

UNITED STATES DISTRICT COURT
FOR THE
EASTERN AND WESTERN DISTRICTS OF KENTUCKY

FILED
March 16, 2015

JOINT GENERAL ORDER No. 15-01

IN RE: AMENDMENTS TO JOINT LOCAL RULES

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Pursuant to LR 83.14 and LCrR 57.7 of the Joint Local Rules of the Eastern and Western Districts of Kentucky, and pursuant to the authority granted by Rule 83 of the Federal Rules of Civil Procedure and Rule 57 of the Federal Rules of Criminal Procedure, upon recommendation of the Joint Local Rules Commission, and upon the close of the comment period without comment, the Judges of the Eastern and Western Districts hereby ORDER that the following amendments be made to the Joint Local Rules:

1. **LR 4.1 – Service of Process Through the Secretary of State** – is deleted in its entirety and restated as follows:

In addition to the filing procedures and fees of this Court, whenever a party intends to serve process through the Kentucky Secretary of State, the party initiating such service must also follow the filing procedures of the Kentucky Secretary of State.

2. **Subparagraph (e) of LR 7.1 – Motions** – is amended as follows:

(e) Proposed Order. A party filing a motion must also file a separate proposed order. Any proposed order imposing sanctions must be provided separately from a proposed order pertaining to any other matter.

3. **LR 72.2 – Objections To Non-Dispositive Ruling of Magistrate Judge** – is adopted as follows:

Objections To Non-Dispositive Ruling of Magistrate Judge

Subject to any deadlines established by the Court, a party objecting to a non-dispositive order of a magistrate judge must file a written objection with fourteen (14) days of service of the non-dispositive order. Unless directed by the Court, no party may file any response to a written objection.

4. **Subparagraph (a) of LR 83.2 – Permission to Practice in a Particular Case** – is amended to state as follows:

(a) Procedure. An attorney who has not been admitted to the Bar of the Court – but who is in good standing in the Bar of any state, territory, or the District of Columbia – may represent parties before the Court if the attorney has paid the prescribed *pro hac vice* admission fee to the Clerk of the Court and been granted leave by the Court to appear *pro hac vice* in a particular case. A separate motion for each attorney requesting *pro hac vice* admission must include the following information:

- (1) *Admission Status.* The motion must identify each Bar in which the attorney is a member and attach a certificate of good standing issued by the highest court of the state, territory, or the District of Columbia in which the attorney is a resident. The certificate of good standing must be issued no more than ninety (90) days before the filing of the motion.
- (2) *Disciplinary History.* The motion must disclose whether the attorney is currently or has ever been disbarred, suspended from practice, or subject to other disciplinary action by any court, state, territory, or the District of Columbia.
- (3) *Consent to Jurisdiction.* The motion must include a statement indicating that the attorney consents to be subject to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct.
- (4) *ECF Training.* The motion must identify the method of training completed by the attorney before use of the Court’s electronic filing system.

5. **Subparagraphs (b) and (f) LCrR 12.1 – Motions** – is amended as follows:

(b) Motions for an Extension of Time. Extensions of time in criminal actions will be granted only if the party seeking the extension files a motion demonstrating good cause. Extensions of time by agreement of the parties are not valid in criminal cases. A memorandum opposing a motion for an extension of time must be filed within seven (7) days of service of the motion.

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(f) Proposed Order. A party filing a motion must also file a separate proposed order. Any proposed order imposing sanctions must be provided separately from a proposed order pertaining to any other matter.

6. **Subparagraph (a) of LCrR 57.2 – Permission to Practice in a Particular Case** – is amended as follows:

(a) Procedure. An attorney who has not been admitted to the Bar of the Court – but who is in good standing in the Bar of any state, territory, or the District of Columbia – may represent parties before the Court if the attorney has paid the prescribed *pro hac vice* admission fee to the Clerk of the Court and been granted leave by the Court to appear *pro hac vice* in a particular case. A separate motion for each attorney requesting *pro hac vice* admission must include the following information:

- (1) *Admission Status.* The motion must identify each Bar in which the attorney is a member and attach a certificate of good standing issued by the highest court of the state, territory, or the District of Columbia in which the attorney is a resident. The certificate of good standing must be issued no more than ninety (90) days before the filing of the motion.
- (2) *Disciplinary History.* The motion must disclose whether the attorney is currently or has ever been disbarred, suspended from practice, or subject to other disciplinary action by any court, state, territory, or the District of Columbia.
- (3) *Consent to Jurisdiction.* The motion must include a statement indicating that the attorney consents to be subject to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct.
- (4) *ECF Training.* The motion must identify the method of training completed by the attorney before use of the Court’s electronic filing system.

The amendments reflected in this Joint General Order shall be incorporated into the Courts' Joint Local Rules published on the Courts' respective websites. Copies of this Order shall be made available to the public on the Courts' respective websites and made available to the various publishing companies that publish the Joint Local Rules of the Eastern and Western Districts of Kentucky. The amendments noted in this Order shall take effect upon entry of this Order.

IT IS SO ORDERED:

s/Karen K. Caldwell
Hon. Karen K. Caldwell
Chief Judge, United States District
Court, Eastern District of Kentucky

s/Joseph H. McKinley, Jr.
Hon. Joseph H. McKinley, Jr.
Chief Judge, United States District
Court, Western District of Kentucky