

LR 4 – Summons (See Fed. R. Civ. P. 4)

LR 4-1 Summons (See Fed. R. Civ. P. 4(a) and (b))

All summonses, along with sufficient copies for service, will be prepared by the filing party and presented to the clerk for issuance. The clerk will issue summons electronically, except in cases where the filing party is ~~pro se~~ self-represented.

LR 4-2 Amended Summons (See Fed. R. Civ. P. 4(a))

An amended summons must be titled AMENDED SUMMONS, must be reproduced without interlined changes, and must be served pursuant to Fed. R. Civ. P. 4(c).

LR 4-3 Service by U.S. Marshals Personnel (See Fed. R. Civ. P. 4(c)(3))

Unless required by law or statute, or upon application for good cause shown and subsequent Court order, U.S. Marshals Office personnel will not serve the complaint and summons in private civil actions.

LR 4-4 Waiver of Service of Summons - Option (See Fed. R. Civ. P. 4(d))

(a) Time Limits (See Fed. R. Civ. P. 4(d)(1)(F))

Unless otherwise permitted by the Court, the reasonable time to return the waiver is 30 days from the date on which the request is sent, or 60 days from the date if the defendant is addressed outside any judicial district of the United States.

(b) Motion to Collect the Cost of Service (See Fed. R. Civ. P. 4(d)(2))

A motion and affidavit or declaration to recover costs of service pursuant to Fed. R. Civ. P. 4(d)(2) must include:

- (1) Certification of the actions taken to implement the waiver of service option;
- (2) Itemization of the costs incurred in effecting service pursuant to Fed. R. Civ. P. 4(e), (f), or (h); and
- (3) Explanation of the method and rates used to calculate any reasonable attorney fees associated with the motion.

Amendment History to LR 4	
Generally	References to Appendix of Forms Updated
December 1, 2009	
LR 4-3	Changed reference to Fed. R. Civ. P. 4(c)(3)

LR 4-4(a)	Changed reference to Fed. R. Civ. P. 4(d)(1)(F)
LR 4-4(b)	Changed reference to Fed. R. Civ. P. 4(d)(2)
Generally	Cross-references updated and reference to Appendix of Forms deleted.
March 1, 2012	
LR 4-3	Correction of references to U.S. Marshals Office by removal of the apostrophe before the s.
March 1, 2014	
LR 4	Generally, italicized the word "See" in the section captions and rule references.
LR 4-4(a)	Changed "thirty (30)" to "30" and "sixty (60)" to "60."
May 1, 2015	
LR 4-1	Added that summons are to be issued electronically except for matters in which the filing party is <i>pro se</i> .
March 1, 2017	
LR 4-1	Corrected spelling of "electronically."
LR 4-4(b)	Added "or declaration" after "affidavit."
<u>September 3, 2024</u>	
<u>LR 4-1</u>	<u>Replaced "pro se" with "self-represented."</u>