



**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 May 6, 2024, the Judges of the United States District Court for the Eastern District of Michigan approved amendments to LR 83.4, Disclosure of Entity Affiliations, Financial Interest, and Citizenship. Pursuant to Fed. R. Civ. P. 83, the proposed amendments were previously published for comment.

Also on May 6, 2024, the Court approved temporary amendment to LCrR 57.1, Appearances by Attorneys in Criminal Cases.

These amendments will be effective June 1, 2024.

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

LR 83.4 Disclosure of Entity Corporate Affiliations, and Financial Interest, and Citizenship

(a) Parties Required to Make Disclosure.

(1) ~~With the exception of the United States Government or agencies thereof, or a state government or agencies or political subdivisions thereof, all corporate parties~~ Every non-governmental entity that is a party to a civil case, a non-governmental entity that seeks to intervene, and an entity and all corporate defendants in a criminal case must file a Statement of Disclosure of Corporate Affiliations and Financial Interest as described in part (d). A negative report is also required.

(2) For the purposes of this Rule and the Statement of Disclosure, the term "entity" refers to any corporation, partnership, trust, limited liability company, unincorporated association, and any other organization with a legally recognized existence.

(b) Entities - Financial Interest to be Disclosed.

(1) ~~Whenever a corporation which is a party entity to a case is a parent, subsidiary, or affiliate of any non-party entity publicly owned corporation not named in the case, counsel for the corporation which is a party entity must identify file on the sStatement of dDisclosure provided in (c) identifying the non-party entity's parent corporation or affiliate and the relationship to between it and the corporation which is a party entity to the case. A corporation party entity is considered an affiliate of a publicly owned corporation non-party entity for purposes of this Rule if it the party entity controls, is controlled by, or is under common control with a publicly owned corporation the non-party entity.~~

May 29, 2024

(2) A party entity must identify any non-party entity that owns 10% or more of the party entity's stock or otherwise has at least a 10% ownership interest in the party entity.

~~(3) The duty of disclosure by the corporate parties described in this Rule is continuing. Whenever, by reason of insurance, a franchise agreement, lease, profit sharing agreement, or indemnity agreement, a publicly owned corporation non-party entity or its affiliate, not a party to the case, has a substantial direct financial interest in the outcome of the litigation, counsel for the party entity whose interest is aligned with that of the publicly owned corporation or its affiliate non-party entity must identify on the Statement of Disclosure file the statement of disclosure provided in (c) identifying the publicly owned corporation non-party entity and the nature of its or its affiliate's substantial that non-party entity's direct financial interest in the outcome of the litigation.~~

(c) **Parties in Diversity Cases.** Whenever the jurisdiction of a cause of action is based on diversity of citizenship under 28 U.S.C. § 1332(a), every party entity must identify on the Statement of Disclosure the name and citizenship of every individual or entity whose citizenship is attributed to that party.

~~(ed) **Statement of Disclosure.** The sStatement of dDisclosure must be made on a form provided by the Clerk. A party entity must and filed, the Statement of Disclosure as part of the first pleading or paper filed by the party in this Court, or as soon as the party becomes aware of the corporate affiliation or financial interest, or as otherwise ordered by the judge to whom the case is assigned. The duty of disclosure described in this Rule is continuing, and a party must file promptly a supplemental statement immediately upon learning new or additional information, including when any later event occurs that could affect the Court's jurisdiction under § 1332(a).~~

COMMENT TO 2024 REVISIONS: The disclosure rule and related form were rewritten to align the local rule with the 2022 amendments to Federal Rule of Civil Procedure 7.1, which took effect December 1, 2022.

LCrR 57.1 Appearances by Attorneys in Criminal Cases

(a) An attorney, whether retained or appointed, who enters a post-indictment appearance shall continue to represent the defendant until the case is dismissed, the defendant is acquitted, or the direct appeal is completed unless the attorney is granted leave to withdraw by the District Court or the Court of Appeals if notice of appeal has been filed.

(b) In cases where appointments under the Criminal Justice Act (CJA) have been made to a mentee attorney under the CJA mentorship program, the mentee attorney shall file an appearance that clearly states that the attorney is appointed as a mentee. A mentee shall work on the case only under the direction of the appointed CJA attorney serving as a mentor. The mentee shall not appear in court unless under the in-person supervision of the appointed CJA attorney assigned as a mentor. If the CJA attorney assigned as a mentor is allowed to withdraw, the mentee shall also be relieved as counsel in the case.

(c) Mentor-mentee pairings should normally should be limited to one pairing per defendant in a case.

~~(bd) Except for the automatic withdrawal of a mentee attorney provided in subsection (b), A~~an attorney who has appeared in a criminal case may thereafter withdraw only by written motion served upon the defendant personally or at the defendant's last-known address and upon all other parties. The Court may

deny a motion to withdraw if the attorney's withdrawal would unduly delay trial of the case, or be unfairly prejudicial to any party, or otherwise not be in the interest of justice.

(ee) The United States Attorney shall advise the Clerk and the District Judge to whom the case is assigned regarding any change in the attorney for the United States responsible for the prosecution.

COMMENT: By Administrative Order 24-AO-011, effective June 1, 2024, the Court adopted temporary amendments to LCrR 57.1 to implement a pilot mentorship program proposed by the Federal Community Defender's Office and adopted by the Court. The temporary amendments add subsections (b) and (c), governing appearances by mentee attorneys.