

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

January 2022¹

Affected Local Criminal Rule	Proposed Change in Rule
1.2	Add new Rule 1.2 setting forth definitions of terms used throughout the rules.
5.2	Amend subsection (a) to replace the reference to “Rules of Procedures for the Trial of Misdemeanors before United States Magistrate Judges” with Fed. R. Crim. P. 58.
5.3	Amend to use the term “district judge” to clarify when actions are taken by district judges, add provisions regarding a magistrate judge’s ability to accept pleas and exercise contempt authority, and delete subsection (e) which is civil in nature.
12.1	Amend to conform to the current practice in this district where scheduling orders may set a different deadline for the filing of pretrial motions and responses thereto.
12.3	Amend subsection (d) to conform to the language of Fed. R. Crim. P. 12.4.
16.1	Amend subsection (b) to conform to the current practice in this district where scheduling orders may set a different deadline for the criminal pretrial conference.

¹ This summary was prepared by the Clerk’s Office as a guide to the proposed changes to the Local Criminal Rules and should not substitute for reading the full text of the proposed amendments. This summary is not intended to serve as legal advice or commentary on the proposed changes to the Local Criminal Rules. The summary does not include minor stylistic changes.

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24.1 and 57.6	Move the provisions of Rule 24.1(c) to new Rule 57.6 to make clear that the requirements apply in any hearing before the court and not solely trials.
47.1	Amend subsection (a) to require consultation with a non-incarcerated party or nonparty whose interests may be affected by a motion for extension of time. The current rule requires consultation with opposing counsel only and as a result, many parties do not consult opposing pro se parties.
49.1	Amend to reflect the 2018 amendments to the Fed. R. Crim. P. 49 and this district's Standing Order 18-SO-5 concerning electronic service of documents filed by unrepresented litigants.
50.2 and 50.5	Combining the redundant provisions of Rule 50.2 and Rule 50.5 into a single rule and making it mandatory for the government to file a notice of related case but discretionary for defendants.