

SUMMARY OF AMENDMENTS  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
LOCAL ADMIRALTY AND MARITIME CLAIMS RULES  
OF  
PRACTICE AND PROCEDURE<sup>1</sup>

December 1, 2016

Affected Local Admiralty Rule	Change in Rule
B(1)	Amend Rule B(1) to require a plaintiff to include a citation to the applicable state law when the plaintiff invokes a state procedure to attach or garnish property under Fed. R. Civ. P. 4(n).
C(2)	<p>Amend Rule C(2)(a) to correct the title of The Virginian-Pilot and add The News and Observer as one of the permissible newspapers for publication pursuant to Supplemental Rule C(4) in Southern Division cases.</p> <p>Amend Rule C(2)(c) to conform to Local Civil Rule 10.1(j)'s requirements for signature blocks.</p> <p>Amend Rule C(2)(d) so the requirements reflect the common practice for proof of publication.</p>
D(1)	<p>Retitle "Return Date in Possessory, Petitory, and Partition Actions."</p> <p>Amend Rule D(1) to provide that in an action under Supplemental Rule D, the court may order that the claim may be filed on a date earlier than 21 days after the arrest and may set an expedited hearing of the action.</p>

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<sup>1</sup> This summary was prepared by the Clerk's Office as a guide to the changes to the Local Admiralty Rules and should not substitute for reading the full text of those rules. This summary is not intended to serve as legal advice or commentary on the proposed changes to the Local Admiralty Rules. The summary does not include minor stylistic changes or technical amendments.

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E(1)	<p>Amend Rule E(1)(a) to allow the court to communicate electronically its decision on a motion to issue a summons and process of arrest, attachment, or garnishment.</p> <p>Amend E(1)(e) to clarify that the party seeking service must inform the marshal of the registry of the vessel.</p>
E(4)	Amend to allow electronic service.
E(6)	<p>Amend E(6)(a)(2) to conform to Local Civil Rule 10.1(j).</p> <p>Amend E(6)(b) to clarify the process for filing a bond.</p>
E(8)	<p>Amend Rule E(8)(a) and (e) to clarify that a complaint in intervention is filed in the existing case, and not as a new lawsuit.</p> <p>Amend Rule E(8)(f) to clarify that intervenor must serve a copy of intervention filings, and not original filings.</p> <p>Amend Rule E(8)(f) to clarify that each party must file and serve its answer, motion, or other responsive pleading to the complaint in intervention.</p> <p>Amend Rule E(8)(f) to provide that the intervenor has 21 days from the filing of the complaint in intervention to file and serve its response to the complaints and claims previously filed in the action.</p>

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E(11)	<p>Amend Rule E(11)(d), (g), (h) to omit references to “court days.”</p> <p>Amend Rule E(11)(e) to strike the possibly ambiguous language of who must give notice to the court of the balance of registry deposits.</p> <p>Amend Rule E(11)(i) to strike provision that a motion will be heard summarily by the court and to clarify that a party may, but is not required, to request a hearing.</p>
E(12)	<p>Amend Rule E(12)(c) to allow for electronic notification.</p>
E(13)	<p>Amend Rule E(13) to cross-reference Local Civil Rule 54.1.</p>
F(1)	<p>Amend Rule F(1)(a) to provide that the clerk gives notice of the time and place of a hearing to the marshal and counsel of record, and the marshal posts a copy of the notice on the vessel.</p> <p>Amend Rule F(1)(c) to refer to Fed. R. Civ. P. 4(n), instead of (e).</p>