



United States District Court
DISTRICT OF MINNESOTA

LR 7.3 VIRTUAL PROCEEDINGS IN CIVIL MATTERS

(a) **General Rule.** The court may conduct any civil proceeding virtually by telephone or video. At a virtual proceeding, one or more of the attorneys, parties, or witnesses may appear by telephone or video.

(b) **Form of Request.** A party may, after conferring with all other parties, request that a proceeding be conducted virtually. The request must be filed and served, and state whether it is opposed and whether any party requests that the proceeding be transcribed.

(c) **Public Access.** The court must provide instructions for how the public may access any virtual proceeding that is open to the public.

[Adopted effective November 1, 1996; amended May 14, 2013; amended _____, 2022]

2022 Advisory Committee's Note to LR 7.3

The subject of LR 7.3 has been revised from telephonic hearings to virtual proceedings. The rule applies to all civil proceedings except trials. Virtual appearances at a civil trial may be addressed by the presiding judge without regard to this rule. In light of evolving technology, the rule leaves to the court's discretion how to provide instructions to the public to access virtual proceedings. Obsolete provisions have been deleted.

2013 Advisory Committee's Note to LR 7.3

The language of LR 7.3 has been amended in accordance with the restyling process described in the 2012 Advisory Committee's Preface on Stylistic Amendments.

Subsection (a) has been revised to clarify that a party must request a telephonic hearing by filing a letter in ECF and follow up that request by contacting the judge's courtroom deputy. Subsection (a)(3) was added to require that parties inform the judge's courtroom deputy if they intend to have the telephonic hearing transcribed. Telephonic hearings for certain nondispositive motions are recorded at the judge's discretion.

Former subsection (b), which related to requesting a transcript of a telephonic hearing, was deleted as unnecessary with the addition of the language in (a)(3).

1996 Advisory Committee's Note to LR 7.3

In 1993, the Civil Justice Reform Act Advisory Group recommended the use of cost-efficient measures to reduce the expense of civil pretrial proceedings, including increased use of telephonic appearances. The rule on telephonic hearings is based on strong competing interests, and the effort to appropriately balance those interests. On the one hand, the rule reflects the interest in controlling the costs and burdens associated with multiple court appearances, and the economies associated with hearings that do not require personal appearances.

On the other hand, the Court's time is a valuable resource which is carefully scheduled. It is in the interests of justice that previously scheduled matters not be disrupted by spontaneous hearing requests, and that parties and counsel previously scheduled to be in Court be allowed the Court's undivided attention. For that reason, the rule provides for spontaneous telephonic hearings only in exigent circumstances when manifest unfairness would otherwise occur. Each judicial officer retains the discretion whether to entertain spontaneous telephonic hearings on a case-by-case basis.