

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE



June 26, 2014

Local Rule 56 Summary Judgment

In 2011, the Court and the Local Rules Advisory Committee (Committee) determined that some revision to Local Rule 56 was necessary to reduce the number of motions for extension of page limits on memoranda and address the problem of unnecessarily long statements of material facts. On July 1, 2011, the Court revised Local Rule 56 to require that a pre-filing conference be held before a judicial officer in all Standard Track cases in which a party intended to file a motion for summary judgment. The pre-filing conferences were successful. They provided an opportunity for counsel and the judicial officer to openly discuss the issues in the case and to tailor the summary judgment schedule to the needs of each case.

This change to the Rule served as a pilot and the Committee monitored the impact of the Rule and sought feedback from the bar for nearly two and one-half years. The Committee concluded that many pre-filing conferences were very successful, resulting in either the avoidance of summary judgment practice, or summary judgment motions on fewer issues. The Committee also determined that counsel should have the option of proposing an agreed upon summary judgment schedule in lieu of a pre-filing conference. As a result and on recommendation of the Committee, the Court has revised [Local Rule 56](#), which takes effect on July 1, 2014. The amended Rule will require that a party intending to move for summary judgment file either:

- (1) a joint motion setting forth a proposed schedule agreed to by all the parties and confirming that the parties agree that a pre-filing conference would not be helpful; or
- (2) a notice of intent to move for summary judgment and the need for a pre-filing conference with a judicial officer.

The Court appreciates the hard work of the Local Rules Advisory Committee and the input and candor of the bar in helping the Court improve summary judgment practice in this District.