

**UNITED STATES DISTRICT COURT**  
**Southern District of Indiana**  
**Office of the Clerk**

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**N O T I C E**

TO: THE PUBLIC AND MEMBERS OF THE PRACTICING BAR FOR THE  
SOUTHERN DISTRICT OF INDIANA

The Court has considered the recommendation of the Local Rules Advisory Committee that certain Local Rules be amended, and the Clerk issued a Public Notice on October 22, 2013, regarding the proposed amendments. The Court has considered the proposed amendments and the comments received.

Therefore, pursuant to 28 U.S.C. § 2071 and Rule 83 of the Federal Rules of Civil Procedure, the United States District Court for the Southern District of Indiana hereby gives public notice that the following amendments to the Local Rules of this Court are adopted, effective **December 1, 2013**. Unless otherwise indicated, as seen in this Notice ~~redline~~ text is added and ~~struck~~ text is deleted. The proposed amendments are as follows:

**A. Subparagraph (b) of Local Rule 1-1 - Scope of the Rules is amended**  
as follows:

**(b) Effective Date and Scope of Rules.** These rules, as amended ~~from time to time~~, take effect ~~February 1, 1992~~ **January 1, 2013**. They govern all civil and criminal cases on or after that date. However, in cases pending when the rules take effect, the court may apply the former local rules if it finds that applying these rules would not be feasible or would be unjust.

**B. Subparagraph (b) of Local Rule 5-1 – Format of Papers Presented for Filing is amended as follows:**

**(b) General.** Any pleading, motion, brief, affidavit, notice, or proposed order filed with the court, whether electronically or with the clerk, must:

- be plainly typewritten, printed, or prepared by a clearly legible copying process;
- have at least 1-inch margins;
- use at least 12-point type in the body of the paper and at least 10-point type in footnotes;
- be double spaced (except for headings, footnotes, and quoted material);
- have consecutively numbered pages;
- include a title on the first page;
- if it has four or more exhibits, include a separate index that identifies and briefly describes each exhibit;
- if it is a form of order, include a statement of service, in the format required by S.D. Ind. L.R. 5-5(e)(d) in the lower left corner of the paper; and
- in the case of pleadings, motions, legal briefs, and notices, include the name, complete address, telephone number, facsimile number (where available), and e-mail address (where available) of the *pro se* litigant or attorney who files it.

**C. Subparagraph (c) of Local Rule 5-1 – Format of Papers Presented for Filing is amended as follows:**

**(c) Electronic Filings.** Any paper submitted via the court's electronic case filing (ECF) system must be:

- in .pdf format;
- converted to a .pdf file directly from a word processing program, unless it exists only in paper format (in which case it may be scanned to create a .pdf document);

- submitted as one or more .pdf files that do not exceed 510 megabytes each (consistent with the *CM/ECF Policies and Procedures Manual*); and
- otherwise prepared and filed in a manner consistent with the *CM/ECF Policies and Procedures Manual*.

**D. Subparagraph (d) of Local Rule 5-1 – Format of Papers Presented for Filing is amended** as follows:

**(d) Non-Electronic Filings.**

a. *Form, Style, and Size of Papers.* Any paper that is not filed electronically must:

- be flat, unfolded, and on good-quality, 8.5" x 11" white paper;
- be single-sided;
- not have a cover or a back;
- ~~be either stapled in the top left corner or bound on the left side so that the paper can lie reasonably flat when open (for example, spiral bound);~~ must be (if consisting of more than one page) fastened by paperclip or binder clip and may not be stapled;
- be two-hole punched at the top with the holes 2 ¾" apart and appropriately centered; and
- include the original signature of the *pro se* litigant or attorney who files it.

**E. New Local Rule 45-1 – Service of Subpoena on Non-Parties – Notice Requirement** is adopted as follows:

If a subpoena to produce or permit is to be served upon a nonparty, a copy of the proposed subpoena must be served on all other parties at least 7 days prior to service of the subpoena on the nonparty, unless the parties agree to a different time frame or the case management plan provides otherwise. Provided, however, that if such subpoena relates to a matter set for hearing within such 7 day period or arises out of a bona fide emergency, such subpoena may be served upon a nonparty 1 day after a notice and copy of the subpoena is served on each party.

**F. Subparagraph (a)(1) of Local Rule 83-6 – *Pro Hac Vice* Admission is amended as follows:**

**(a) Authority to Represent Parties in a Case.** An attorney who is not a member of the bar of the court may represent parties in a case if the nonmember has paid the required *pro hac vice* admission fee to the clerk of court and been granted leave by the court to appear *pro hac vice* in the case. A motion requesting *pro hac vice* admission must include the following information.

**(1) Admission Status.** The motion must include a statement indicating that the attorney requesting admission is admitted to practice, **currently in active status**, and in good standing as an attorney in another United States court or the highest court of any state.

**G. Subparagraph (b) of Local Rule 83-6 – *Pro Hac Vice* Admission is amended as follows:**

**(b) Form of Filing *Pro Hac Vice* Motion.** A motion requesting *pro hac vice* admission may be filed ~~either in paper form~~ by:

**(1) ~~¶~~The attorney seeking admission. The motion must be filed electronically if the attorney seeking *pro hac vice* admission is already registered for electronic filing in this district as required by Rule 5-3. Otherwise, the *pro hac vice* motion must be filed in paper form.**

**(2) ~~or electronically by a~~An admitted attorney of record in the case on behalf of the attorney seeking admission. When filed **by an attorney of record on behalf of the attorney seeking admission** electronically, the motion must be **filed electronically and be** accompanied by a certification addressing requirements (a)(1) through (3) of this rule and bearing the original signature of the attorney seeking admission.**