

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.

This Notice requirement is not satisfied by indicating that a case is related on the Civil Cover Sheet.

(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.