

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

PROPOSAL TO AMEND THE LOCAL RULES

The full Court met in executive session on Thursday, June 24, 2021, and approved proposed Local Rule 73.1 regarding Magistrate Judges: Reassignment on Consent as attached (additions shown thus, and deletions shown ~~thus~~):

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COMMENT: By direction of the full Court and pursuant to 28 U.S.C. §2071(b) regarding appropriate public notice and opportunity for comment, the Clerk is directed to: (a) cause notice of the proposal to adopt Local Rule 80 to be published in the *Chicago Daily Law Bulletin*, (b) cause notice of the proposal and requests for comment to be posted on the web site for the United States District Court Northern District of Illinois, (c) cause notice of the proposal to be posted in the Courthouses at Chicago and Rockford, (d) indicate in such notice a final date for receipt of comments, which date shall be sixty days from the first date of publication in the *Law Bulletin*, (e) collect and distribute among the members of the Advisory Committee for Local Rules all comments received, and (f) following receipt of a copy of the report and recommendation of the advisory committee to distribute copies of the comments together with copies of the report and recommendation among the members of the Court for consideration at a regular meeting of the full Court.

ENTER:

FOR THE COURT


Hon Rebecca R. Pallmeyer, Chief Judge

Dated at Chicago, Illinois this 29th day of June 2021.

LR 73.1 Magistrate Judges: Reassignment on Consent

- (a) Right to Reassignment Upon Consent.** Upon consent of all the parties, and upon approval of the district judge to whom the case is assigned, a magistrate judge may conduct all proceeding in a civil case, including a jury or non-jury trial and entry of judgment in the case.
- (b) Notification to all Parties of Right to Consent.** The Clerk of the court shall notify the parties in all civil cases that they may, but are not required to, consent to have a magistrate judge conduct any or all proceedings in a case and order the entry of a final judgment. Such notice shall be given by docket entry made at the time the case is filed. In the case of paper filed complaints the Clerk shall provide such notice by mail.
- (c) ~~(a)~~ Procedure for Parties to Consent to Appear Before a Magistrate Judge.** To signify their consent to the jurisdiction of the magistrate judge the parties must jointly file a statement consenting to the reassignment. Forms of *Consent to Exercise of Jurisdiction by a Magistrate Judge* filed by parties will be maintained by the plaintiff or plaintiff's counsel until such time as all parties or their counsel have signed the form. ~~At~~ may be utilized for such time as the consent form has been signed by all of the parties, a single purpose; however, any joint statement indicating that filing signifying the parties' consent to have all proceedings handled by the magistrate judge (such as in an Initial Status Report or proposed Case Management Order) is sufficient provided all parties sign such consent. ~~have consented must be filed electronically with the Court, unless the assigned judge or magistrate judge allows the parties to file a single paper consent form in court.~~
- (d) ~~(b)~~ Reassignment of Case Upon Consent.** Any judge wishing to reassign a case pending on that judge's calendar to a magistrate judge following the consent by all parties to have the magistrate judge conduct any and all proceedings in that case will transfer the case to the calendar of the designated magistrate judge.
- (e) Magistrate Judge Reassignment After Consent Occurs.** If a case in which a consent has been filed is reassigned to a magistrate judge other than the magistrate judge designated pursuant to ~~LR~~ Local Rule 72.1, the parties may object within 21 days of such reassignment. If a timely objection is filed by any party, the case will be reassigned to the district judge before whom it was last pending. If no objection has been filed within 21 days, the parties will be deemed to have consented to the reassignment.
- (f) Party Added After Consent Occurs.** A party added to a civil case after the case has been transferred to the magistrate judge on consent will be given

an opportunity to consent to the continued exercise of case-dispositive authority by the magistrate judge. The Clerk will notify the additional party of the availability of a magistrate judge to exercise jurisdiction. A party choosing to consent must, within 30 days of appearance, file a statement consenting to the jurisdiction of the magistrate judge. The case will be returned to the district judge for all further proceedings unless a statement is properly signed and filed.

~~(g) (c) **Consent to Enter Judgment.** A magistrate judge is authorized to enter a final judgment for a sum certain to which all the parties have consented in writing or a judgment of dismissal to which all of the parties have stipulated in writing, provided that the parties indicate their consent to the entry of the judgment by the magistrate judge either in writing or in open court at the time of the entry of the judgment..~~

(d) Limited consents. Parties may consent to the transfer of part of a proceeding to a magistrate judge to act pursuant to 28 U.S.C. § 636(c). Such consents shall be filed in the same manner as the consents for a transfer of the entire proceeding. Upon notification of the filing of such consents by the parties, the district judge may transfer that portion of the case covered by the consents for reassignment to the calendar of the designated magistrate judge. Where such a reassignment is made, the case shall remain on the calendar of the district judge.

LR 73.1 Magistrate Judges: Reassignment on Consent

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- (b) Notification to all Parties of Right to Consent.** The Clerk of the court shall notify the parties in all civil cases that they may, but are not required to, consent to have a magistrate judge conduct any or all proceedings in a case and order the entry of a final judgment. Such notice shall be given by docket entry made at the time the case is filed. In the case of paper filed complaints the Clerk shall provide such notice by mail.
- (c) Procedure for Parties to Consent to Appear Before a Magistrate Judge.** To signify their consent to the jurisdiction of the magistrate judge the parties must jointly file a statement consenting to the reassignment. Forms of *Consent to Exercise of Jurisdiction by a Magistrate Judge* may be utilized for such purpose; however, any joint filing signifying the parties' consent to have all proceedings handled by the magistrate judge (such as in an Initial Status Report or proposed Case Management Order) is sufficient provided all parties sign such consent.
- (d) Reassignment of Case Upon Consent.** Any judge wishing to reassign a case pending on that judge's calendar to a magistrate judge following the consent by all parties to have the magistrate judge conduct any and all proceedings in that case will transfer the case to the calendar of the designated magistrate judge.
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consenting to the jurisdiction of the magistrate judge. The case will be returned to the district judge for all further proceedings unless a statement is properly signed and filed.

- (g) Limited consents.** Parties may consent to the transfer of part of a proceeding to a magistrate judge to act pursuant to 28 U.S.C. § 636(c). Such consents shall be filed in the same manner as the consents for a transfer of the entire proceeding. Upon notification of the filing of such consents by the parties, the district judge may transfer that portion of the case covered by the consents for reassignment to the calendar of the designated magistrate judge. Where such a reassignment is made, the case shall remain on the calendar of the district judge.