Admission to Practice

Local Rule 83.20 requires that an attorney must be a member of the bar of the Eastern District of Michigan in order to practice in this Court, with certain limited exceptions. Inquiries regarding admission to the Court bar must be directed to the clerk's office at (313) 234-5005. Additional information can be found on the Attorneys section of the Court's website.

Pro hac vice admission is not permitted. In addition, this Court strictly enforces Local Rule 83.20(f), which provides that any member of the court bar who is not an active member of the State Bar of Michigan must have local counsel.

Counsel do not need to appear personally before the Court to take the oath of admission and be admitted to practice in the Eastern District of Michigan. The Court has designated the clerk of the court to administer the oath. *See* Local Rule 83.20(d)(4). In addition, pursuant to the Local Rule, an applicant without an office in the district may take the oath by telephone or video conference. *Id*.

Civil Practice and Trial Procedure

The Court's requirements and standard practices for civil practice are outlined in the following sample orders:

- Sample Order to Attend Scheduling Conference and Notice of Requirements for Submission of Discovery Plan
- Sample Case Management Requirements and Scheduling Order

Contact with Chambers

Judge Leitman accepts no *ex parte* communications. Counsel may contact the Case Manager or the Judge's Judicial Assistant with respect to procedural, administrative, and/or scheduling matters only. Contact by counsel or parties with the Court's law clerks is not permitted unless expressly authorized by the Court.

Courtesy Copies

Courtesy copies are required for all dispositive motions, responses, and replies. Each courtesy copy should be mailed to Chambers no later than one business day after the document is e-filed. The courtesy copy should consist of the actual e-filed document which contains the electronic file stamp on the top of each page. All papers must be firmly bound along the left margin. If stapling or spiral binding is not possible, please call Chambers for further guidance. Along with the courtesy copy, the filing party should provide the Court copies of (1) the main cases and other authority that support its legal position(s) (boilerplate legal authority is not required) and (2) all exhibits to the motion or response. The Court strongly prefers caselaw printed from Westlaw. All cases and exhibits must be printed double sided, and the filing party should highlight the relevant portion(s) of these authorities and exhibits. The printed exhibits should also include the electronic file stamp on the top of each page.

Criminal Practice and Trial Procedure

The Court's requirements and standard practices for criminal practice are outlined in the following sample order:

- Sample Criminal Trial Notice and Scheduling Order

Protective Orders

Proposed protective orders may be entered into pursuant to a stipulation of the parties, and such stipulations are encouraged. However, protective orders may not contain language that authorizes in advance the filing of documents under seal. Filings under seal are governed by Local Rule 5.3. Therefore, proposed protective orders **MUST** contain the following language:

This order does not authorize the filing of any documents under seal. Documents may be sealed only if authorized by statute, rule, or order of the Court. A party seeking to file under seal any paper or other matter in any civil case pursuant to this section shall file and serve a motion or stipulation that sets forth (i) the authority for sealing; (ii) an identification and description of each item proposed for sealing; (iii) the reason that sealing each item is necessary; (iv) the reason that a means other than sealing is not available or unsatisfactory to preserve the interest advanced by the movant in support of the seal; and, if a party files a motion only, (v) a memorandum of legal authority supporting the seal. See Local Rule 5.3. No party shall file or otherwise tender to the Clerk any item proposed for sealing unless the Court has entered an order allowing filing under seal.

Whenever a motion or stipulation to seal is filed, the party seeking to file under seal shall submit a proposed order which states the particular reason the seal is required. The proposed order shall be submitted via the link located under the "Utilities" section of CM/ECF.

Proposed protective orders submitted to the Court for entry should not contain any language that conflicts with the foregoing provision.

Removal

If the Court has a concern regarding the appropriateness of removal, it will issue an Order to Show Cause. Pursuant to Local Rule 81.1(e), the Court does not sua sponte remand a case to state court on the ground that the amount in controversy does not exceed the required jurisdictional amount without an opportunity to be heard. Oral argument will typically be held on Motions to Remand. Attorneys should raise jurisdictional objections as soon as the grounds for them are known, and in no case should a Motion to Remand for procedural defects be filed more than thirty (30) days from the notice of removal.

Upon removal, the parties shall file with the Court -- as separate docket entries -- all answers, amended pleadings, responsive pleadings, pending motions, and responses/replies to those motions that were originally filed in state court. Unless the Court orders otherwise, it will not consider any unresolved motions pending in state court at the time of removal, unless they have been re-filed on the Court's docket. The same is true for any responses or replies that had been filed in state court in connection with motions not yet resolved at the time of removal. Each party is responsible for the docketing of its own documents with the Court.

To the extent briefing has not been completed on a pending motion at the time of removal, the briefing schedule set forth in Local Rule 7.1(e) applies upon docketing with the Court, unless the Court orders otherwise.

Settlement

The Court expects and encourages the parties to discuss settlement throughout the case. The Court routinely holds at least one settlement conference. At the parties' request, or on the Court's own initiative, additional settlement conferences may be held. A sample of the Court's Order to Attend Settlement Conference is included below:

- Sample Notice of Settlement Conference and Requirements for Submission of Settlement Statement

As required in E.D. Mich. LR 41.1, if a case has settled, the parties must notify chambers in writing by the next business day. The parties may either e-mail the Court's Case Manager or send a fax to chambers indicating that the matter has been resolved.

Submission of Proposed Stipulated Orders

Proposed and stipulated orders should not be e-filed. Rather, they should be submitted to chambers through the document utilities feature of CM/ECF. See Rule R11 of the Electronic Filing Policies Procedures. Submissions must be in Microsoft Word format. Electronic signatures must conform to Rule R9 of the Electronic Filing Policies and Procedures.

Temporary Restraining Orders and Preliminary Injunctions

The Court strictly adheres to Federal Rule of Civil Procedure 65 and Local Rule 65.1. The Court rarely grants a temporary restraining order without notice to the opposing party.

Parties should notify the Case Manager by telephone (313-234-5113) upon filing a motion for a temporary restraining order or a motion for preliminary injunction. The Court will typically hold a status conference very soon after receiving such a motion to arrange a briefing schedule and hearing date. In the case of a motion for preliminary injunction, the Court will typically issue a scheduling order similar to the sample order below:

- Sample Scheduling Order for Preliminary Injuction Motion