

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PUBLIC NOTICE

**UPDATE TO LOCAL RULE 81.1 REMOVAL
ADDITION OF SUBSECTION (d)**

The United States District Court for the District of Massachusetts is publishing for comment the attached addition of subsection (d) to **Local Rule 81.1 Removal**. There is no redline version of the changes.

The attached update and the current rules may be viewed through the following link:

<http://www.mad.uscourts.gov/general/rules-home.htm>

Those wishing to comment on the proposed amendment to the Local Rules for the District of Massachusetts may do so in writing or by email. All comments must be received on or before May 20, 2022, and should be addressed to:

Robert M. Farrell, Clerk of Court
United States District Court
One Courthouse Way - Suite 2-300
Boston, MA 02210

or by email to: rules@mad.uscourts.gov

This public notice has been posted to the “Announcements” and “Rules” pages of the court’s web site at <http://www.mad.uscourts.gov>.

April 20, 2022

/s/ Robert M. Farrell
Clerk of Court

RULE 81.1 REMOVAL

- (a) **Filing of State Court Record.** Within 28 days after filing a notice for removal of an action from a state court to this court pursuant to 28 U.S.C. § 1446, the party filing the notice shall file certified or attested copies of all records and proceedings in the state court and a certified or attested copy of all docket entries in the state court.
- (b) **Failure to File.** If the clerk has not received the papers required to be filed under subsection (a) within 42 days of the filing of the notice for removal, the case shall be remanded to the state court from which it was removed, unless the court directs otherwise.
- (c) **Remand.** When a case is remanded to a state court, the clerk shall mail certified copies of the docket and order of remand, together with the remainder of the original file, to the clerk of the state court.
- (d) **Timing of Remand.** Absent a court order to the contrary, no sooner than 30 days following an order of the court remanding a case to state court pursuant to 28 U.S.C. § 1447(c), the clerk shall remand the case to state court consistent with subsection (c). If a timely motion for reconsideration of the motion for remand has been filed, the clerk shall delay the transfer of the file until the court has ruled on the motion for reconsideration.

Effective September 1, 1990; amended effective December __, 2022.