



**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

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**NOTICE OF AMENDMENTS TO LOCAL RULES**

At their regular meeting on November 1, 2021, the Judges of the United States District Court for the Eastern District of Michigan approved amendments to LR 7.1, Motion Practice, and LR 83.25, Attorney's Appearance. Pursuant to Fed. R. Civ. P. 83, the proposed amendments were previously published for comment.

These amendments will be effective December 1, 2021.

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[Additions are indicated by underline, and deletions by strikethrough.]

**LR 7.1 Motion Practice**

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**(h) Motions for Rehearing or Reconsideration.**

(1) ~~Time. Subject to LR 59.1, a motion for rehearing or reconsideration must be filed within 14 days after entry of the judgment or order.~~ **Final Orders and Judgments.** Parties seeking reconsideration of final orders or judgments must file a motion under Federal Rule of Civil Procedure 59(e) or 60(b). The court will not grant reconsideration of such an order or judgment under this rule.

(2) **Non-Final Orders.** Motions for reconsideration of non-final orders are disfavored. They must be filed within 14 days after entry of the order and may be brought *only* upon the following grounds:

(A) The court made a mistake, correcting the mistake changes the outcome of the prior decision, and the mistake was based on the record and law before the court at the time of its prior decision;

(B) An intervening change in controlling law warrants a different outcome; or

(C) New facts warrant a different outcome and the new facts could not have been discovered with reasonable diligence before the prior decision.

~~(2 3) **Grounds.** Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case. **No Response and No Hearing Allowed.** No response to the motion and no oral argument are permitted unless the court orders otherwise.~~

(4) A motion to reconsider an order denying a motion for reconsideration may not be filed.

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## LR 83.25 Attorney's Appearance

**(a) Appearance.** An attorney must appear before representing a person or a party, except for practice permitted under LR 83.20(i)(1)(D) ~~or (E)~~. An attorney appears and becomes an attorney of record by filing a pleading or other paper or a notice of appearance. The attorney's office address, e-mail address, and telephone number must be included in the appearance. Attorneys seeking to appear for purposes of providing limited legal representation must also comply with LR 83.25(b) and (c).

**(b) Duration of Appearance.**

- (1) An attorney's appearance continues until entry of—
  - (A) a final order or judgment disposing of all claims by or against the party the attorney represents, or
  - (B) a withdrawal or substitution order.
- (2) An attorney may withdraw or be substituted for only on order of the court.

**(c) Appearance to Provide Limited Representation**

(1) After obtaining leave of court, or for unrepresented parties obtaining assistance through the court-approved pro se law clinic, an attorney may appear on behalf of an unrepresented party in a civil action for limited purposes, including, but not limited to, depositions, hearings, discovery, and motion practice, if the following conditions are satisfied:

(A) The attorney e-files a notice of limited appearance before appearing in the action in any capacity;

(B) The notice of limited appearance specifically identifies the components of the action in which the attorney will appear; and

(C) The limited representation is reasonable under the circumstances.

(2) An attorney who has filed a notice of limited appearance must restrict activities in accordance with the notice or any amended notice of limited appearance.

**(3) Duration of Limited Legal Representation**

(A) An attorney who has filed a notice of limited appearance and who has completed the representation identified in the notice must file an *ex parte* motion certifying that the representation has been completed and seeking the termination of the appearance.

(B) An attorney's appearance to provide limited legal representation continues until the court enters an order terminating the limited appearance.

(4) Nonappearance of Attorney Assisting in Document Preparation. An attorney who only assists in preparing pleadings or other papers filed in court as authorized in the Michigan Rules of Professional Conduct 1.2(b)(1) and (2) need not appear and need not sign the pleadings or other papers.

COMMENT: Once an attorney's limited appearance is approved, and while the limited appearance is effective, opposing counsel must communicate with the party through the attorney, unless the attorney has the consent of the other attorney or is authorized by law to do so, consistent with Michigan Rule of Professional Conduct 4.2(a) and (b).

November 10, 2021