

United States District Court
District of Alaska

Local Rules
(Civil)

[EFFECTIVE OCTOBER 1, 2002]

WITH AMENDMENTS THROUGH
DECEMBER 1, 2006

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SUMMARY OF SEPTEMBER 1, 2006, AMENDMENTS

Rule 15.1. To conform to changes required by conversion to the CM/ECF System, the requirement that a signed original be submitted with the motion is eliminated and a requirement that the original amended pleading be filed after the court rules on the motion added.

SUMMARY OF DECEMBER 1, 2006, AMENDMENTS

Rule 24.1. Abrogated. The subject matter now covered by FED. R. CIV. P. 5.1, effective December 1, 2006.

LCF 26(f). Amended to reflect changes necessary to implement the December 1, 2006, amendment to FED. R. CIV. P. 26 (electronic discovery)

Rule 16.1 Pre-Trial Procedures

(a) **Exempted Matters.** Unless otherwise ordered by the court, the following categories of cases are exempted from the requirement of scheduling conferences and scheduling orders:

- (1) Internal Revenue Service enforcement actions;
- (2) eminent domain proceedings;
- (3) bankruptcy appeals;
- (4) habeas corpus petitions;
- (5) Freedom-of-Information-Act actions;
- (6) actions to enforce out-of-state judgments;

- (7) social security appeals;
- (8) Administrative Procedure Act appeals; and
- (9) actions in which service upon a defendant is not effected within 120 days of filing of the complaint.

(b) Pre-Trial Scheduling and Planning Conference.

- (1) The report required by Rule 26(f), Federal Rules of Civil Procedure, must:

[A] be in form substantially similar to AK LCF 26(f), Scheduling and Planning Conference Report;

[B] be signed by counsel for the parties; and

[C] clearly specify—

- (i) those matters, if any, on which the parties were unable to reach agreement, and
- (ii) the respective positions of each party on each matter on which agreement could not be reached.

- (2) The court may enter a scheduling and pretrial order without a hearing or set a pre-trial conference.

(c) Standard Pretrial Procedures and Times. Unless otherwise ordered by the court, the procedures and times set forth in this subsection apply to all pretrial matters.

- (1) Preliminary disclosure of potential witnesses (a preliminary witness list) will be made contemporaneously with the disclosures required by Rule 26(a)(1), Federal Rules of Civil Procedure.

(2) Counsel for each party must contemporaneously prepare and maintain a written record of all disclosures and supplementation of disclosures or responses made to requests for discovery under Rule 26(a) and (e), Federal Rules of Civil Procedure.

- (3) If discovery is not completed by the date specified in the Pretrial Scheduling Order:

[A] the parties may stipulate to a continuance of not more than two (2) months for the completion of discovery, which stipulation does not require court approval, provided that the stipulation states with particularity—

- (i) the discovery that remains to be accomplished, and
- (ii) when discovery will be accomplished; or

[B] if more than two months is required to complete discovery, the parties must request a discovery conference with the court.

(4) The deadline for completion of discovery set in the Pretrial Scheduling Order is applicable to all depositions, including depositions referred to as “perpetuation” depositions.

(5) Preliminary motions, especially those raising legal issues that have the potential for reducing necessary discovery, should be served and filed at the earliest time possible commensurate with the development of discovery, if any, necessary to support the motion.

(6) Motions to amend pleadings or add parties must be filed not later than sixty (60) days after the date the Pretrial Scheduling Order is entered.

(7) Motions under the discovery rules must be filed not later than thirty (30) days after the date set for the close of discovery.

(8) Motions in limine and dispositive motions must be filed not later than thirty (30) days after the date set for the close of discovery.

(9) Subject to the provisions of paragraph (c)(3), the parties may, by agreement, extend the time for a party to respond to any discovery request propounded by any other party.

(d) Pre-Trial Conferences. Status, discovery, settlement, or other pre-trial conferences may be scheduled upon motion of a party or on the court's own motion.

(e) Certification of Readiness for Trial. In the event that all discovery is completed more than forty-five (45) days before the discovery close date set in the Pretrial Scheduling Order and no

dispositive motions are to be made by any party, counsel for plaintiff should file a certification that the matter is ready for trial as provided in D.Ak. LR 40.3(b).

Related Provisions:

F.R.Civ.P. 16	Pretrial Conferences; Scheduling; Management
D.Ak. LR 40.3	Calendaring Cases for Trial
LCF 26(f)	Scheduling and Planning Conference Report