

LOCAL RULE 5.5
PLEADINGS AND FILINGS

(a) The original of all pleadings, motions, and other papers, together with two copies thereof, shall be filed with the Clerk. All pleadings, motions, and other papers shall be typewritten, photocopied, mimeographed, or printed in type not less than elite, in double space, letter size, using only one side of the page, and shall be filed by the Clerk unfolded and without manuscript covers. Attorneys shall take notice of case numbers assigned to each case and shall note such numbers upon all pleadings, orders, and judgments.

(b) Pleadings, motions, and other papers are to be filed as follows:

(1) In the Eastern District, the Clerk maintains staffed offices at Little Rock, Pine Bluff, and Jonesboro. In the Western District, the Clerk maintains offices at Fort Smith, Fayetteville, El Dorado, Texarkana, and Hot Springs. In civil matters, pleadings, motions, and other papers should be filed in the office of the Clerk designated in Local Rule 77.1 for the Division in which the case is pending, but when a Clerk is unavailable, they may be filed in any office of the Clerk in the appropriate district.

(2) Criminal matters in the Eastern District. All pleadings, motions, and other papers in all criminal matters are to be filed in Little Rock.

(3) Criminal matters in the Western District. All pleadings, motions and other papers in criminal matters in the Harrison Division shall be filed in Fayetteville. Otherwise, all pleadings, motions, and other papers in criminal matters for a particular division are to be filed in that division.

(c) (1) Parties represented by counsel. Every pleading, motion, or other paper (except a pro se motion to discharge an attorney) filed in behalf of a party represented by counsel shall be signed by at least one attorney of record in his or her individual name, and the attorney's address, zip code, and telephone number, and Arkansas Supreme Court identification number, or other Supreme Court identification number, if applicable, shall be stated. It is the duty of each attorney to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address.

(2) Parties appearing *pro se*. It is the duty of any party not represented by

counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.

(d) At the time of filing a civil action, the plaintiff shall complete and submit a cover sheet statement on Federal Form No. JS44.

(e) A party who moves to amend a pleading shall attach a copy of the amendment to the motion. The motion must contain a concise statement setting out what exactly is being amended in the new pleading – e.g. added defendant X, adding a claim for X, corrected spelling. Any amendment to a pleading, whether filed as a matter of course or upon a motion to amend, must, except by leave of Court, reproduce the entire pleading as amended, and may not incorporate any prior pleading by reference. The party amending shall file the original of the amended pleading within seven (7) days of the entry of the order granting leave to amend unless otherwise ordered by the Court. The requirements for amending pleadings set forth in this subsection of Rule 5.5 shall not apply to parties proceeding *pro se*.

Proposed findings of fact and conclusions of law, trial briefs, and proposed jury instructions shall be submitted to the judge to whom the case is assigned, with copies served upon all other parties.

(a)(b) and (d) Adopted and effective May 1, 1980

(c) Adopted and effective March 14, 1984

(e) Adopted and effective July 16, 1980

(f) through (j) Adopted and effective June 26, 1981

(g) Amended October 27, 1986 Amended July 1, 1988
Amended January 2, 1990

Amended and effective December 1, 2000

Amended and effective April 30, 2007

Amended and effective September 20, 2007

Amended November 10, 2009