

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: PROCEDURES FOR THE DIRECT
ASSIGNMENT TO MAGISTRATE
JUDGES OF CERTAIN CIVIL
PROCEEDINGS

STANDING ORDER NO. 2022-19

(Supersedes Standing Order 2021-08)

STANDING ORDER

AND NOW, this 1st day of July 2022, **IT IS HEREBY ORDERED** that Standing Order 2021-08 is amended to allow for additional civil cases to be directly assigned to the Magistrate Judges of this Court.

Magistrate Judges shall now receive on direct assignment certain civil cases when the need arises in order to maintain equality of civil case assignments among the active District Judges of this Court, across its three divisions. Excluded from this assignment process are Bankruptcy Appeals, Patent Cases, Class Actions, Motions to Vacate Sentence (2255), Motions for Temporary Restraining Orders (TRO), Motions for Preliminary or Permanent Injunctions, and other civil case filings that may be deemed as “emergency” matters by the Court.

FURTHERMORE, upon the filing of a civil action eligible for direct assignment to a Magistrate Judge, the Clerk of Court shall review the case type, and at the appropriate time in the progress of the case, send to all case participants, a “Consent to the Exercise of Jurisdiction by a United States Magistrate Judge In Direct Assignment Cases” form (“Consent Form”). Unless otherwise ordered, each party, including the plaintiff(s), shall complete and return the Consent Form no later than 30 days from the date the Consent Form is sent. It is acceptable for the signature line of the Consent Form to be signed by s/Attorney, or party name, or PDF signature stamp. *Pro Se* Parties or attorneys, whoever may apply, shall e-mail the Consent Form to

consents@pamd.uscourts.gov or mail the Consent Form to Clerk's Administrative Assistant, Clerk's Office, U.S. District Court, P.O. Box 1148, Scranton, PA 18501-1148.

The assigned Magistrate Judge shall initially be responsible for all case management and scheduling activities and shall decide all non-dispositive pretrial and discovery matters. If all parties consent to the Magistrate Judge's exercise of jurisdiction, the case shall remain assigned to the Magistrate Judge for all purposes, including trial and entry of final judgment pursuant to 28 U.S.C. § 636(c) and FED. R. CIV. P. 73. Appeal from a final judgment entered at a Magistrate Judge's direction may be taken to the United States Court of Appeals like any other judgment of this Court.

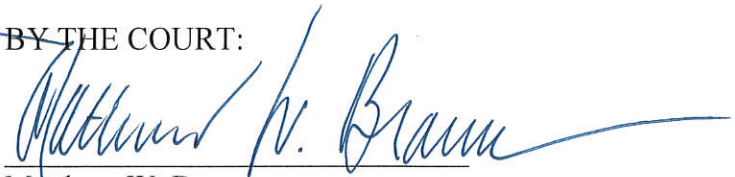
Any party added to a civil action in which the parties have consented to the direct assignment of a Magistrate Judge shall be notified by the Clerk of Court of the obligation to complete and return the Consent Form. Consent to Magistrate Judge jurisdiction is strictly voluntary, and no adverse consequence shall result if consent is declined. If all parties, including added parties, do not consent, the identity of the parties withholding consent will not be communicated to any judicial officer. In the instance where the parties do not consent, the case will be randomly assigned to a District Judge, within the Middle District of Pennsylvania, but not necessarily in the venire in which the case was filed.

The Magistrate Judge will be assigned a referral role in all Social Security Appeals, Prisoner Cases, and Non-Prisoner *Pro Se* Cases, and will manage the case through the filing of a Report and Recommendation on dispositive motions.

This Standing Order does not preclude parties from consenting in other civil actions that are not directly assigned to a Magistrate Judge.

This procedure is subject to periodic review and amendment by the Board of Judges as circumstances warrant.

BY THE COURT:



Matthew W. Brann
Chief United States District Judge