

**NOTICE CONCERNING REVISIONS OF  
CIVIL LOCAL RULE 77-3, 3-2 and 5-1**

The United States District Court for the Northern District of California Court has approved a revision of Civil Local Rule 77-3, effective February 17, 2009.

Revised Civil L.R. 77-3 is as follows:

**77-3. Photography and Public Broadcasting.**

Unless allowed by a Judge or a Magistrate Judge with respect to his or her own chambers or assigned courtroom for ceremonial purposes, the taking of photographs, public broadcasting or televising, or recording for those purposes in the courtroom or its environs, in connection with any judicial proceeding, is prohibited. **Electronic transmittal of courtroom proceedings and presentation of evidence within the confines of the courthouse is permitted, if authorized by the Judge or Magistrate Judge.** The term “environs,” as used in this rule, means all floors on which chambers, courtrooms or on which Offices of the Clerk are located, with the exception of any space specifically designated as a Press Room. Nothing in this rule is intended to restrict the use of electronic means to receive or present evidence during Court proceedings.

In addition, the Court has approved revisions of Civil Local Rules 3-2 and 5-1, effective March 17, 2009. PLEASE NOTE THAT THE FOLLOWING RULES WILL NOT BE IMPLEMENTED AT THIS TIME. IT IS EXPECTED THAT IMPLEMENTATION WILL OCCUR LATER IN 2009. A SEPARATE NOTICE REGARDING IMPLEMENTATION WILL BE FORTHCOMING.

The revised rules are as follows:

**3-2. Commencement and Assignment of Action.**

**(a) Civil Cover Sheet.** Every complaint, petition or other paper initiating a civil action must be filed with a completed civil cover sheet on a form approved by the Court.

**Cross Reference**

See Civil L.R. 3-6(c) “*Jury Demand; Marking of Civil Cover Sheet Insufficient;*” Civil L.R. 3-7(a) “*Civil Cover Sheet Requirement in Private Securities Actions*”

**(b) Commencement of Action.** An action may be commenced within the meaning of FRCivP 3 at any office of the Clerk for this district. After the matter has been assigned to a Judge,

unless ordered or permitted otherwise, all subsequent **paper** filings must be made in the Office of the Clerk at the division or location where the assigned Judge maintains chambers. **Paper filings in matters assigned to the Eureka division must be made in the San Francisco Office of the Clerk.**

**(c) Assignment to a Division.** Pursuant to the Court's Assignment Plan, except for Intellectual Property Actions, Securities Class Actions and Capital and Noncapital Prisoner Petitions or Prisoner Civil Rights Actions, upon initial filing, all civil actions and proceedings for which this district is the proper venue shall be assigned by the Clerk to a Courthouse serving the county in which the action arises. A civil action arises in the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated. Actions in the excepted categories shall be assigned on a district-wide basis.

**(d) San Francisco and Oakland.** Except as provided in Civil L.R. 3-2(c), all civil actions which arise in the counties of Alameda, Contra Costa, ~~Del Norte, Humboldt, Lake, Marin, Mendocino,~~ Napa, San Francisco, San Mateo or Sonoma shall be assigned to the San Francisco Division or the Oakland Division.

**(e) San Jose.** Except as provided in Civil L.R. 3-2(c), all civil actions which arise in the counties of Santa Clara, Santa Cruz, San Benito or Monterey shall be assigned to the San Jose Division.

**(f) Eureka.** Except as provided in Civil L.R. 3-2(c), all civil actions which arise in the counties of Del Norte, Humboldt, Lake and Mendocino, except for cases not assigned to the magistrate judges pursuant to the Court's Assignment Plan, shall be assigned to the Eureka Division.

#### **Cross Reference**

See General Order No. 44, Assignment Plan.

**(f) (g) Transfer of Actions and Proceedings.** Whenever a Judge finds, upon the Judge's own motion or the motion of any party, that a civil action has not been assigned to the proper division within this district in accordance with this rule, or that the convenience of parties and witnesses and the interests of justice will be served by transferring the action to a different division within the district, the Judge may order such transfer, subject to the provisions of the Court's Assignment Plan.

### **5-1. Filing Original and Submitting Chambers Copy.**

**(a) Filing Original.** Except as provided in Civil L.R. 5-2, the original of any document required to be filed by the Federal Rules or by these local rules, together with a certificate of service, must be delivered to the Office of the Clerk during regular hours (as defined in Civil L.R. 77-1(b)) in the courthouse in which the chambers of the Judge to whom the action has been assigned pursuant to Civil L.R. 3-3(a) are located. Certain documents may be filed after regular hours by depositing them in a drop-box pursuant to Civil L.R. 5-3. Filing by electronic means, pursuant to Civil L.R. 5-4, may be required in certain actions. The Clerk will provide notification of any such requirement.

**(b) Extra Copy for Chambers.** An extra copy of the document filed under Civil L.R. 5-1(a), marked by counsel as the copy for “Chambers,” must be submitted at the same time to the Office of the Clerk in the courthouse in which the chambers of the Judge to whom the action has been assigned are located. If the matter has been assigned to a Magistrate Judge for hearing, an additional copy designated for delivery to the assigned Magistrate Judge must be delivered to the Office of the Clerk in the courthouse in which the chambers of the Magistrate Judge are located. **If the matter has been assigned to the Eureka venue, the extra copy must be mailed to the chambers of the Eureka Magistrate Judge, P.O. Box 1306, Eureka, California 95502.**

**Commentary**

When a copy for chambers is delivered to the Office of the Clerk in conformity with Civil L.R. 5-1(b), counsel will be deemed to have complied with any order requiring delivery of that document to the chambers of the assigned Judge.