

FILED

APR 20 2023

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

IN RE: CASE ASSIGNMENTS) Administrative Order No. 347

ADMINISTRATIVE ORDER

To ensure the Court's docket is handled efficiently and expeditiously as the pandemic recedes and as part of the district's ongoing effort to equalize the distribution of cases, in accordance with 28 U.S.C. § 137, effective April 20, 2023, the work of the Court shall be distributed as follows.

Newly filed non-prisoner *pro se* civil cases, forfeiture and seizure cases (Nature of Suit Codes 625 and 690), foreclosure cases (Nature of Suit Code 220), and habeas corpus cases (Nature of Suit Codes 463, 510, 530 and 535) will be assigned exclusively to district judges. Each party in newly filed non-prisoner *pro se* civil cases and habeas corpus cases will be sent a Notice and Consent to Proceed Before a Magistrate Judge Jurisdiction form regarding consenting to the jurisdiction of one of the district's three magistrate judges, with applicable deadlines. If a non-prisoner *pro se* civil case or habeas corpus case survives threshold review and all parties consent to the magistrate judge's jurisdiction, the case will be randomly assigned to a magistrate judge for all further proceedings consistent with 28 U.S.C. § 636(c). If a party declines to consent, the case will remain with the presiding district judge. At the district judge's discretion, a motion or matter may be specifically referred to the previously assigned magistrate judge or a special master in accordance with 28 U.S.C. §§ 636(b)(1)-(3) and Federal Rule of Civil Procedure 53.

Subsequent consents by all parties to the jurisdiction of a magistrate judge will not be accepted.

Senior United States Judge J. Phil Gilbert will not be assigned new Social Security matters (Nature of Suit Codes 861 through 865) until further order of this Court. Newly filed Social Security cases will be assigned to the other active district and magistrate judges (consistent with 28 U.S.C. § 636) in an equal manner. If originally assigned to a magistrate judge, upon entry into a case, each party will be sent a Notice and Consent to Proceed Before a Magistrate Judge Jurisdiction form regarding consenting to the jurisdiction of one of the district's three magistrate judges. Each party will be given **21 days** to file the completed form indicating *consent* or *non-consent* to the jurisdiction of the assigned magistrate judge conducting all proceedings, including trial and entry of final judgment in accordance with 28 U.S.C. § 636(c). Upon the consent of all parties in a case, the case and jurisdiction will remain with the magistrate judge assigned to the case. If all parties do not consent to the magistrate judge's jurisdiction, the case will be randomly assigned to a district judge for all further proceedings. At the district judge's discretion, a motion or matter may be specifically referred to the previously assigned magistrate judge or a special master in accordance with 28 U.S.C. §§ 636(b)(1)-(3) and Federal Rule of Civil Procedure 53. Subsequent consents by all parties to the jurisdiction of a magistrate judge will not be accepted.

Until further order of this Court, all other non-prisoner civil cases will be assigned exclusively to the district's magistrate judges. As with other cases assigned directly to a magistrate judge, upon entry into a case, each party will be sent a Notice and Consent to

Proceed Before a Magistrate Judge Jurisdiction form regarding consenting to the jurisdiction of one of the district's three magistrate judges. Each party will be given **21 days** to file the completed form indicating *consent* or *non-consent* to the jurisdiction of the assigned magistrate judge conducting all proceedings, including trial and entry of final judgment in accordance with 28 U.S.C. § 636(c). Upon the consent of all parties in a case, the case and jurisdiction will remain with the magistrate judge assigned to the case. If all parties do not consent to the magistrate judge's jurisdiction, the case will be randomly assigned to a district judge for all further proceedings. At the district judge's discretion, a motion or matter may be specifically referred to the previously assigned magistrate judge or a special master in accordance with 28 U.S.C. §§ 636(b)(1)-(3) and Federal Rule of Civil Procedure 53. Subsequent consents by all parties to the jurisdiction of a magistrate judge will not be accepted.

The following administrative orders regarding case assignments remain in effect:

- Amended Administrative Order No. 257 regarding the inclusion of magistrate judges in the preliminary civil case distribution for purposes of soliciting consents under 28 U.S.C. § 636(c);
- Administrative Order No. 289 regarding Paraquat products cases;
- Administrative Order No. 311 regarding asbestos cases;
- Administrative Order No. 330 regarding cases against Honeywell Industries;
- Administrative Order No. 321 regarding case assignments to the Honorable J. Phil Gilbert, Senior United States District Judge;
- Administrative Order No. 332 regarding case assignments addressing civil prisoner cases;

- Administrative Order No. 339 regarding case assignments.

This Administrative Order modifies in part Administrative Order Nos. 277 and 341 regarding case assignments.

This Administrative Order supplants and revokes Administrative Order No. 245 regarding the assignment of habeas corpus cases.

IT IS SO ORDERED.

DATED: April 20, 2023



NANCY J. ROSENSTENGEL
Chief U.S. District Judge