

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS**

GENERAL ORDER AMENDING LOCAL RULES

It is hereby ORDERED that the following amendments to the local rules, having been approved by the judges of this court, are adopted for implementation and will be effective December 1, 2025, subject to a reasonable period for public notice and comment, as determined by the Clerk.¹ See 28 U.S.C. § 2071(b).

SECTION I: CIVIL RULES

LOCAL RULE CV-4 Complaint, Summons, and Return

- (a) At the commencement of the action, counsel shall prepare and file the civil cover sheet, Form JS 44, along with the complaint. When filing a patent, trademark, or copyright case, counsel is also responsible for electronically filing an AO Form 120 or 121 using the event Notice of Filing of Patent/Trademark Form (AO 120) or Notice of Filing of Copyright Form (AO 121).

If service of summons is not waived, the plaintiff must prepare and submit a summons to the clerk for each defendant to be served with a copy of the complaint by uploading it to the Electronic Filing System using the Request for Clerk to Issue Document event. ~~The clerk is required to collect the filing fee authorized by federal statute before accepting a complaint for filing.~~

COMMENT: To eliminate longstanding confusion over how to submit a summons to the clerk, CV-4(a) is amended to reference the new docket event in CM/ECF created for this purpose. Additionally, the last sentence of CV-4(a) is deleted since the clerk cannot prevent the filing of a new case in CM/ECF when the filer uses an event that does not collect a filing fee. A separate docket event is now available in CM/ECF that allows a user to cure a filing fee deficiency.

LOCAL RULE CV-5 Service and Filing of Pleadings and Other Documents

- (a) **Electronic Filing Required.** All documents filed with the court shall be electronically filed in the court's Electronic Filing System by a Filing User in compliance with the procedures outlined below, except as expressly provided or in exceptional circumstances ~~preventing a Filing User from filing electronically, all documents filed with the court shall be electronically filed in compliance with the following procedures.~~

¹ New language appears in underlined text, and deleted language appears in strikeout text.

(2) Registration for Electronic Filing.

- (B) ~~With court permission, a~~ After filing an action in paper, a non-prisoner *pro se* litigant may register as a Filing User in the Electronic Filing System solely for purposes of the action. If, during the course of the proceeding, the party retains an attorney who appears on the party's behalf, the attorney must advise the clerk to terminate the party's registration as a Filing User upon the attorney's appearance.

COMMENT: To address the increasing instances of when *pro se* litigants email documents to the court for filing, an unauthorized method, CV-5(a) is amended to clarify that “electronically filed” means electronically filed in the Electronic Filing System. Also, because electronic filing by non-prisoner *pro se* litigants is well controlled withing the current CM/ECF system and produces efficiencies for the clerk's office, CV-5(a)(2)(B) is amended to remove the requirement that non-prisoner *pro se* litigants seek permission before registering as a Filing User in CM/ECF.

LOCAL RULE CV-11 Signing of Pleadings, Motions, and Other Documents

- (g) Use of Generative Artificial Intelligence Technology ~~by Pro-Se Litigants~~. All litigants remain responsible for the accuracy and quality of legal documents produced with the assistance of generative artificial intelligence technology ~~(e.g., ChatGPT, Google Bard, Bing AI Chat, or generative artificial intelligence serviees)~~. Litigants are cautioned that certain generative artificial intelligence technologies may produce factually or legally inaccurate content. If a litigant chooses to employ generative artificial intelligence technology, the litigant continues to be bound by the requirements of Fed. R. Civ. P. 11 and must review and verify all ~~any computer-generated~~ content to ensure that it complies with all such standards. *See also* Local Rule AT-3(m).

COMMENT: The obligations of Fed. R. Civ. P. 11, and other similar legal and ethical requirements, apply regardless of how a filing is prepared. Violations of these obligations can result in sanctions. *See, e.g.,* Fed. R. Civ P. 11(c). However, because of the recent availability of generative artificial intelligence tools, the court adopted CV-11(g) in 2023 to warn litigants of the risk of inaccuracies inherent in the use of such tools and of their responsibility to review and verify the accuracy of any filing. Despite this warning, the court has seen an increasing number of filings that improperly utilized generative artificial intelligence by failing to review and verify the factual and legal accuracy of all content generated by such tools. Accordingly, CV-11(g) is amended to make clear that its warning and referenced obligations apply to all litigants, represented by counsel and *pro se*, and all contents of a document. The rule's focus on generative artificial intelligence technology is also sharpened to hopefully make it more conspicuous to increase compliance. Local Rule AT-3(m) is similarly amended for uniformity.

LOCAL RULE CV-42 Consolidation; Separate Trials Consolidation of Actions

- (a) **Duty to Notify Court of ~~Collateral Proceedings and Re-filed Cases~~ Related Cases or Proceedings.** Whenever a civil matter ~~commenced in or removed to the~~ in this court involves subject matter that either comprises all or a material part of the subject matter or operative facts of another ~~action case or proceeding~~, whether civil or criminal, then pending before this or another court or administrative agency, or previously dismissed or decided by this court, ~~counsel for the filing parties~~ shall identify the ~~collateral proceedings related or re-filed~~ case(s) or proceeding(s) on the civil cover sheet or a notice filed in this court. The duty to notify the court and ~~opposing counsel all parties~~ of any ~~collateral related case or~~ proceeding continues throughout the pendency of the ~~action case~~.

COMMENT: Local Rule CV-42(a) is amended to clarify the application of its notice requirement to later-filed cases in other forums.

LOCAL RULE CV-79 Records Kept by the Clerk

- (a) **Submission of Hearing/Trial Exhibits.**

- (4) Exhibits in the court's custody outside of the court's Electronic Filing System need only be retained through the final disposition of the case. Thereafter, they may be disposed of by the clerk in accordance with the retention provisions available on the court's website.

COMMENT: The clerk's disposal authority for exhibits in the court's custody outside of the Electronic Filing System was removed in 2019 [for CV-79] / 2016 [for CR-55] because of ambiguity in the Guide to Judiciary Policy. As the Administrative Office of the United States Courts has now provided clarity to the clerk of the court, the proposed revisions make the clerk's hearing and trial exhibit disposal authority clear, consistent with similar rules in the other districts of Texas. Under current practice, exhibits to be included in the record for review purposes are uploaded to the CM/ECF system by the courtroom deputy or, if ordered by the presiding judge, the parties directly. Physical or electronic copies of exhibits left in the court's custody outside of those in the CM/ECF system will be disposed of following final disposition of the case in accordance with a published schedule available on the court's website.

LOCAL RULE CV-81 Removed Actions

Parties removing cases from state court to federal court shall comply with the following:

- (c) The removing party or parties shall furnish to the clerk the following information at the time of removal:

- (2) a civil cover sheet and ~~certified~~ copy of the state court docket sheet; a copy of all pleadings that assert causes of action (e.g., complaints, amended complaints, supplemental complaints, petitions, counter-claims, cross-actions, third party actions, interventions, etc.); all answers to such pleadings and a copy of all process and orders served upon the party removing the case to this court as required by 28 U.S.C. § 1446(a);

COMMENT: The requirement of a certified copy of the state court docket sheet upon removal of a case is deleted. Changed technologies and clerk's office practices allow for the elimination of this formality and the delay it sometimes adds to removal efforts.

LOCAL RULE CV-83 Rules by District Courts; Judge's Directives

- (b) **Transferred or Remanded Cases.** Absent an order to the contrary, no sooner than the twenty-first day following an order of the court transferring or remanding a case, the clerk shall effect the transfer or remand ~~transmit the case file to the directed court~~. Where a case has been remanded to state court, the clerk shall mail: ~~(1) a certified copies~~ of the court's order ~~and docket sheet~~ directing such action and the docket sheet; ~~and (2) all pleadings and other documents on file in the case~~. Where a case has been transferred to another federal district court, the electronic case file shall be transferred to the directed court. If a timely motion for reconsideration of the order of transfer or remand has been filed, the clerk shall delay mailing or transferring the file until the court has ruled on the motion for reconsideration.

COMMENT: The requirements of CV-83(b) upon an order of remand are updated to conform the text of the rule to current clerk's office practice in coordination with the receiving state court. In particular, the requirement that all pleadings and other documents on file in the case be mailed is removed.

SECTION II: CRIMINAL RULES

LOCAL RULE CR-55 Records

- (c) Exhibits in the court's custody outside of the court's Electronic Filing System need only be retained through the final disposition of the case. Thereafter, they may be disposed of by the clerk in accordance with the retention provisions available on the court's website.

COMMENT: The clerk's disposal authority for exhibits in the court's custody outside of the Electronic Filing System was previously removed in 2019 [for CV-79] / 2016 [for CR-55] because of ambiguity in the Guide to Judiciary Policy. As the Administrative Office of the

United States Courts has now provided clarity to the clerk of the court, the proposed revisions make the clerk's hearing and trial exhibit disposal authority clear, consistent with similar rules in the other districts of Texas. Under current practice, exhibits to be included in the record for review purposes are uploaded to the CM/ECF system by the courtroom deputy or, if ordered by the presiding judge, the parties directly. Physical or electronic copies of exhibits left in the court's custody outside of those in the CM/ECF system will be disposed of following final disposition of the case in accordance with a published schedule available on the court's website.

SECTION III: ATTORNEYS

LOCAL RULE AT-3 Standards of Practice to be Observed by Attorneys

Attorneys who appear in civil and criminal cases in this court shall comply with the following standards of practice in this district:

- (m) If the lawyer, in the exercise of his or her professional legal judgment, believes that the client is best served by the use of generative artificial intelligence technology (~~e.g., ChatGPT, Google Bard, Bing AI Chat, or generative artificial intelligence services~~), then the lawyer is cautioned that certain technologies may produce factually or legally inaccurate content and should never replace the lawyer's most important asset – the exercise of independent legal judgment. If a lawyer chooses to employ generative artificial intelligence technology in representing a client, the lawyer continues to be bound by the requirements of Federal Rule of Civil Procedure 11, Local Rule AT-3, and all other applicable standards of practice and must review and verify all ~~any computer-generated~~ content to ensure that it complies with all such standards.

COMMENT: See Comment for CV-11 above.

SIGNED this 31st day of October, 2025.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE