

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

_____)
In Re: AMENDMENT TO)
LOCAL CRIMINAL RULE 11.1(d)) Administrative Order
_____) No. 08-190

Local Criminal Rule 11.1 empowers magistrate judges of this court to preside over guilty plea proceedings, with the express consent of the government, the defendant, and the district judge. Subsection (d) of that rule requires that a transcript of the guilty plea proceeding be prepared and filed with the Clerk. At a regular judges' meeting conducted on December 12, 2008, the Court determined that the mandatory preparation of a transcript in all cases is an unnecessary expense, especially in light of existing technology, which allows the district judge to review a digital audio recording of the guilty plea proceeding at any time. The court therefore decided to amend Local Criminal Rule 11.1(d) to eliminate the requirement of preparation of a transcript in every case. The presiding judge and the parties remain free to order a transcript in any particular case. Accordingly, by unanimous vote of the district judges:

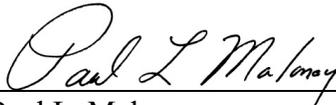
IT IS ORDERED that Local Criminal Rule 11.1(d) of this court be and it hereby is AMENDED to eliminate the following sentence: "A transcript shall be prepared of the proceeding and filed with the Clerk."

IT IS FURTHER ORDERED that the foregoing rule amendment shall take effect immediately, because the amendment does not affect substantive rights. *See* 28 U.S.C. § 2071(e). Any member of the public may, however, submit a comment in writing within thirty days hereof to the Clerk of the Court by mail or electronically to ecfhelp@miwd.uscourts.gov.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this Administrative Order to the Judicial Conference of the Sixth Circuit, the Administrative Office of the U.S. Courts, the United States Attorney and the Federal Public Defender for this district, the Local Rules Advisory Committee for the Western District of Michigan, and the Standing Committee on Rules of the Judicial Conference. All attorneys registered for electronic service on the CM/ECF system shall be given electronic notice of this rule amendment.

FOR THE COURT:

Dated: December 17, 2008



Paul L. Maloney
Chief United States District Judge