

Local Rule 40-1 - Assignment of Cases

(a) **Assignment According to Court Order.** The clerk must assign cases to judicial officers according to the method that the court orders from time to time.

(b) **Assignment Sequence Is Confidential.** No one in the clerk's office may reveal to any person, other than a judge, the sequence in which cases are assigned.

(c) **Punishment for Tampering with Assignments.** The court may punish a person for contempt if the person causes or attempts to cause a court employee to:

- (1) reveal the sequence in which cases are assigned; or
- (2) assign a case inconsistent with the court's order.

(d) **Notice of Related Action.** A party must file a notice of related action:

(1) upon filing an appeal from a bankruptcy case, if another appeal arising out of the same case (including from an adversary proceeding) has already been filed; or

(2) as soon as it appears that the party's case and another pending case:

- (A) arise out of the same transaction or occurrence;
- (B) involve the same property; or
- (C) involve the validity or infringement of the same patent, trademark, or copyright.

(e) **Transfer of Related Cases.** When the court determines that two cases are related, the case filed later may, in the court's discretion, be transferred to the judicial officer handling the earlier-filed case.

(f) **Reassignment of Cases.** The court may reassign cases among judicial officers if workload and the speedy administration of justice so require. If it is necessary to reassign a case for reasons other than workload, the chief judge will refer the case to the clerk and the clerk must reassign the case using a system similar to that used when cases are first filed.

(g) **Remands for New Trials.** The clerk must assign cases remanded for a new trial under Seventh Circuit Rule 36 by random lot unless:

- (1) the remand order directs otherwise; or
- (2) within 15 days after the mandate for a new trial is docketed, all parties in the case file a request that the judge previously assigned to the case retry it.

(h) Direct Assignment of Cases. Certain case types will be directly assigned as follows:

(1) Habeas petitions brought under 28 U.S.C. §2255 are assigned to the judge of the underlying criminal case;

(2) Any cases for which assignment is mandated by statute or rule will be assigned accordingly.