

May 13, 2014

NOTICE

TO: THE PUBLIC AND MEMBERS OF THE PRACTICING BAR FOR THE EASTERN AND WESTERN DISTRICTS OF KENTUCKY

Pursuant to 28 U.S.C. § 2071 and Rule 83 of the Federal Rules of Civil Procedure, the United States District Courts for the Eastern and Western Districts of Kentucky hereby give public notice of the following:

The Joint Local Rules Commission for the Eastern and Western Districts of Kentucky has recommended, and the District Court has authorized for release for a period of public comment through July 15, 2014 the revision of certain Joint Local Rules of Civil Practice and Joint Local Rules of Criminal Practice. Unless otherwise indicated, as indicated in this Notice, underlined text is added and ~~struck~~ text is deleted. The proposed revisions are as follows:

- A. LR 5.7 – Privacy Requirements for Court Filed Documents** – will be struck in its entirety as superseded by the Federal Rules of Civil Procedure and replaced with a **New LR 5.7 – Computation of Time – Date Certain**, as follows:

Privacy Requirements for Court Filed Documents

~~Documents filed with the Court by traditional paper or electronic means will be accessible to the public via Public Access to Court Electronic Records (PACER). Parties and counsel are directed to review Joint General Order WD No. 04-01 and ED No. 04-01, or any later amendment thereto, for the Court's current requirements regarding maintenance of privacy for documents and exhibits filed with the Court. The Joint General Order of Court is available on the Court's websites at "<http://www.kyed.uscourts.gov/>", "<http://www.kywd.uscourts.gov/>". Copies of the Order may also be obtained from the Clerk.~~

Computation of Time – Date Certain

When any period of time set by Order of the Court or otherwise ends on a date certain and that date certain falls upon a Saturday, Sunday or legal holiday, the period of time continues to run until the end of the next day that is not a Saturday, Sunday or legal holiday.

- B. LCrR 49.6 – Privacy Requirements for Court Filed Documents** – will be struck in its entirety as superseded by the Federal Rules of Criminal Procedure and replaced with a **New LR 49.6 – Computation of Time – Date Certain**, as follows:

Privacy Requirements for Court Filed Documents

~~Documents filed with the Court by traditional paper or electronic means will be accessible to the public via Public Access to Court Electronic Records (PACER). Parties and counsel are directed to review Joint General Order WD No. 04-01 and ED No. 04-01, or any later amendment thereto, for the Court’s current requirements regarding maintenance of privacy for documents and exhibits filed with the Court. The Joint General Order of Court is available on the Court’s websites at “<http://www.kyed.usecourts.gov/>”, “<http://www.kywd.usecourts.gov/>”. Copies of the Order may also be obtained from the Clerk.~~

Computation of Time – Date Certain

When any period of time set by Order of the Court or otherwise ends on a date certain and that date certain falls upon a Saturday, Sunday or legal holiday, the period of time continues to run until the end of the next day that is not a Saturday, Sunday or legal holiday.

- C. New LCrR 55.3 – Plea Agreement Supplements Required in Criminal Cases** – will state as follows:

Plea Agreement Supplements Required in Criminal Cases

All plea agreements shall be accompanied by a supplement containing either a cooperation agreement or a statement that no such agreement exists. The Clerk of Court shall file the supplement under seal.

- D. Subparagraph (b) of LCrR 58.1 – Misdemeanors and Other Petty Offenses** – will be amended as follows to reflect a change in the United State Code:

(b) **Petty Offenses.** For purposes of this rule, “petty offenses” are those offenses in ~~18 U.S.C. §1(3)~~ 18 U.S.C. §19. In determining a “petty offense,” it is irrelevant whether the offense originated under applicable federal statutes or

regulations or under applicable state statutes by virtue of the Assimilative Crimes Act, 18 U.S.C. §13.

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Comments concerning the proposed rule amendments are welcome. Comments must be submitted in writing or via email on or before July 14, 2014 and should be sent to:

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