

RULE 72

(As amended September 21, 1999)

DUTIES OF UNITED STATES MAGISTRATE JUDGES

(a) Authority of Part-time Magistrate Judge

Any part-time United States Magistrate Judge appointed by this Court is authorized to exercise all powers and perform all duties conferred upon magistrate judges by Sections 636(a) and (b) of Title 28, United States Code.

(b) Assignment of Duties to Part-time Magistrate Judge

A part-time magistrate judge may perform any of the duties authorized by 28 U.S.C. § 636(b) upon specific designation by a judge of the court or pursuant to a general order of the court assigning duties. In performing such duties the part-time magistrate judge shall conform to the general procedural rules of this court and the instructions of the district judges.

(c) Authority of Full-time Magistrate Judge

Any full-time United States Magistrate Judge appointed by this Court is authorized to exercise all the powers and perform all the duties of part-time magistrate judges as provided in subsection (a) herein. In addition, any full-time Magistrate Judge is authorized to exercise all powers and perform all duties conferred upon magistrate judges by sections 636(b) and (c) and (g) of Title 28, United States Code, and to exercise the powers enumerated in Rules 5, 8, 9 and 10, Rules Governing Section 2254 and 2255 Proceedings in accordance with the standards and criteria established in 28 U.S.C. § 636(b)(1).

Assignment of Social Security Act Cases and Prisoner Cases

All complaints filed pursuant to 42 U.S.C. Section 405(g) and 42 U.S.C. Section 1383(c)(3), for benefits under Title II, XVI and XVIII of the Social Security Act shall ordinarily be referred to the full-time magistrate judge in Portland for all further proceedings in accordance with Local Rule 16.3.

All applications for post-trial relief filed by individuals convicted of criminal offenses and of prisoner petitions challenging conditions of confinement shall ordinarily be referred to the full-time magistrate judge in Bangor in accordance with 28 U.S.C. Section 636(b)(1)(B).