

# Attorney Handbook



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THE CLERK'S OFFICE OF THE  
UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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# INTRODUCTION

This handbook is intended to provide the public and the bar with an informational package to provide assistance in conducting business with the court. We hope that this reference guide will answer any questions that you may have concerning such areas as: preparation of documents, federal holidays, addresses, and contact information for all sections of the court. We believe that this reference guide, when used in conjunction with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the Local Rules for the District of Massachusetts, will not only be beneficial to those already familiar with the court, but also the paralegals, secretaries, and pro se litigants who have had little or no contact in the past with the Federal Court system. Although we have made every effort to provide the most current and accurate information possible, if there is any conflict between this Handbook and the Local or Federal Rules of Procedure, the Rules govern.

My staff and I will do everything possible to ensure prompt and efficient service. We are here to answer any questions that you may have. Please feel free to contact us for assistance. We welcome any comments or suggestions for improving this Handbook. Please forward your comments to:

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
United States Courthouse  
1 Courthouse Way - Suite 2300  
Boston, MA 02210  
ATTN: Virginia A. Hurley, Operations Manager

Tony Anastas  
Clerk of Court

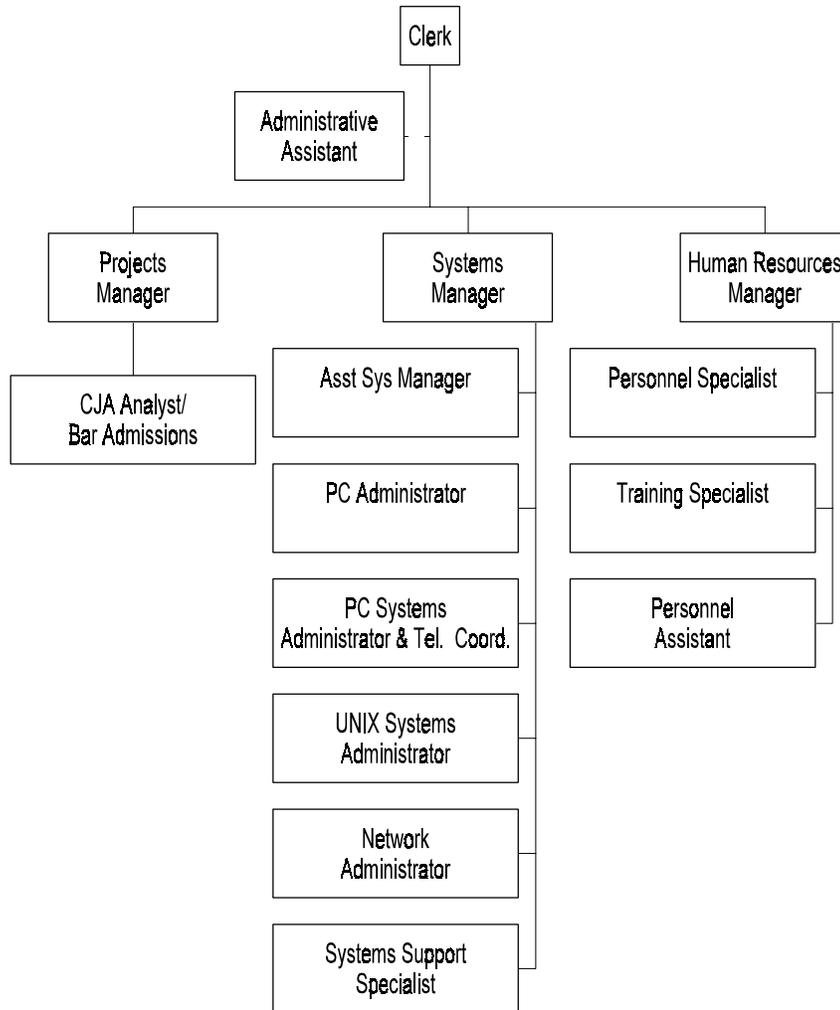
## MISSION STATEMENT

We, the staff of the Clerk's Office, are dedicated to providing access to an impartial forum for the resolution of disputes, through prompt service to the Court, members of the bar, and the public. Our services include processing civil and criminal cases, maintaining records, assembling juries, disseminating information on the activities of the Court, and providing other administrative and management support to the Court and its affiliates.

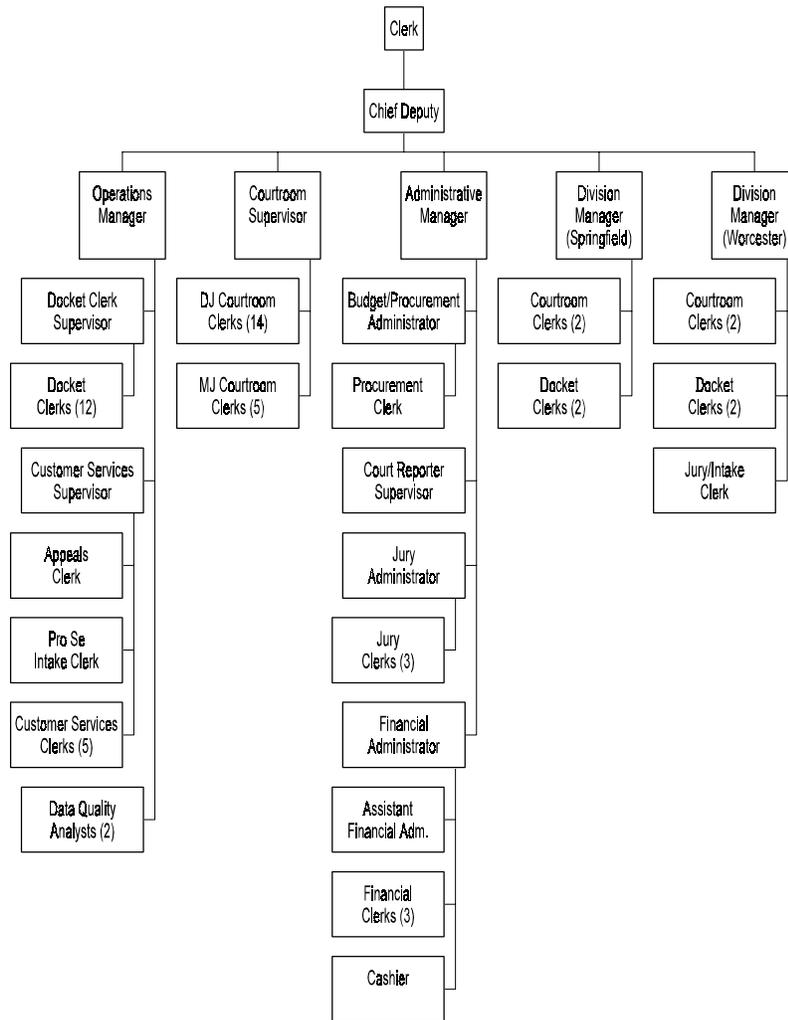
We take pride in working as a team, and pledge to :

- ! Perform our duties with courtesy, respect, equality and fairness, in an accurate and knowledgeable fashion;
- ! Maintain the highest standards of professionalism and ethics, in compliance with the governing rules and regulations;
- ! Strive to improve the quality of our services, thereby promoting public trust and confidence in the judicial system; and
- ! Encourage education and pursue training programs to adapt to the growing needs of the Court and the public, in response to technological advances and innovations in the law.

# ORGANIZATION OF THE CLERK'S OFFICE



# ORGANIZATION OF THE CLERK'S OFFICE



## ► FACILITIES

### ➤ CLERK'S OFFICE LOCATIONS/HOURS/JURISDICTION

Local Rule 40.1 (C) - Designation of Divisions states:

The District of Massachusetts constitutes one judicial district comprising three divisions.

#### (1) *Eastern Division*

The Eastern Division of the District of Massachusetts comprises the counties of Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, and Suffolk. Cases assigned to the Eastern Division and all pleadings and documents therein shall be filed in the Clerk's office in Boston.

<p style="text-align: center;"><b>BOSTON</b> (Main Office) Hours 8:30AM - 5:00PM Monday - Friday</p> <p style="text-align: center;">United States Courthouse Suite 2300 1 Courthouse Way Boston, MA 02210 Main Number: 617-748-9152</p>
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#### (2) *Central Division*

The Central Division of the District of Massachusetts is Worcester County. Cases assigned to the Central Division and all pleadings and documents therein shall be filed in the Clerk's office in Worcester.

<p style="text-align: center;"><b>WORCESTER</b> Hours 8:30AM - 5:00PM Monday - Friday</p> <p style="text-align: center;">Harold D. Donohue Federal Building 595 Main Street - Rm 502 Worcester, MA 01608 Main Number: 508-793-0552</p>
--

### (3) *Western Division*

The Western Division of the District of Massachusetts comprises the counties of Berkshire, Franklin, Hampden and Hampshire. Cases shall be assigned to the Western Division and all pleadings and documents therein shall be filed at the Clerk's office in Springfield.

**SPRINGFIELD**  
Hours 8:00AM - 4:30PM Monday - Friday

Federal Building and Courthouse  
1550 Main Street  
Springfield, MA 01103  
Main Number: 413-785-0214

Directions to the court houses are available on our web site, [www.mad.uscourts.gov](http://www.mad.uscourts.gov).

#### ➤ **INCLEMENT WEATHER**

The Clerk's Office may close for business in the case of severe inclement weather. This decision is made before 6:00 AM whenever possible, and that information is available by accessing the automated attendant on the Boston Clerk's Office main telephone number (617-748-9152).

If the weather or other conditions warrant an early closing, as much advance notice as possible will be given by posting a sign in the Clerk's Office.

#### ➤ **LOBBY BOX**

A box is available in the lobby of the courthouses in Boston and Springfield to accept after hours filings. Access to the box will be available at anytime the building is open. Please **NOTE** that time sensitive documents should **NOT** be placed in this filing depository.

#### ➤ **COURTROOM TECHNOLOGY**

The District Court for the District of Massachusetts has installed state-of-the-art technology in two courtrooms - one in Boston and one in Springfield. These courtrooms offer the Court and the bar the opportunity to present cases using technology never before available in this district: video-teleconferencing (Boston only), a document presentation system, integrated cd-rom, video and audio capability and real

time transcription. At this time, there are no facilities for an electronic courtroom in the Central Division (Worcester).

If you are interested in using this courtroom, please notify the courtroom clerk for the Judge assigned to your case.

### ➤ **SECURITY**

The United States Marshal is the chief of security for all federal court houses and enforces a strict security policy for all entering those facilities.

Upon entering the court house, you will be required to pass through a security screening (magnetometers). Please be sure to allow extra time if you will be arriving at peak hours (between 8AM and 9:30AM, and between 12:30PM and 2:30PM).

Electronic devices, including laptops and cell phones are not allowed past the security check point without prior authority from a Judicial Officer or the Clerk's Office. The Marshal will allow you to check that equipment at the main entrance. Authority may be granted if the equipment is required for your appearance in the courtroom. To obtain that authority, contact the courtroom clerk for the Judicial Officer before whom you will be appearing.

### ➤ **COURT HOUSE FACILITIES/EQUIPMENT**

Every Judicial Officer is assigned his or her own courtroom in most instances. A list of each Judge, Courtroom Clerk and usual courtroom assignment is available at the end of this guide and on our web site. On occasion, a judge might sit in a different courtroom - check the daily court list if you have any question.

The Court has a limited number of easels, overhead projectors and other such equipment needed for demonstration purposes in the courtroom. DO NOT assume any equipment you may need will be available when you arrive for your hearing. Contact the courtroom clerk a day or two before your hearing to confirm the availability of any necessary equipment.

The District Court has no facilities for depositions or attorney conferences.

## ► LEGAL HOLIDAYS/OBSERVANCES

In general: there are ten federal holidays. If a holiday falls on a Saturday, the Clerk's Office is closed on Friday. If the holiday falls on a Sunday, the office is closed on Monday.

### 2002

New Year's Day	01/01/02
Martin Luther King Day	01/21/02
Presidents Day	02/18/02
Memorial Day	05/27/02
Independence Day	07/04/02
Labor Day	09/02/02
Columbus Day	10/07/02
Veterans Day	11/11/02
Thanksgiving Day	11/28/02
Christmas Day	12/25/02

### 2003

New Year's Day	01/01/03
Martin Luther King Day	01/20/03
Presidents Day	02/17/03
Memorial Day	05/26/03
Independence Day	07/04/03
Labor Day	09/01/03
Columbus Day	10/13/03
Veterans Day	11/11/03
Thanksgiving Day	11/27/03
Christmas Day	12/25/03

## ► **FILING OF DOCUMENTS**

### ► **GENERAL FILING PROCEDURES**

New civil actions are accepted in person and through the mail. Any new action received after 4PM will be stamped in as filed, but not processed until the next business day (except of course in the case of an emergency action).

Every new civil action must include an original signed complaint, \$150.00 filing fee (or an application to proceed in forma pauperis), the appropriate summonses, a JS 44 cover sheet (available on our web site) and our local category sheet (also available on the web site). NOTE: The filing fee for a Petition for Writ of Habeas Corpus is \$5.00.

### ► **FORM AND SIGNING OF PAPERS**

Local Rule 5.1 states:

#### (a) Form and Signing of Papers.

(1) The provisions of the Federal Rules of Civil Procedure pertaining to the form and signing of pleadings, motions, and other papers shall be applicable to all papers filed in any proceeding in this court. The Board of Bar Overseers registration number of each attorney signing such documents, except the United States Attorney and his staff, shall be inscribed below the signature.

(2) All papers filed in the court shall be adapted for flat filing, be filed on 8 ½" x 11" paper without backers and be bound firmly by staple or some such other means (excluding paper or binder clip or rubber band). All papers, except discovery requests and responses, shall be double-spaced except for the identification of counsel, title of the case, footnotes, quotations and exhibits. Discovery requests and responses shall be single-spaced. Except for complaints and notices of appeal, papers that do not conform to the requirements of this subsection shall be returned by the clerk.

➤ **NON FILING OF DISCOVERY DOCUMENTS**

FRCP 5(d) states:

All papers after the complaint required to be served upon a party, together with a certificate of service, shall be filed with the court within a reasonable time after service, but the court may on motion of a party or on its own initiative order that depositions upon oral examination and interrogatories, requests for documents, requests for admission, and answers and responses thereto not be filed unless on order of the court or for use in the proceeding.

As a matter of course, discovery should not be filed with the district court, except in consideration of a Motion to Compel, Motion for Summary Judgment or other similar proceedings. Requests for production, requests for admissions, and answers to interrogatories should not be filed with the District Court.

➤ **CERTIFICATE OF SERVICE**

Local Rule 5.2(b) states:

(2) A certificate of service of a member of the bar shall appear at the bottom of or on the margin of the last page of the paper to which it relates. The certificate shall be a brief, single-spaced statement and may be in the following form:

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail (by hand) on (date).  
(Signature)

➤ **REQUESTS FOR EXTENSION OF TIME**

The Court will entertain motions to extend time on a case by case basis. If you feel that you need additional time to comply with a court order, or to file a document, contact the courtroom or docket clerk for the Judicial Officer presiding over the case. In most instances, a written request, either by motion or in letter form will be required.

➤ **LENGTH OF MEMORANDA**

Local Rule 7.1(b)(4) states:

(4) Length of Memoranda. Memoranda supporting or opposing allowance of motions shall not, without leave of court, exceed twenty (20) pages, double-spaced.

➤ **FORMS**

Many of the forms required by this Court are available on our web site. In most instances it is favorable that the official court form be used, with no substitution by counsel. Here is a brief listing of procedures, and the form required:

<b>Procedure</b>	<b>Form(s) required</b>
Filing of new complaint/notice of removal	JS44-Civil Cover Sheet; Category Sheet; Civil Summons
Writ of execution	Writ of execution
Writ of execution for an MBD matter	Writ of execution - MBD
Taxation of costs	Bill of costs (AO 133)
Registration of judgment from another jurisdiction	Registration of judgment for registration in another jurisdiction (AO 451) NOTE: must be completed and sealed by the court in which the judgment was entered.
Payment of CJA counsel	CJA 20 - available from the Clerk
Payment for transcript for CJA case	CJA 24 - available from the Clerk
Payment of interpreter	CJA 21 - available from the Clerk

## ➤ CASE INFORMATION AND THE DOCKET

### ➤ CASE NUMBERS - what they mean

Case numbers are assigned to every case brought in the court. The number is assigned by office code, year filed, docket type, docket number and then judge assignment. For example, 4:00CV10094-NMG is a civil action, brought in the Worcester division and assigned to Judge Nathaniel M. Gorton.

OFFICE CODES:	
1	Boston
3	Springfield
4	Worcester
DOCKET TYPES:	
CV	Civil
CR	Criminal
MC	Miscellaneous (MBD)
M	Magistrate Judge

Criminal case numbers may also include the defendant number as assigned by the ICMS docketing system. The defendant number is determined by the defendant order as listed on the charging instrument (complaint, indictment, etc.) This order is not changed by the filing of any superseding charges, unless directed by the Court. An example of a criminal case number is 1:00CR10234-WGY. A criminal number including a defendant number is 1:00CR10234-002-WGY.

### ➤ HOW A JUDGE IS ASSIGNED TO A CASE

Civil and criminal cases are assigned pursuant to the guidelines of Local Rule 40.1, using an automated, random draw system. Local Rule 40.1 divides the assignment system for civil cases into five categories, based on the nature of suit selected by the attorney on the JS44 and the civil category sheet, and into three categories for criminal cases based on the level of offense and the anticipated combined length of trial and motion days.

Senior District Judges have the option to be included in the random draw of all cases, or limited by nature of suit and category. Senior Judges may also opt to be included in the draw for specific periods of time.

In the Eastern Division, each active district judge has an equal share of each category in the draw, unless a change is made because of case load demands or illness and at the direction of the Chief Judge.

In the Central Division, all civil and criminal actions are assigned at case filing to Judge Gorton. Bankruptcy Appeals are drawn using a random assignment system that includes all District Judges assigned to the Boston office.

In the Western Division, all civil actions are assigned to Judge Ponsor, Judge Freedman or Magistrate Judge Neiman at the time of filing. All parties in a case drawn to Magistrate Judge Neiman must consent to proceed before a Magistrate Judge

Miscellaneous cases are assigned to the Judge or Magistrate Judge, as appropriate, who is assigned for emergency business on the date the miscellaneous matter is filed.

## ➤ **DECIPHERING THE DOCKET SHEET**

All dockets for all cases in the district are maintained in the ICMS (Integrated Case Management System) database. A sample docket may be found at the end of this guide. This information is used by the court for case management, calendaring and statistical reporting. The dockets are also used by the PACER system and are updated nightly.

At the top of the docket is the basic case information: current Judge assignment, any pending Magistrate Judge referral, filed date, cause of action, jury demand, etc. Also at the top of the docket are a few clues to the docket, referred to by this office as 'flags.' The flags are sometimes clues to the status of the case - flags include 'CLOSED', MAGREF (pending referral to a Magistrate Judge), APPEAL, PRIOR (criminal only - means that the case started as a magistrate's complaint prior to indictment), ADR (referred to Alternate Dispute Resolution).

The next part of the docket sheet is pretty straightforward. Each party is listed on the front (or cover) page of the docket, including any alias information such as aka, dba, etc. Other identifying information such as 'individually and in his official capacity' is also included, IF it is listed in the caption of the complaint.

Next to each party (in both civil and criminal cases) is any attorney who has made an appearance for that party. Below the attorney name are usually three sets of status codes [COR LD NTC]. These are created by the docket clerk as each attorney is added to the docket. The codes represent COR - Counsel of Record; LD - Lead counsel; and NTC - receive notices. In some districts, the court assigns one attorney per party as lead attorney. This court does not, so all attorneys will have the same status codes, regardless of their standing in the case.

In criminal cases, one additional status code is associated with every attorney for a defendant. That code represents the type of representation: ret - retained, cja - appointed under the Criminal Justice Act, pda - Federal Defender Program. These status codes are used as part of the statistical reports required by the Administrative Office of the US Courts.

NOTE: The Clerk's Office is not required to add an attorney to the front of the docket for notice purposes without the formal filing of a separate notice of appearance. Other than the filing of the complaint, the mere filing of a document does not constitute an appearance (or change of address) of an attorney for a party in a case.

ABC CORPORATION, a Washington corporation Plaintiff	John Flynn [COR LD NTC] Mary Doyle [COR LD NTC] Flynn & Doyle One Beacon Street Boston, MA 02108 617-555-1401
v.	
GEORGE SMITH ENTERPRISES, INC. dba INTERNET EXPRESS Defendant	Jane Purpura [COR LD NTC] Shear Green LLP Two Hundred Temple Street Philadelphia, PA

In criminal matters other parties are added to the docket when necessary, such as the Probation and Pretrial Services offices for noticing purposes. If a non-party should file a motion in a criminal case, they are added to the docket as an 'Interested Party'.

Docket entries all follow the same format. The date in the far left column is the date the document was filed in the court, the date of the order of the court, or the date an in-court proceeding was held. The number in the next column from the left is the document number assigned by the computer for that document. (If no document number is assigned, '- -' will display in that column.) The final column is the docket text. This is created by a docket clerk based on the document presented for filing, the order of the court, or the notes from a courtroom clerk of a proceeding in the courtroom. The first part of the docket entry should explain what was done, and by whom or to whom. (*Return of service executed as to James Lausch.*) The next part of the entry will explain any future action that may be ordered by the court or by statute, and who is to comply with that deadline. (*Answer due on 2/27/00 for James Lausch.*) Finally, the initials of the docket clerk who made the entries are included. (*mlb*) If the entry is made

on a date other than the date of the filing of the document, order of the court, etc., that information will be included in the docket entry [*Entry date 02/28/00*]. If the entry is made on the same date as the filing of the document, etc., than no entry date information will be included in the docket entry.

When the docket entry is for an order of the court, the 'entered on docket' date (EOD) is included in the docket text. This information may be helpful when tracking the time for appeal.

2/16/00	5	Return of service executed as to James Lausch with service on 2/8/00 filed. Answer due on 2/28/00 for James Lausch (mlb) [Entry date 02/17/00]
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### ➤ **QUALITY ASSURANCE**

The Clerk's Office has an active Quality Assurance Program. If you feel that there is an error on a docket sheet, please notify the Docket Clerk Supervisor or the Quality Assurance Analyst.

### ➤ **OBTAINING CASE INFORMATION**

The best source of case-specific information is the courtroom or docket clerk for the Judge assigned to the case. If that individual is not available, you may leave a message on their voice mail, and the clerk will return your call as soon as possible. If the question is general in nature, anyone in the Clerk's Office will be able to assist you, or will find someone else who can. Unless specifically directed to do so, attorneys and the public are NOT to contact a Judge's office.

### ➤ **FILING BY FAX**

The Judges of this Court have directed the Clerk NOT to accept filings by facsimile, except in cases of an emergency and with the prior approval of the Judge or clerk assigned to that judge.

## ➤ **RESEARCH**

### ➤ **INDECES**

Cases filed 1990 to present: dockets are available on line through our PACER program and at public terminals in each Clerk's Office.

Cases filed 1979 through 1989: information is available in index form only on microfiche in all three Clerk's Offices. Civil docket sheets are on paper and have been

archived to the Federal Records Center. Criminal dockets are also available on microfiche.

Cases filed early 1900's through 1979: are on index cards, and have been archived to the Federal Records Center.

### ➤ **PACER**

PACER (Public Access to Court Electronic Records) is an electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and from the U.S. Party/Case Index. Most courts (including this district) now offer access to PACER through the Internet. Electronic access is available for most courts by registering with the PACER Service Center, the judiciary's centralized registration, billing, and technical support center at <http://pacer.psc.uscourts.gov>.

Information from the official docket is available the day after it has been entered. PACER dockets are updated each night, after the close of business.

### ➤ **TAX LIENS**

The District Court Clerk's Office is the filing office for tax liens levied in the District of Massachusetts by the Internal Revenue Service. The IRS supplies the District Court with computer access to their database, allowing the public and the bar to search for and review tax lien information. The Clerk's Office has NO control over the information contained in that system.

### ➤ **LOCATION OF FILES**

Civil and criminal cases are maintained in the Clerk's Office where the case is pending. These files are available in the Clerk's Office during normal business hours. However, a case file may be unavailable if a judicial officer or a member of his/her staff is actively working with it. If you are in urgent need of a case file, contact the Customer Services Supervisor (or division manager if the case is pending in Worcester or Springfield). It may be possible to retrieve the file for a short time for you to review the documents.

The Clerk's Office archives both civil and criminal cases every year. Any case closed for three years or more, with no pending appeal or other post judgment issue, as of June 1 is considered eligible for archiving. Cases meeting this criteria are boxed and shipped to the archive during the month of August each year.

## ➤ COPY REQUESTS

All requests for documents are to be made in writing to the Clerk's Office where the case is pending. We aim to fill all requests within 72 hours of receipt. If the case file is with the Judge we may be delayed in filling your request, but we will call and notify you if that is the case. The charge for copying documents is 50 cents per page, and there may be a search fee of \$20 if specific information regarding the case number and document number is not provided in the request.

The Administrative Office of the United States Courts has set specific guidelines<sup>1</sup> for all searches:

**Guideline No. 1** any information which is easily retrieved, with a minimum expenditure of time and effort, should be considered a non-chargeable 'retrieval,' as opposed to a chargeable search. A search fee should not be charged for a single request for basic information readily available through an automated database. A request of this nature should be considered a 'retrieval' and should not be considered a 'search.'

**Guideline No. 2** a search fee should be charged for any request for which accurate case and docket number information is not provided by the requestor and which therefore requires a physical search of the court's records.

**Guideline No. 3** with limited exceptions, a fee should be charged for all written search requests which require a written response.

**Guideline No. 4** where requested information is available on pacer or another automated system, a court may have a policy which requires a telephoning requestor to utilize an automated database (pacer for law firms and other institutions with computer capability), instead of having a court employee conduct the information retrieval.

**Guideline No. 5** in automated courts, a computer terminal with suitable data protection should be made available for use by the public.

**Guideline No. 6** requests for archived documents should be charged only the archive retrieval fee of \$25.00 and not an additional \$15.00 search fee.

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<sup>1</sup> From a Memorandum of Leonidas Ralph Mecham, Director of the Administrative Office dated 11/24/97

**Guideline No. 7** the clerk has the general authority to refuse to conduct searches which are unreasonable or unduly burdensome.<sup>2</sup>

➤ **FEDERAL RECORDS CENTER**

Case files that have been sent to the archive may be retrieved for viewing in the office where the case had been pending. Retrieval of a case file usually takes about 3 to 4 days. This office is required to charge a \$25.00 retrieval fee for each case file ordered.

It is possible for the public to travel to the Federal Records Center in Waltham to review a case file at that location. However, before traveling there, this office must supply the requestor with the information needed by the FRC to locate the file (accession, box and location numbers).

➤ **FEES**

A schedule of fees is available in the Clerk's Office and on our web site. The majority of these fees are set by the Judicial Conference.

➤ **FINANCIAL**

➤ **REAL ESTATE AS SURETY FOR BAIL**

When allowed by the Court, it is possible to post real estate as security for bail. A document is available in the Clerk's Office and on our web site detailing the procedures that must be followed.

Once the case is disposed of, or the defendant is incarcerated pending trial, the bond may be exonerated by motion to the Court. Once the motion is granted, a discharge of mortgage will be prepared by the Clerk's Office for the Clerk's signature. This document may then be filed in the Registry of Deeds.

For further information on real estate as surety, contact Virginia Hurley, Operations Manager or Mary Cummings, Courtroom Clerk Supervisor.

➤ **POST JUDGMENT INTEREST RATES**

Title 28 USC Section 1961 states:

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<sup>2</sup> A determination that a search is unreasonable or unduly burdensome should only be made after consultation with and approval of a supervisor.

(a) Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the Marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to the date of the judgment. The Director of the Administrative Office of the United States Courts shall distribute notice of that rate and any changes in it to all federal judges.

NOTE: These auctions are now held quarterly. To obtain the interest rate, contact the Customer Services section of the Clerk's Office, or visit [www.uscourts.gov/postjud/postjud.html](http://www.uscourts.gov/postjud/postjud.html)

### ➤ **DEPOSIT OF MONEY INTO THE REGISTRY OF THE COURT.**

Except as otherwise provided or authorized by law, no money shall be sent to the Clerk of Court or deposited in the Registry of the Court without a prior order of the Court specifically directing such deposit, as provided by Rule 67 of the Federal Rules of Civil Procedure. Orders for deposits of funds covered by Rule 67 must recite that fact. In the absence of a reference to Rule 67, the Clerk is relieved of any obligation to comply with that rule.

### ➤ **ACCEPTABLE FORMS OF PAYMENT**

Acceptable forms of payment are cash, cashier's checks and bank checks. Checks must be issued by an FDIC insured bank, an FSLIC insured savings and loan association or federally-insured bank or credit union and made payable to "Clerk, U.S. District Court." Instruments made payable to a third party that are subsequently endorsed "Clerk, U.S. District Court" shall not be accepted. Checks may be accepted from law firms and attorneys known to have a good payment record with this office. Certified checks and foreign currency are not acceptable.

### ➤ **INVESTMENT OF FUNDS**

All registry funds are deposited into Treasury through the Federal Reserve Bank - Boston branch. Unless otherwise ordered by the Court or required by law, all funds deposited with the Clerk for the Registry of the Court are placed in the Court's account at the United States Treasury Department and bear no interest. The Clerk is relieved of any responsibility to deposit funds covered by Fed. R. Civ. P. 67 into interest-bearing accounts if the party depositing the funds fails to obtain an order for deposit or investment that complies with the provisions of this local rule.

Where by stipulation of the parties and order of the Court, funds on deposit with the Court are to be permitted to earn interest, the Court Registry Investment System (“CRIS”) administered through the United States District Court for the Southern District of Texas, shall be the only investment mechanism authorized.

CRIS is a system designed to effectively manage and make use of registry funds entrusted to the United States through the U.S. courts. CRIS pools registry funds from numerous cases and courts and uses them to purchase U.S. Treasury securities that are held to maturity, and the portfolio is structured so that sufficient securities mature each week to fund all registry payments to be paid out during that week. This pooling of assets offers certain advantages in terms of liquidity, rate of return, and reduced transaction and administration fees.

### ➤ **REGISTRY ADMINISTRATION FEE**

The Director of the Administrative Office of the United States Courts has established, pursuant to Judicial Conference authorization, a registry fee to be assessed for the administration of funds held in the registry of the Court and placed in interest bearing accounts or instruments.

The administrative fee assessed on a particular registry account shall be determined according to the fee schedule in effect at the time the account was opened or according to any amended fee schedule that is applicable to the account.

### ➤ **DISBURSEMENT OF REGISTRY FUNDS**

The Clerk shall not distribute any registry funds without an order of a district judge of this court. All orders for distribution, unless prepared by a deputy clerk assigned to the financial section of the Clerk’s office, must be approved by the clerk before presentation to a district judge.

Upon a financial assistant’s receipt of an order directing disbursement of funds, disbursements shall be made within 5 - 7 business days.

## ➤ **FEDERAL BAR**

### ➤ **ADMISSION TO THE BAR**

Applications for admission to the bar of this Court are available in the Clerk’s Office and on our web site. The application fee is \$100.00, and is payable at the time of the admission ceremony. The admissions ceremonies in Boston are usually held within 4-6 weeks of the filing of the application and are conducted on a regular basis.

Ceremonies are also conducted in Springfield and Worcester and are conducted twice per year.

The requirements for admission to the bar of this Court are set out in Local Rule 83.5.1(a).

➤ **PRO HAC VICE**

Any attorney wishing to be admitted to this bar pro hac vice must first make a motion to do so. This motion must be filed in each case in which the attorney seeks to be admitted pro hac vice. This motion must be signed by a member of this bar in good standing. The motion must also be accompanied by a certificate of good standing from a district where the applicant is a member. A filing fee of \$50.00 per attorney moving to be admitted is required before the motion will be entertained by the court. (Refer to Local Rule 83.5.3)

➤ **CERTIFICATE OF GOOD STANDING**

Requests for a certificate of good standing should be made to the district court bar clerk. The fee for a certificate is \$15.00.

➤ **FEDERAL PUBLIC DEFENDER (FPD)**

A Federal Public Defender Organization has been established, with headquarters in Boston, Massachusetts, capable of rendering defense services on appointment throughout the District of Massachusetts pursuant to the Criminal Justice Act (CJA) 18 USC §3006A and the Local CJA Plan. The Federal Defender should be appointed to represent an indigent person in the first instance unless the Federal Defender represents another defendant in a multi-defendant case or there is a conflict of interest or other reason the Federal Defender determines they are unable to accept an appointment.

➤ **CJA PANEL OF ATTORNEYS**

In instances in which the Federal Defender is unable to represent an indigent person, the Court has established a list of private attorneys who have indicated a willingness to accept CJA appointments. The attorneys are appointed for three year terms which are renewable. The Court has separate lists for appointments in Boston, Worcester and Springfield. As part of the Local CJA Plan, the Court has established minimum eligibility requirements to become panel members. These requirements are set out in the Local CJA Plan and are included in the annual notice soliciting applications for the panel. The Notice and Application are available on the Court's public web site. A defendant may not choose the counsel who shall provide representation, but may state any objection he or she may have to a counsel whose

appointment is under consideration. Appointment of counsel may be made retroactive to include representation furnished pursuant to the Plan prior to appointment. The judicial officer shall appoint separate counsel for defendants having interests that cannot be represented by the same counsel or when other good cause is shown.

Members of the panel must:

1. Be a member in good standing of the bar of the United States District Court for the District of Massachusetts and the bar of the Supreme Judicial Court.
2. Have at least five years experience as a member of the bar.
3. Have sufficient experience to furnish high quality representation to criminal defendants in federal court.
4. Be familiar with (a) the Federal Rules of Criminal Procedure; (b) the Federal Rules of Evidence; (c) the Bail Reform Act of 1984, as amended; and (d) the Federal Sentencing Guidelines.
5. Demonstrate an interest and experience in the practice of criminal law, or have other equivalent experience.

Applications for the panel are solicited once a year. The application period is announced in Lawyers Weekly and on our web site.

## ➤ **PRO BONO**

The court's pro bono program has been in operation since 1982. The Pro Se Staff Attorney coordinates this program which secures volunteer attorneys to represent indigent litigants in civil cases when allowed by the court. Pro bono lawyers are appointed at a rate of 1-2 per month through this program.

## ➤ **CHANGE OF ADDRESS**

Local Rule 83.5.2(e) requires that a notice of change of address be filed in every case in which an attorney has a pending appearance. Once filed and docketed, the attorney's new address is forwarded to the Operations Manager to update the database. Please do not assume that including new address information on a document or other communication with the court will satisfy the requirements of the Local Rule or that the Clerk's Office will identify the change in address.

## ▶ OTHER

### ➤ ELECTRONIC CASE FILING

The transition towards electronic case files ("ECF") in the federal courts is underway. Some courts already are working to identify and acquire appropriate technology. New federal rules facilitate a court's decision to accept electronic filings. And the Judicial Conference's Committee on Automation and Technology has designated ECF as a top priority initiative and has set a goal to proceed with ECF within the next three to five years. (From a March 1997 memo from Leonidas Ralph Mecham, Director of the Administrative Office of the United States Courts.)

### ➤ WEB PAGE

The Clerk's Office has a site on the World Wide Web, at [www.mad.uscourts.gov](http://www.mad.uscourts.gov). This is the official site for the United States District Court for the District of Massachusetts. The information contained in this document is available on that site, along with many of the forms mentioned in this guides, most in 'PDF' format. To access these documents, you will need to have Acrobat Adobe Reader 4.0 installed on your PC. To obtain a free copy of this software, go to their site at [www.adobe.com/acrobat](http://www.adobe.com/acrobat).

### ➤ NATURALIZATION QUESTIONS

Most questions regarding Immigration and Naturalization matters should be addressed to the INS at 617-565-1510. The Clerk's Office has limited information about INS matters, and these frequently asked questions, and their answers are available on our web site.

### ➤ PRO SE LITIGATION

The Clerk's Office has prepared a separate hand book, 'Step-by-Step' for individuals wishing to proceed pro se. This guide is available from the Clerk's Office. There is also one clerk in the Boston office assigned to assist pro se litigants through the intake process. That number is 617-748-9130.

➤ **OTHER RESOURCES FOR THE BAR**

The Massachusetts Continuing Legal Education Institution sponsors a seminar and publication titled 'Federal Court Judicial Forum' every year. Also, the MCLE published 'The District Court Speaks', a survey of the of judicial preferences for the judges of this court. These references are available through MCLE.

➤ **COURT DIRECTORY**

A directory of all Clerk's Office personnel is available in the Clerk's Office and at our web site. The directory is updated regularly, as needed.

➤ **LOCAL RULES**

The Local Rules of the District Court are available on line and in the Clerk's Office at no charge.

➤ **BILL OF COST**

The Court has recently adopted a standard for the taxation of bills of costs. A document is available on line and in the Clerk's Office itemizing these standards.

➤ **COURT REPORTERS**

Each District Judge is assigned an official court reporter. The Court Reporter Supervisor coordinates coverage for the judges and magistrate judges of this court. The rates are available on our web site.

➤ **ALTERNATIVE DISPUTE RESOLUTION**

The Alternative Dispute Resolution Act of 1998 requires that each district court authorize the use of Alternative Dispute Resolution (ADR) in all civil actions including adversary proceedings in bankruptcy. 28 U.S.C. §§§§ 651 et seq

Parties in all civil cases are encouraged to participate in at least one of the ADR alternatives that are available through the court. ADR options are designed so that the parties can adopt or adjust an existing program to one which will meet the needs of their dispute. Unless otherwise agreed, these programs are non-binding. The parties

are not required to accept any results or recommendations. Except for special masters and private providers of ADR services, the programs available through the court are without cost to the participants.

A majority of the cases referred to ADR are assigned to Senior Judges and Magistrate Judges of this Court. Documents submitted in conjunction with the ADR process are NOT part of the record, and if filed through the Clerk's Office, should be identified as ADR-related documents so that the clerk will not include the filing on the court's docket.

### ➤ TRIAL EXHIBITS

Trial exhibits are maintained by the Clerk's Office during the trial. The Courtroom Clerk will return the exhibits to the appropriate party at the conclusion of the trial. If and when needed by the Court of Appeals, counsel will be notified and asked to submit the exhibits directly to the Court of Appeals. See Local Rule 79.1.

### ➤ MEDICAL RECORDS

Medical records subpoenaed as part of an existing case will be held in the custody of the courtroom clerk for the judicial officer assigned to the case. The records will be made available to counsel at the time of trial, and returned to counsel at the conclusion of the trial or other proceedings. Any medical records not retrieved by counsel at the conclusion of a case will be destroyed by the courtroom clerk.

If the medical records include x-rays, and you intend to display them in the courtroom, please notify the courtroom clerk prior to trial. The Clerk's Office in Boston has one x-ray reader at its disposal.

### ➤ SEALED/IMPOUNDED DOCUMENTS

Local Rule 7.2 governs custody of sealed and impounded documents by the Clerk's Office. Any document not accompanied by a motion to seal, and not meeting the requirements of Local Rule 7.2 may be treated as a public document by the Clerk's Office. (NOTE: The only exception to the requirements of Local Rule 7.2 are cases filed under 31:3729, the False Claims Act.)

## ➤ **COURT CALENDAR**

Every Judge of this court maintains his or her own calendar. If you need a hearing or conference with the Judge, make your request, either in writing or verbally to the courtroom or docket clerk assigned to that judge. If the Court agrees with the request, a hearing will be set as soon the Court's schedule permits.

The daily calendar for the Boston and Worcester courthouses are compiled every afternoon for the next day's court schedule. The calendars are available on our web site and in the Clerk's Office. The Boston calendar is available in both WordPerfect and 'PDF' formats. The Worcester calendar is currently available only in WordPerfect. These calendars are accurate as of the time prepared. Hearings and other matters may be added or canceled after that time, and the calendar may not be updated to reflect these changes. If you have any questions about a scheduled hearing, contact the courtroom or docket clerk for that judge.

## ➤ **INTERPRETERS**

There are currently three languages that are federally certified. They are Spanish, Haitian Creole and Navajo. The Administrative Office requires that all interpreters for those languages be certified. For information concerning certification call 202-502-1585 or 202-502-1570.

The Clerk's Office maintains a list of certified interpreters who may be hired for court proceedings. This list is available on our web site. Interpreters needed for in-court criminal proceedings are hired at the court's expense. Any other interpreter services provided for an indigent (CJA) defendant are paid through CJA funds.

The Judicial Language Center for the Superior Court of the Commonwealth of Massachusetts is ordinarily able to provide information on interpreters other than those on our list. This resource is helpful especially when you are in need of an interpreter of a less than common language. The Judicial Language Center can be reached at (617) 742-8383 Ext. 342 or 343.

If you would like to be added to our list of interpreters for other languages that do not require certification, you may send a letter with your language(s) and experience, stating whether you have ever worked in a court environment (i.e., State department, immigration, state court, social services, etc.) and include if you are professionally qualified or language skilled to Mary L. Cummings in the Clerk's Office. Upon receipt, your name will be added to the Court's Interpreter Roster.

## ➤ **BANKRUPTCY MATTERS IN THE DISTRICT COURT**

Matters arising under Title 11 of the United States Code are presented to the Bankruptcy Court, which routinely adjudicates the issues presented. This reference is made pursuant to 28 U.S.C. §157(a).

### ➤ **BANKRUPTCY APPEALS**

The District Court's jurisdiction over appeals from decisions of the Bankruptcy Court is created by 28 U.S.C. § 158(a). The notice of appeal of a ruling of a Bankruptcy Judge must be filed in the Bankruptcy Court, along with the filing fee payable to the Bankruptcy Clerk.

The appellant must elect, at the time the notice of appeal is filed, to proceed before the District Court on appeal. If no election is made, the case will be transmitted to the Bankruptcy Appellate Panel for further proceedings.

If the appellant elects to proceed before this court, the Bankruptcy Clerk will transmit the record to this office, where it will be assigned to a judge by random draw, and given a District Court case number. (Bankruptcy Appeals are assigned a civil action number in the District Court.) Multiple appeals arising from the same bankruptcy action will be assigned separate case numbers but will be assigned to the same District Judge.

### ➤ **MOTION FOR STAY**

Motions for stay pending appeal of Bankruptcy Court orders are normally filed with the Bankruptcy Court and then transmitted to the District Court Clerk, who assigns the motion a civil action number. When the appeal is later transmitted to the District Court, it is assigned the same case number as the previously filed motion for stay. NOTE: If the motion is an emergency motion, file the original motion in the District Court, with a courtesy copy to the Bankruptcy Court. Contact the Operations Manager prior to filing such an emergency motion.

### ➤ **MOTION FOR LEAVE TO APPEAL**

A motion for leave to appeal an interlocutory order or decree of the Bankruptcy Court is also filed with the Bankruptcy Court and transmitted to the District Court for action. The Clerk assigns the motion a civil case number. When the bankruptcy appeal is transmitted to the District Court, it is assigned the same case number.

## ➤ **WITHDRAWAL OF REFERENCE**

In matters in which a statute provides for trial before a District Judge, counsel may request that the case be heard in the District Court. If such action occurs, file the application or motion with the Bankruptcy Court, which in turn will transmit it to the District Court. A civil action number will be assigned and a District Judge will be chosen by random draw to rule on the motion. If the District Court grants the motion to withdraw the reference, the case will be heard in District Court in the usual manner.

## ➤ **EMERGENCY BUSINESS**

One District Judge and one Magistrate Judge are assigned to handle emergency business for the court at all times, usually for a month at a time. The Clerk's Office will not disclose the name of the emergency district judge until such time as an emergency matter is filed.

Any emergency business arising from an existing civil or criminal matter is first brought to the attention of the judge assigned to the case. If the assigned judge is not available or decides that the matter can not await his/her attention, it will be referred to the emergency judge. Any new civil action involving an emergency matter will first be assigned by random draw to a district judge. The emergency matter will be brought before that judge, and only if that judge can not handle it will it be referred to the emergency judge.

All new criminal complaints are brought before the emergency magistrate judge. All arrests on probable cause are also brought before the emergency magistrate judge. An arrest on an indictment or existing magistrate's complaint is brought before the magistrate judge assigned to the case at the time of filing.

## ➤ **EMERGENCY BUSINESS OUTSIDE OF BUSINESS HOURS**

The Clerk's Office has established procedures to deal with emergency matters that may occur during non-business hours - over a weekend or a holiday. The procedures will be effective June 1, 2001.

Managers in the Boston Clerk's Office will take turns serving on emergency duty. The duty manager will carry a cell phone to answer calls from attorneys that may be urgent and require the immediate attention of a judge prior to the next business day.

**NOTE:** The emergency phone number should be used only when a situation arises over a weekend or holiday and the matter will become moot if a ruling is not obtained before the next business day.

The emergency cell phone number is 617-851-1813.

## ► **MISCELLANEOUS BUSINESS DOCKET**

A Miscellaneous Case is anything filed in the district court that is not a criminal or civil case. This district assigns these cases a miscellaneous case number under the Miscellaneous Business Docket (MBD). Examples of an MBD action are: registration of a foreign judgment, a motion to quash or motion to compel regarding a deposition in a case pending in another district. The fee for filing a miscellaneous case is \$20. There are no cover sheets or other such documents required when filing an MBD matter.

Miscellaneous matters are assigned to either a District Judge or Magistrate Judge at the time of filing, depending on the matter involved.

## ► **SUBPOENAS**

### IN A CIVIL CASE

Pursuant to Fed.R.Civ.P.45, it is no longer necessary that subpoenas be issued by the clerk. Although the clerk still has authority to do so, a subpoena may also be issued by an attorney as an officer of the court. Attorneys are authorized to issue subpoenas in the name of any court in which they are authorized to practice. In the case of a deposition or a production of documents taking place in another district, attorneys may issue subpoenas in the name of the court where the deposition or production is to take place. The attorney is not required to be a member of the bar or admitted pro hac vice in the district in whose name the subpoena is issued, as long as the deposition or production pertains to a primary action in a court in which the attorney is authorized to practice.

### IN A CRIMINAL CASE

Criminal Subpoenas must be issued by the Clerk under the seal of the Court pursuant to F.R.Cr.P. 17(a). Court appointed counsel under the Criminal Justice Act, representing indigent defendants, should refer to F.R.Cr.P. 17(b) and 28 USC 1825 for proper procedures regarding issuance and service of subpoenas. Witness fees, travel costs, and expenses for service of subpoenas on fact witnesses are not payable out of

the Criminal Justice Act appropriation. Retained counsel should refer to F.R.Cr.P. 17(b). Blank and issued subpoenas are available from the Clerk's Office.

## ➤ **POST JUDGMENT DOCUMENTS**

### ➤ **Notice of Appeal** (Fed.R.App.P. 3)

The Notice of Appeal is filed with the District Court. The filing fee of \$105 is also paid to the Clerk of the District Court. Once the appeal is filed and docketed, the deputy Clerk will send a copy of the notice of appeal to all parties. The Clerk will also send the First Circuit information sheet and Transcript order form to the appellant's attorney. The Clerk's Office is responsible for transmitting the appeal and record to the First Circuit. The Clerk's Office goal is to transmit the record to the Court of Appeals within 21 days, unless requested earlier by that office.

### ➤ **CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER JURISDICTION**

To register a judgment of this court in another jurisdiction, you must first obtain a 'Certification of Judgment for Registration in Another Jurisdiction', also called an AO451. The fee for issuing an AO451 is \$5.00 for the certification, and \$5.00 for the required certified copy of the judgment.

NOTE: The Clerk does not have the authority to issue an AO 451 if any motion or appeal is pending that may alter or vacate the judgment.

### ➤ **WRIT OF EXECUTION/GARNISHMENT** (Fed R.Civ.P. 69)

When requesting the Clerk to issue a Writ of Execution, a completed writ is to be submitted, along with a copy of the judgment. Please note that there is a separate version of the writ of execution for MBD matters. Writ of Execution forms are available from the Clerk's Office and at our web site. When requesting the Clerk to issue a Writ of Garnishment, a Motion to Issue Writ of Garnishment is required, along with a certified copy of the judgment.

### ➤ **SUPERSEDEAS BOND**

A Supersedeas Bond (if required) is filed with the District Court after first having been set and approved by the Court. See Local Rule 62.2.

## ► **CENTRAL VIOLATIONS BUREAU**

Rule 58 of the Rules of Criminal Procedure governs the procedure and practice for the conduct of proceedings involving petty offenses. Under Rule 58(a)(2), each United States District Court has a local rule or order for processing petty offenses, as defined in 18 U.S.C. §19, for which the court determines, in the event of conviction, that no sentence of imprisonment will be imposed. These local rules provide an alternative method for handling petty offense cases initiated by violation notice or by complaint. The United States Attorney is responsible for all prosecutions in the United States District Court and for coordinating law enforcement efforts. By statute and regulations, federal agencies have the authority to issue violation notices for offenses committed within federal enclaves. In most instances, the United States Attorney has designated agency prosecutors to prosecute petty offenses initiated by violation notice.

The Administrative Office has established a national Central Violations Bureau (CVB) in San Antonio, Texas, to assist the district courts in processing violation notices issued by federal agencies for petty offenses.

Hearings are normally held at five locations throughout the district: in Boston for all violations occurring in the Boston area, Cape Cod for violations occurring at the Cape Cod Canal and the National Seashore, Worcester for all violations occurring in Worcester and other locations in the Central Division, Hanscom Air Force Base for those violations occurring at the Air Force Base and the Bedford Veteran's Administration Hospital, and, finally, in Springfield for all violations occurring west of Worcester.

Once a violation issues, the officer marks the violation for either a mandatory or optional appearance date. Violation notices marked as optional appearances permit a person to whom a violation notice has issued to forfeit the designated amount set forth on the violation notice in lieu of appearance in court. The amount of forfeiture is based on a forfeiture collateral schedule approved by the United States District Court. If an appearance is optional, the person to whom the violation notice has been issued may still request a hearing by sending his or her copy of the violation notice San Antonio and specifically requesting a hearing. (Details are available on the ticket, much like a violation notice issued by a local authority.)

If a person to whom a violation notice has been issued is convicted after trial, an appeal may be taken to a district judge in Boston by filing of a notice of appeal with the Clerk of the CVB session within ten (10) days of conviction and the payment of a twenty-five (\$25.00) fee.

If the defendant fails to appear at a hearing, a warrant may issue. If that happens, and the appearance was **optional**, the United States Marshal will normally send a letter to that person indicating that that person may satisfy the outstanding violation notice and warrant by paying double the amount of the forfeiture of collateral indicated on the violation notice. Alternative, for **optional** appearances, that person may satisfy that warrant by specifically requesting a hearing and appearance on the date that that hearing is set. If a warrant is issued and the appearance was **mandatory**, the United States Marshal will normally send a letter to that person indicating that that person may satisfy the outstanding warrant by specifically requesting a hearing and appearance on the date that that hearing is set.

# APPENDIX

## QUICK RULE REFERENCE

A short list of some of the topics covered in this guide and the applicable governing rule(s).

Admission to the Bar pro hac vice	Local Rule 83.5.3
Admission to the Bar	Local Rule 83.5.1(a)
Alternative Dispute Resolution	Alternative Dispute Resolution Act of 1998 28 USC §§§§ 651 et seq
Bankruptcy Appeals	28 USC § 158(a)
Bankruptcy Matters in the District Court	28 USC § 157(a)
Central Violations Bureau	FRCrP 58, 18 USC § 19
Certificate of Service	Local Rule 5.2(b)
Change of address	Local Rule 83.5.2(e)
Criminal Justice Act	18 USC § 3006A
Deposit of Money into the Registry of the Court	FRCP 67
Designation of Divisions	Local Rule 40.1
Form and Signing of Papers	Local Rule 5.1
How a Judge is assigned to a case	Local Rule 40.1
Investment of Funds	FRCP 67
Length of Memoranda	Local Rule 7.1(b)(4)
Non Filing of Discovery Documents	FRCP 5(d)
Notice of Appeal	FRAP 3
Post Judgment Interest Rates	Title 28 USC § 1961
Registration of judgment in another jurisdiction	28 U.S.C. § 1963
Sealed/Impounded Documents	Local Rule 7.2; 31USC § 3729 (False Claims Act)
Subpoenas in a criminal action	FRCrP 17(a)
Subpoenas in a civil action	FRCP 45
Subpoenas in a criminal action - CJA appointments	FRCrP 17(b); 28 USC § 1825
Supersedeas Bond	Local Rule 62.2
Taxation of Costs	FRCP 54(d) and 28 U.S.C. § 1920
Trial Exhibits	Local Rule 79.1
Writ of Execution/Garnishment	FRCP 69

**GENERAL INFORMATION RE: JUDGES - BOSTON OFFICE  
 UNITED STATES COURTHOUSE  
 1 COURTHOUSE WAY - SUITE 2300  
 BOSTON, MA 02210  
 (617) 748-9152**

<b>DISTRICT JUDGES</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO. (617) 748-</b>
WILLIAM G. YOUNG	WGY	#18 - 5 <sup>th</sup> FL.	ELIZABETH SMITH	9156
JOSEPH L. TAURO	JLT	#20 - 7 <sup>th</sup> FL.	ZITA LOVETT	9183
ROBERT E. KEETON	REK	#3 - 3 <sup>rd</sup> FL.	CRAIG NICEWICZ	9158
RYA W. ZOBEL	RWZ	#12 - 5 <sup>th</sup> FL.	LISA URSO	9187
MARK L. WOLF	MLW	#10 - 5 <sup>th</sup> FL.	DENNIS O'LEARY	9159
DOUGLAS P. WOODLOCK	DPW	#1 - 3 <sup>rd</sup> FL.	REBECCA GREENBERG	9170
RICHARD G. STEARNS	RGS	#21 - 7 <sup>th</sup> FL.	MARY JOHNSON	9162
REGINALD C. LINDSAY	RCL	#11 - 5 <sup>th</sup> FL.	LISA HOURIHAN	9177
PATTI B. SARIS	PBS	#13 - 5 <sup>th</sup> FL.	ROBERT ALBA	9175
NANCY GERTNER	NG	#2 - 3 <sup>rd</sup> FL.	MARYELLEN MOLLOY	4870
GEORGE A. O'TOOLE, JR.	GAO	#9 - 3 <sup>rd</sup> FL.	VACANT	9181
WALTER JAY SKINNER	WJS	#5 - 3 <sup>rd</sup> FL.	PHILIP LYONS	9183
A. DAVID MAZZONE	ADM	#17 - 5 <sup>th</sup> FL.	PHILIP LYONS	9183
EDWARD F. HARRINGTON	EFH	#19 - 7 <sup>th</sup> FL.	PETER GALLAGHER	4231
MORRIS E. LASKER	MEL	#8 - 3 <sup>rd</sup> FL.	GEORGE HOWARTH	9127
<b>MAGISTRATE JUDGES</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO. (617) 748-</b>
LAWRENCE P. COHEN	LPC	#23 - 7 <sup>th</sup> FL.	ELLEN HAYES	9240
JOYCE L. ALEXANDER	JLA	#24 - 7 <sup>th</sup> FL.	REX BROWN	9238
ROBERT B. COLLINGS	RBC	#14 - 5 <sup>th</sup> FL.	GINA PICCININNO	9233
MARIANNE B. BOWLER	MBB	#25 - 7 <sup>th</sup> FL.	DIANALYNN SACCOCCIO	9222
CHARLES B. SWARTWOOD III	CBS	#16 - 15 <sup>th</sup> FL.	LEANN OUELLETTE	4446
JUDITH G. DEIN	JGD	#15 - 5 <sup>th</sup> FL.	THOMAS QUINN	9040

**GENERAL INFORMATION RE: JUDGES - WORCESTER OFFICE  
DONOHUE FEDERAL BUILDING  
595 MAIN STREET  
WORCESTER, MA 01608  
(508) 793-0552**

<b>DISTRICT JUDGES</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO.</b>
NATHANIEL M. GORTON	NMG	5 <sup>th</sup> FL.	MARTIN CASTLES	508-793-0594
<b>MAGISTRATE JUDGE</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO.</b>
CHARLES B. SWARTWOOD, III	CBS	5 <sup>th</sup> FL.	LEANN OUELLETTE	508-793-0126

**GENERAL INFORMATION RE: JUDGES - SPRINGFIELD OFFICE  
FEDERAL BUILDING & COURTHOUSE  
1550 MAIN STREET  
SPRINGFIELD, MA 01103  
(413) 785-0214**

<b>DISTRICT JUDGES</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO.</b>
MICHAEL A. PONSOR	MAP	#2 - 5 <sup>th</sup> FL.	ELIZABETH FRENCH	413-785-0240
FRANK H. FREEDMAN	FHF	#1 - 5 <sup>th</sup> FL.	JOHN STUCKENBRUCK	413-785-0216
<b>MAGISTRATE JUDGE</b>	<b>INITIALS</b>	<b>COURTROOM DESIGNATION</b>	<b>COURT CLERK</b>	<b>PHONE NO.</b>
KENNETH P. NEIMAN	KPN	#3 - 5 <sup>th</sup> FL.	BETHANEY HEALY	413-785-0244

CLOSED

U.S. District Court  
U.S. District Court - Massachusetts (Boston)

CIVIL DOCKET FOR CASE #: 00-CV-10001

Smith v. Jones Engineering  
Assigned to: Judge Rya W. Zobel  
Demand: \$123,000  
Lead Docket: None  
Dkt# in other court: None

Filed: 01/03/00  
Jury demand: Plaintiff  
Nature of Suit: 365  
Jurisdiction: Diversity

Cause: 28:1332 Diversity-Personal Injury

JAMES T. SMITH  
as next best friend of his  
infant son  
Plaintiff

George Jones  
[COR LD NTC]  
123 Main Street  
Boston, MA 02108  
508-555-2189

v.

JONES ENGINEERING CORPORATION  
Defendant

James T. Britto  
[COR LD NTC]  
21 Pennsylvania Highway  
Suite 306  
Scituate, MA 02169  
508-555-1234

Proceedings include all events.

1:00cv10001 Smith v. Jones Engineering

CLOSED

12/30/99 1 Complaint filed. Case assigned to Judge: Zobel.  
Receipt #:12345 Amount:\$ 150.00. Fee Status:  
pd (jdj)[Entry date 01/03/00] [Edit date  
01/11/00]

5/5/00 2 Return of service executed as to Jones Engineering  
with service on 4/26/00 filed. Answer due on  
5/16/00 for Jones Engineering (jdj) [Entry date  
05/08/00]

5/15/00 3 Answer by Jones Engineering to complaint, filed.  
(jdj) [Entry date 05/16/00]

7/18/00 4 Judge Rya W. Zobel . Notice of Hearing/conference:  
set scheduling conference for 2:30 8/16/00 . cc/cl  
(jdj)

8/4/00 5 Letter from Sally M. Coughlin dated: 8/3/00  
to: Court re: voluntary dismissal filed. (jdj)

8/23/00 6 Stipulation of dismissal filed. (jdj)

8/23/00 -- Case closed. (jdj)