

SUMMARY OF AMENDMENTS  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
LOCAL CRIMINAL RULES OF PROCEDURE

Effective December 1, 2015

<b>Affected Local Criminal Rule</b>	<b>Change in Rule</b>
5.2	Added “not assigned to a district judge” to subsection (a).
11.1	Added new rule:  “Pursuant to 18 U.S.C. § 3153(c)(1), which governs the availability of the pretrial services report to counsel for the accused and for the government prior to any detention hearing, the United States Probation Office for the Eastern District of North Carolina is authorized to disclose pretrial services reports to counsel for the accused and for the government. This disclosure shall be accomplished by filing the pretrial services report for each case under seal in the CM/ECF filing system. Counsel for the accused and for the government may retain these reports, but must not re-disclose the reports to other persons. When a copy of the report is filed under seal, it will have a header on the first page advising the attorneys that (a) the report is not being copied, (b) the report is not a public record, and (c) the content may not be disclosed to other persons. Other than the disclosures laid out herein, the reports shall remain confidential, as provided in 18 U.S.C. § 3153(c)(1).”
24.1	Added 24.1(c):  “If a party has a need for any type of courtroom technology for a hearing or trial, including but not limited to any audio equipment, video equipment, document presentation system, and jury evidentiary recording system, counsel must notify the case manager and request training from the court’s information technology staff for the person or persons who will be operating the courtroom technology. Unless excepted by the clerk, no later than seven days before the scheduled proceeding, counsel must file a certification provided by the court’s technology staff that training has been completed.”

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47.1	<p>Added 47.1(h)(2):</p> <p>“Except as otherwise ordered by the court, designated secured leave under Rule 26 of the General Rules of Practice for the Superior and District Courts of the State of North Carolina shall not be the sole basis for an extension of time or continuance.”</p>
49.1	<p>Added “in text searchable format” to subsection (a)(1).</p>
55.2	<p>Added “First-time filers are strongly encouraged to call the CM/ECF Help Desk at 866-855-8894.”</p>
57.1	<p>Added additional sub-paragraphs for organizational purposes and made stylistic changes to subsection (c).</p> <p>Deleted reference to “District” in subsection (e)(1).</p> <p>Added 57.1(e)(5):</p> <p>“A special appearance is not a substitute for an admission to the bar of this court, but rather is intended to facilitate occasional appearances only. Unless otherwise ordered for good cause shown, no attorney may be admitted pursuant to Local Criminal Rule 57.1 in more than three unrelated cases in any 12 month period, nor may any attorney be admitted pursuant to Local Criminal Rule 57.1 in more than three active unrelated cases at any one time.”</p> <p>Added 57.1(l), Electronic Devices in Courtroom Facilities:</p> <p>“(1) Attorneys are subject to the Standing Order on Prohibition of Wireless Communication Devices in Courtroom Facilities dated August 15, 2005, 05-PLR-7. To be exempted from the Order, attorneys will be required to present a bar card to the court security officer to retain a</p>

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57.1 (cont'd)	<p>cellular phone, smartphone, laptop, tablet, or other electronic device. If an attorney fails to present a bar card, the attorney will be prohibited from bringing any such item into the courthouse.</p> <p>(2) By bringing an electronic device into the courthouse, an attorney agrees to the following:</p> <p>(A) The electronic device will not be used to record, broadcast, nor transmit any video images or audio sounds.</p> <p>(B) While in the courtroom, the attorney will ensure that no sounds are emitted from the device.</p> <p>(C) Upon entering the United States District Courthouse in the Eastern District of North Carolina, the electronic device will be screened by the Court Security Officers using visual observation, x-ray scanning, chemical detection devices or other screening methods.</p> <p>(D) The attorney will maintain custody over the electronic device and will not allow it to be used by anyone else unless the attorney has been given Court permission.</p> <p>(E) Failure to comply with these provisions may result in the attorney's loss of the right to use an electronic device in the United States District Courthouses in the Eastern District of North Carolina, confiscation of the device or other court sanctions, including, but not limited to, contempt of court.</p> <p>(3) Persons using wireless communication devices for evidence presentation or for other similar purposes must notify the court prior to the commencement of any proceeding that such a device is in their possession.</p> <p>(4) Judges may permit additional exceptions to or impose additional limitations on the use of wireless electronic devices within courtroom facilities at their discretion.”</p>
12.1, 16.1, 24.1, 32.2, 47.1, 55.1, 55.2, 57.3, 58.1,	Modified to use only numerals, as opposed to spelling out numbers.