

## LR 10 - Form of Pleadings and Other Documents (See Fed. R. Civ. P. 10)

### **LR 10-1 Format Requirements**

#### **(a) Legibility**

Pleadings and other documents must be typewritten, neatly printed, or otherwise legibly reproduced, using blue or black ink.

#### **(b) Line Spacing**

Pleadings and other documents must be double-spaced except for the identification of counsel, title of the case, footnotes, quotations, and exhibits.

#### **(c) Minimum Type Size for Text, Footnotes, and Endnotes**

Typewritten materials, including footnotes and endnotes, must use no smaller than a 12-point font.

#### **(d) Page Margins**

Pleadings and other documents must have one-inch margins on the top, bottom, left, and right sides. Except for exhibits that are deposition transcripts, pleadings and other documents must not be numbered down the left margin.

#### **(e) Pagination Requirements**

(1) Every page of a pleading or other document (not including attachments or exhibits) must bear a footer with a brief description of the pleading or document and consecutive numbering at the bottom of the page.

(2) Exhibits or attachments to pleadings and other documents must be clearly numbered.

#### **(f) Paper Filing Requirements**

##### **(1) Paper Copies**

Paper copies filed with the clerk must be on one-sided 8 ½" x 11" paper, flat and unfolded, without back or cover.

##### **(2) Stapled or Fastened**

Pleadings and other documents that are less than one inch thick must be stapled in the upper left-hand corner. Larger documents must be fastened with some other permanent fastening device. Rubber bands or large clips do not qualify as "permanent fastening devices" for purposes of this rule. Metal fasteners, ring or nylon binder posts may be used.

**Practice Tips**

1. Exhibits and attachments do not require a footer, but they must be clearly numbered to enable the Court and counsel to find particular pages quickly and easily.
2. Regarding judges' copies: Ask the courtroom deputy clerk whether the judge's copies should be three hole punched on the side for inclusion in a binder, or two hole punched at the top for inclusion in a file or folder.

**LR 10-2 Caption Requirements (See LR 15-1 and Model Form for Pleadings and Other Documents)**

**(a) Counsel or Self-Represented Party Information**

Insert counsel or self-represented party information (as applicable: name, bar number, e-mail address, law firm, street address, phone number, and party represented) in the upper left corner on the first page, starting one inch from the top of the page.

**Practice Tips**

1. Identifying lead counsel: List the name of the attorney who has primary litigation responsibility for the case ("lead counsel") first. You may list other attorneys affiliated with the case on subsequent lines. The signature page may include a complete list of counsel submitting the document for filing.
2. Identifying Associate (Out-of-State) Counsel: List out-of-state counsel in a separate paragraph below the local Oregon counsel name and address information. Local counsel are deemed "lead counsel" for purposes of this rule.
3. When paper filing or service is required by these rules (*See* LR 5-4), the Court will send paper notices only to "lead counsel" in Oregon or pro se self-represented litigants.

**(b) Court Title**

Double-space, capitalize, and center the title of the Court at least one inch below the last line of the counsel information paragraph.

**(c) Clerk's Authorization to Return Documents**

The clerk is directed to return without filing, and without action, all documents and papers presented for filing that do not comply with the requirements of LR 10-2(b). The offering party will be directed to re-submit the document(s) to comply with the local rule.

**(d) Party Names**

Single space the names of the parties along the left margin below the court title. If the parties are numerous, the names may be continued on the second or, if necessary, successive pages in the same space.

**Practice Tips**

1. Representation in Multi-Party Cases: When not representing all plaintiffs or all defendants, counsel must clearly identify the specific party or parties they are representing.

2. Parties' names should be capitalized, with all other relevant party information typed in a plain text format (for example: SMITH CORPORATION, an Oregon Corporation, and JOHN S. SMITH, individually and in his official capacity).

**(e) Eliminate Brackets Following Party Name Information**

Do not use brackets "(") to set off party names from the document title.

**(f) Case Number**

Starting at the center of the page, left justify the case number on the same line as the first named plaintiff. The case number will be assigned by the Clerk's Office at the time the initial filing is made, and must appear on all subsequent filings. The case number must include the division code as described in LR 3-2.

**(g) Document Title**

At least two lines below the case number, single space and capitalize a concise description of the nature of the document.

**Practice Tip**

A Model Form for Pleadings and Other Documents may be found on the Court's website.

**LR 10-3 Affidavits and Declarations**

**(a) Filed Separately**

Affidavits or declarations must be filed as separate documents with their own captions and footers. Their title must include the name of the related document.

Example	<b>AFFIDAVIT OF JOHN S. HONEST, Esquire In Support of Plaintiff Smith Corporation's Motion for Summary Judgment</b>
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**(b) Signature Notarized**

The affiant's signature on an affidavit must be notarized.

**(c) Unsworn Declaration**

An unsworn declaration under penalty of perjury may be filed pursuant to 28 U.S.C. § 1746. (*See also* LR 5-12).

**LR 10-4 Patent, Trademark, or Copyright Cases (*See* LR 26-6)**

**(a) Document Title**

The word(s) "PATENT," "TRADEMARK INFRINGEMENT," or "COPYRIGHT" must appear in the narrative description of the complaint.

Example	<b>COMPLAINT FOR TRADEMARK INFRINGEMENT DEMAND FOR JURY TRIAL</b>
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**(b) Pleading Requirements**

In a separately numbered paragraph within the body of the complaint, the filing party must identify the owner's full name and the registration number and date of issuance of the relevant patent, trademark, or copyright.

**LR 10-5 Individuals with Disabilities Education Act (IDEA) Cases**

**(a) Document Title Requirements**

The words "Individuals with Disabilities Education Act (IDEA)" must appear in the document title.

Example	<b>COMPLAINT</b>  <b>Individuals with Disabilities Education Act (IDEA)</b>
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**(b) Court Scheduling Order**

When the Complaint is filed, the Court will issue the Individuals with Disabilities Education Act Scheduling Order.

**LR 10-6 Page or Word-Count Limitations**

Document	Page or Word-Count Limits	Local Rule	Comment
<i>Memoranda</i>			
Attorney Fees	ten pages / 3,000 words	LR 54-3(e)	
Bill of Costs	10 pages / 3,000 words	LR 54-1(c)	
Discovery Motions	ten pages / 3,000 words	LR 26-3(b)	Exclusive of Exhibits
Non-Discovery Motions	35 pages / 11,000 words	LR 7-2	Exclusive of Exhibits
<i>Concise Statement of Material Fact</i>	five pages / 1,500 words	LR 56-1	Filed only upon request of the Court.
<i>State Court Record for Capital Habeas Case</i>	250 pages	LR 81-3(i)(3)(c)	per volume

**LR 10-7 Forms**

Absent specific directives or a requirement to use a particular form (such as the "JS-44 Civil Cover Sheet" at case initiation), a party may use any form provided by the Federal Rules of Civil Procedure, provided by these Local Rules, or recommended by the Administrative Office Forms Working Group of judges and clerks on the United States Courts website at [uscourts.gov](http://uscourts.gov) on the Forms page, as applicable, even if the forms do not comply with LR 10.

<b>Practice Tips</b>
<b>1.</b> When citing an attorney's name in a signature block or address block, regardless of the form used, the Court prefers that all parties comply with LR 10-2(a) and include the bar number for the attorney.
<b>2.</b> Some national judiciary forms may display brackets or parentheses in the case caption to set off party names from the document title. LR 10-2(e) was enacted after notice that the inclusion of parentheses or brackets displayed in a vertical line in a text file may not print or translate well when a PDF version of that document is created for electronic filing in CM/ECF. The Court prefers that these be removed.
<b>3.</b> Parties are advised to read the Notice Regarding Federal and Local Civil/Criminal Forms that is found on the Court's website at <a href="http://ord.uscourts.gov">ord.uscourts.gov</a> . (See also Fed. R. Civ. P. 5(d)(4).)

<b>Amendment History to LR 10</b>	
<b>June 1, 2002</b>	
LR 10.1(a)	Subsection re-titled. Language from LR 10.2(e) added and modified to include requirement for unnumbered paper. Subsequent rules re-numbered.
LR 10.1(d)	Amended to substitute "maximum" for "minimum."
LR 10.1(e)	Language moved to LR 10.1(a). Subsequent rules re-numbered.
LR 10.1(g)	Subsection (1) amended to add "...of a pleading or document..." Subsection (2) amended to add "...and documents will be clearly numbered."
LR 10.2(a)	Cross Reference to LR 15.1 added. Last sentence "An example..." added for clarity. Advisory Notes modified to conform with e-noticing methods of CM/ECF.
LR 10.2(c)	New Rule. Subsequent sections relettered.
LR 10.2(e)	New Rule. Subsequent sections relettered.
LR 10.3	This is a new rule to reflect Judicial Conference policy (See Appendix of Forms). The previous version of LR 10.3, and all following rules, have been renumbered accordingly.
LR 10.4	Amended to require that the affiant's signature be notarized.
LR 10.7(a)	Amended to substitute "initial complaint" for "document."

LR 10.10(b)	Amended to substitute "may" for "will."
LR 10.11	New rule. Page Limitations Cross Reference Guide added.
<b>July 1, 2002</b>	
LR 10.3(b)	Amended to exempt administrative records in social security proceedings.
<b>April 16, 2003</b>	
LR 10.3(a)	Amended pursuant to the E-Government Act of 2002.
<b>June 1, 2006</b>	
Generally	Changed "Advisory Note" to "Practice Tip" throughout. Format Examples modified. Cross References updated throughout. Appendix of Forms numbers updated. Format of numerals modified throughout; <i>i.e.</i> , "ten (10)."
LR 10-1(a)	Practice Tip deleted.
LR 10-2(b)	Example changed to reflect divisional venue requirement.
LR 10-2(f)	Restructured the sentence beginning with "The case number..."
LR 10-3	Deleted and moved to LR 5.5. Subsequent sections re-numbered.
LR 10-3	The word "Declarations" added to the section heading and body of the rule. New subsections (b) and (c) added.
LR 10-4(b)	The word "...conventionally" added.
LR 10-9(b)	"The Court may issue..." sentence deleted.
<b>December 1, 2009</b>	
Generally	The entire rule has been edited for clarity, brevity, and consistency. Clarified that rule applies to pleadings "and other documents." Updated lexicon, <i>i.e.</i> , substituted the word "fax" for "facsimile telephone." Included references to "footer." Updated cross-references and deleted references to Appendix of Forms.
Rule Title	Added "AND OTHER DOCUMENTS."
LR 10-1	Moved "Paper Requirements" from (a) to (g) and relettered other subsections accordingly. Edited for clarity, including addition of "when paper copies are filed with the clerk." Moved requirement of one-sided printing to different subsection. Clarified that pages should not be numbered on left side. Specified reference to Practice Tip regarding judges' copies. Changed "will" to "must."

LR 10-1 (Practice Tips)	Edited to clarify the requirement for pre-punching holes in documents sent to the Court. Added Practice Tip regarding judge's preferences on the location of the holepunches and information on acceptable permanent fastening accessories for larger documents.
LR 10-2	Practice Tip edited for clarity, including specifying that local counsel is always "lead" counsel for purposes of this rule. Eliminated statement that paper copies will be sent to lead counsel if local. Set out last sentence as separately numbered paragraph for emphasis and to clarify that, when paper service or filing is required by the rules, the Court will send paper copies only to "lead counsel" and <i>pro se</i> litigants.
LR 10-3	Clarified that affidavits and declarations must have their own captions and footers, changed "will" to "must" in 10.3(a).
LR 10.4	Removed as duplicative of Fed. R. Civ. P. 5.1.
LR 10.5	Removed as a rule without a rule. Subsequent subsections renumbered.
LR 10.7	Removed as a rule without a rule. Subsequent subsections renumbered.
LR 10.8	Removed as a rule without a rule. Subsequent subsections renumbered.
LR 10-10	Added the Page Limitation Table into the rule.
<b>March 1, 2012</b>	
LR 10-2(f)	The following new sentence has been added: "The case number must include the division code pursuant to LR 3-2." In the example, the case number was changed to reflect the division code.
LR 10-4(a)	The word "compliant" was changed to "complaint" to rectify a spelling error.
LR 10-6	"Filed only upon request of the Court" added to Comment column in Page Limitation of Concise Statement of Material Fact. Rule citation changed from "LR 56-1(d)" to "LR 56-1." Added word-counts to reflect new alternate limits.
<b>March 1, 2013</b>	
LR 10-4	Addition of (See LR 26-6) in the title, and clerical correction to remove errant "c" in subsection (a).
<b>March 1, 2014</b>	
LR 10-1(c)	Changed "twelve (12)" to "12" and "ten (10)" to "ten."
LR 10-1(d)	Omitted "(1)" after "one."
LR 10-1(e)	Omitted "(1)" after "one."
LR 10-1 Practice Tip 3	Changed "3 hole" to "three hole" and "2 hole" to "two hole."

LR 10-2(a) Practice Tip 3	Updated cross-reference from "LR 100-5" to "LRs 5-4(c) and 5-5."
LR 10-2(b)	Omitted "(1)" after "one."
LR 10-2(d)	Omitted "(4)" after "four."
LR 10-3(c)	Updated cross-reference from "LR 100-11" to "LR 5-13."
LR 10-6	In table, changed "10" to "ten" and "5" to "five."
<b>May 1, 2015</b>	
LR 10-1	Changed "at least 12-point font" to "no smaller than 12-point font" and removed "at least ten typed characters."
LR 10-2	Removed "on paper that is not numbered down the left margin."
<b>March 1, 2016</b>	
LR 10-1(e)	Updated cross-reference from "Practice Tip below" to "LR 5-6."
LR 10-1(g)	Text deleted from LR 10-1(g) and moved to LR 5-6.
LR 10-1 Practice Tips	Text deleted from Practice Tip #2 and moved to LR 5-6. Practice Tip #3 renumbered #2.
LR 10-2	In the caption, replaced "Complaint form" with "Model Form for Pleadings and Other Documents."
LR 10-2(a)	Added the words "(name, bar number, e-mail address, law firm, street address, phone number, and party represented)" after the word "information."
LR 10-2(b)	Deleted the Example.
LR 10-2(d)	Changed "four lines from the bottom of the" to "below the" in the first sentence.
LR 10-2(d) Practice Tips	Deleted "and bold faced," "e.g.," and "PLAINTIFFS" from, and added "for example:" to Practice Tip #2.
LR 10-2(f)	Changed "Right" to "Starting at the center of the page, left" in the first sentence.  Deleted the Example.
LR 10-2(g)	Deleted the Example.  Added a new Practice Tip with the following text: "A Model Form for Pleadings and Other Documents may be found on the Court's website."
LR 10-3(c)	Updated cross-reference from "LR 5-13" to "LR 5-14."
LR 10-4(a)	Added "DEMAND FOR" and removed "REQUESTED" from the Example.
LR 10-7	Moved text from LR 84 to new LR 10-7.
LR 10-7 Practice Tips	Moved text from LR 84 Practice Tips to new LR 10-7 Practice Tips.



<b>January 1, 2019</b>	
LR 10-1(e)	Updated the cross-reference from "LR 5-6" to "LR 5-5."
LR 10-2(a)	In Practice Tip 3, changed "(See LR 5-4(c) and LR 5-5)" to "(See LR 5-4)."
LR 10-3(c)	Updated the cross-reference from "LR 5-14" to "LR 5-13."
<b>January 21, 2020</b>	
LR 10-1(d)	Inserted "Except for exhibits that are deposition transcripts, pleadings and other documents must not be numbered down the left margin."
LR 10-1(e)	Renumbered to LR 10-1(f)(2).
LR 10-1(f)	Renumbered to LR 10-1(e). Inserted new heading "Paper Filing Requirements."
LR 10-1(f)(1).	New subsection number. Inserted subheading "Paper Copies" and "Paper copies filed with the clerk must be on one-sided 8 ½" x 11" paper, flat and unfolded, without back or cover."
LR 10-1(f)(2)	New subsection number; renumbered from LR 10-(e).
LR 10-3(c)	Updated cross-reference from "LR 5-13" to "LR 5-12."
<b><u>September 3, 2024</u></b>	
<u>LR 10-2(a)</u>	<u>Inserted "or Self-Represented Party" in the subheading. Inserted "or self-represented party" and "as applicable" in the body of the rule.</u>
<u>LR 10-2 Practice Tips</u>	<u>Replaced "pro se" with "self-represented."</u>