersey may be admitted as an attorney at law ~~on motion of a member of the bar of this Court, made in open court, and upon taking the prescribed oath and signing the roll~~ upon completion of a sworn application submitted to the Court. Any New Jersey attorney deemed ineligible to practice law by order of the New Jersey Supreme Court entered pursuant to New Jersey Court Rule 1:28-2(a) shall not be eligible to practice law in this Court during the period of such ineligibility. Any attorney licensed to practice by the Supreme Court of New Jersey who has resigned from the New Jersey bar shall be deemed to have resigned from the bar of this Court effective as of the same date as his/her resignation from the New Jersey bar.

Comments must be received by the Clerk of the Court by March 31, 2017 and should be addressed to:

William T. Walsh, Clerk of Court
United States District Court
Martin Luther King Jr. Federal Bldg. & U.S. Courthouse
50 Walnut St.
Newark, NJ 07101

or by e-mail to: localrules@njd.uscourts.gov

For the Court
Jerome B. Simandle
Chief Judge