

JUN 16 2021

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIAClerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Voting: Chief Judge Howell, Judges Kollar-Kotelly, Boasberg, A.B. Jackson, Contreras, K.B. Jackson, Chutkan, Moss, Mehta, Kelly, McFadden, Hogan, Friedman, Walton, Bates and Leon.

## ORDER

It is the 16<sup>th</sup> day of June 2021 ordered that effective immediately, the underlisted sections of the Local Rules are amended as follows, with the Clerk of Court being authorized to make technical and conforming changes as necessary.

[New language is underlined; old language is stricken]

## LCvR 5.1

## FORM AND FILING OF DOCUMENTS

## (a) CORRESPONDENCE WITH THE COURT.

Except when requested by a judge, correspondence shall not be directed by the parties or their attorneys to a judge, nor shall papers be left with or mailed to a judge for filing.

## (b) FACSIMILE OR EMAIL.

No document shall be transmitted to the Clerk for filing by means of electronic facsimile or email transmission except with express leave of Court.

## (c) NAME AND ADDRESS OF PARTIES AND ATTORNEYS.

(1) The first filing by or on behalf of a party shall have in the caption the name and full residence address of the party. Where a person is sued in an official capacity, the person's official address shall be used. If the party is appearing *pro se*, the caption shall also include the party's telephone number. Those filing *pro se in forma pauperis* must provide in the caption the name and full residence address or official address of each party. Failure to provide the address information within 30 days of filing may result in the dismissal of the case against the defendant. All documents signed by an attorney shall contain the name, address, telephone number, and D.C. Bar identification number of the attorney if the attorney is a member of the D.C. Bar. All attorneys listed on any document who are members of the D.C. Bar must include their D.C. Bar identification numbers regardless of whether they sign the document. Notice of a change in address or telephone number of an attorney or a party not represented by an attorney must be filed within 14 days of the change. Unless changed by notice filed with the Clerk, the address and telephone number of a party or an attorney noted on the first filing shall be conclusively taken as the last known address and telephone number of the party or attorney.

- (2) By signing a document that is presented to the Court, an attorney is certifying that the attorney, and all other attorneys appearing with the attorney on the document, are members of, or have a pending application for admission to, the Bar of this Court, or have complied with LCvR 83.2(c) or (d), or are covered by LCvR 83.2(e) as counsel for the United States.

*COMMENT TO LCvR 5.1(c) (1) and (2): Section (c)(1) was amended to make clear that the reference to the requirement that all documents include "the bar identification number of the attorney" requires a D.C. Bar identification number. Because members of the Bar of this Court are not assigned bar identification numbers, Section (c)(2) was added to assist the Clerk's Office in verifying the bar membership status of attorneys who appear in this Court.*

**(d) FORM OF DOCUMENTS.**

Every document shall be typed (double spaced) using a standard 8 ½ by 11-inch word processing format (submitted electronically to the Court in PDF format) and shall contain a heading under the caption describing the nature of the document. The case number on every document shall be followed by the initials of the judge to whom the case has been assigned. If the case has been referred to a magistrate judge, the magistrate judge's initials shall also be shown. Any exhibit or attachment to documents shall reflect the number of the case in which it is filed. Any document submitted to the Court in paper format shall be submitted unfolded and produced on opaque 8 ½ by 11-inch white paper using a clear black image.

All pleadings shall appear in 12-pt. font and shall be double-spaced. Footnotes, which shall not be excessive, shall also appear in 12-pt. font.

**(e) ATTACHMENTS TO PLEADINGS.**

No complaint, amended complaint, counterclaim, cross claim or third-party complaint shall have appended thereto any document that is not essential to determination of the action. Whenever any such pleading is sought to be filed with an attached document, the Clerk shall bring this Rule to the attention of the person filing the pleading.

**(f) VERIFICATION**

Whenever any matter is required or permitted by law or by rule to be supported by the sworn written statement of a person (other than a deposition, oath of office, or oath required to be taken before a specified official other than a notary public), the matter may, with the same force and effect, be supported by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed as true under penalty of perjury, and dated, in substantially the following form:

- (1) If executed without the United States "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).

(Signature)".

- (2) If executed within the United States, its territories, possessions, or

commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).

(Signature)".


**(g) NONCONFORMING DOCUMENTS.**

If A-a document that does not conform to the requirements of this Rule and Fed. R. Civ. P. 10(a), shall not be accepted for filing, the Clerk will notify the filing party of the identified deficiency and request that the deficiency be corrected by the end of the next business day. If a deficiency is not corrected by the end of the next business day, the Clerk will forward the pleading to the assigned judge with notice of the identified deficiency and a recommendation, if appropriate, that the pleading be stricken for failure to comply with applicable rules.

**(h) SEALED OR CONFIDENTIAL DOCUMENTS.**

- (1) Absent statutory authority, no case or document may be sealed without an order from the Court. A document filed with the intention of it being sealed in an otherwise public case must be filed by electronic means in a manner authorized by the Clerk and shall be accompanied by a motion to seal. The document will be treated as sealed, pending the outcome of the ruling on the motion. Failure to file a motion to seal will result in the document being placed on the public record.
- (2) When it is necessary to file a sealed document in paper form, the document must be submitted to the Clerk's Office with an electronic copy in a format deemed by the Clerk's Office to be compatible with CM/ECF filing. The document shall be submitted to the Clerk securely sealed in an envelope/box. The envelope/box containing such a document shall contain a conspicuous notation that states "DOCUMENT UNDER SEAL" or "DOCUMENTS SUBJECT TO PROTECTIVE ORDER," or the equivalent. The face of the envelope/box shall also contain the title of the Court, the case caption, the case number, and a descriptive title of the document, unless such information is to be or has been included among the information ordered sealed. The face of the envelope/box shall also contain the date of any order or the reference to any statute permitting the item to be sealed.
- (3) Filing a sealed document in a totally sealed case, or filing a sealed document in paper format in an otherwise public case where electronic filing cannot be affected, must be made in the Clerk's Office during the business hours of 9:00 a.m. and 4:00 p.m. daily except Saturdays, Sundays and legal holidays. Filing a sealed document at the security desk is prohibited because the Security Officers are not authorized to accept this material.

FOR THE COURT:

  
Beryl A. Howell  
Chief Judge