

F.R.Civ.P. 72. Magistrate Judges; Pretrial Orders

LRCiv 72.1

ASSIGNMENT OF MATTERS TO MAGISTRATE JUDGES

(a) **Civil Cases.** Upon the order of a District Judge, a civil case shall be referred by the Clerk of the Court to a Magistrate Judge by automated random selection for the conduct of such pretrial conferences as are necessary, and for the hearing and determination of any or all pretrial matters in accordance with the provisions of 28 U.S.C. § 636 (b) (1). If the referral is for a determination of one of the eight categories of dispositive motions set forth in 28 U.S.C. § 636 (b) (1) or is one for which a Magistrate Judge is prohibited from determining by the Constitution or laws of the United States, the Magistrate Judge shall file a written report and recommendation for final disposition by the referring District Judge.

(b) **Supplementary Proceedings.** The Clerk of the Court shall refer to a Magistrate Judge, in addition to the assignment made to a District Judge, any supplementary proceedings pursuant to Rule 69, Federal Rules of Civil Procedure, and post-judgment proceedings, such as garnishments and judgment-debtor examinations, unless: (1) the matter has already been referred by a District Judge to a Magistrate Judge pursuant to 28 U.S.C. § 636(b) (3), or (2) the matter has been assigned to a Magistrate Judge for final determination pursuant to the express written consent of the parties according to 28 U.S.C. § 636(c).

(c) **Habeas Corpus, Other Post Conviction Petitions, and Prisoner and certain other Civil Rights Complaints.** All petitions for writs of habeas corpus, applications for post trial relief made by individuals convicted of criminal

offenses, civil rights complaints by state or federal prisoners challenging conditions of their confinement, and all other civil actions to which a District Judge has been assigned shall also be referred by the Clerk of the Court to a Magistrate Judge according to Local Rules of Civil Procedure, Rules 3.4(b), 3.5(c), or by automated random selection. The referred Magistrate Judge shall proceed in accordance with the Rules Governing Section 2254 Cases In The United States District Courts, or the Rules Governing Section 2255 Proceedings For The United States District Courts, as the case may be, and with 28 U.S.C. § 636 (b) (1) (A) and (B).

(d) **Part-Time Magistrate Judges.** The only limitations on the duties and responsibilities delegated to and performed by a part-time Magistrate Judge are those limitations specifically set forth in 28 U.S.C. § 636 or other applicable statute or General Order.