

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

FILED

AUG 22 2024

In Re: Magistrate Judge Civil Consents ) G.O. No. 24-8

JOAN KANE, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY Kant, DEPUTY

GENERAL ORDER

The Western District of Oklahoma has a long tradition of excellence in our Magistrate Judges; each has experience with many types of civil matters. Considering the Court's substantial criminal docket, parties in civil cases may find benefits in choosing to proceed before a Magistrate Judge, in part because Magistrate Judges do not preside over felony criminal trials. Accordingly, should parties choose to consent to proceed before a Magistrate Judge, they may receive a firm trial date that will not be subject to being postponed due to criminal trials. The District Judges of the Court, having full confidence in the capabilities of each Magistrate Judge to preside over cases coming before the Court, hereby order as follows.

The Clerk shall utilize the following procedure to notify the parties in all civil cases filed between October 1, 2024, and September 30, 2025, that they may consent to jurisdiction of a Magistrate Judge to conduct **all** proceedings in the civil matter.

- (a) Notice shall be distributed as set forth below:
- (1) For a case initiated by a complaint or petition filed in federal court, the notice shall be provided by:
    - a. handing the consent notice and consent form to a plaintiff/petitioner or a representative thereof where plaintiff/petitioner is proceeding pro se and the complaint or petition is presented in person for filing.
    - b. mailing a copy of the consent notice and consent form to a pro se plaintiff/petitioner who submits a

complaint or petition via U.S. mail, UPS, FedEx, or similar carrier.

- c. emailing the consent notice and consent form to counsel for plaintiff or petitioner upon the initiation of a civil case in accordance with the Local Civil Rules and the Electronic Filing Policies and Procedures Manual.
- (2) For a case initiated by filing a notice of removal, the notice shall be provided by:
- a. handing the consent notice and consent form to a defendant appearing pro se or defendant's representative when the notice of removal is presented for filing in person.
  - b. mailing the consent notice and consent form to a pro se defendant who submits a notice of removal via U.S. mail, UPS, FedEx, or similar carrier.
  - c. emailing the consent notice and consent form to defense counsel who file a notice of removal or consent thereto in accordance with the Local Civil Rules and the Electronic Filing Policies and Procedures Manual.
- (3) Other parties represented by counsel shall be sent the consent notice and consent form via email from the Clerk or deputy upon counsel's entry of appearance.
- (4) Other parties appearing pro se shall be given notice by handing the consent notice and consent form to a party or by mailing the same, as appropriate.

Distribution of the form and notice shall be indicated by the Court Clerk's Office on the docket sheet. This procedure shall not apply to Social Security cases governed by General Order 23-1.

(b) A party must return the consent form within twenty-one days of receipt from the Clerk following the instructions contained in the Notice. The parties should not file the form in the case. No consent form will be made publicly available, nor will the contents

thereof be made known to any judicial officer unless all parties have consented to the assignment of the case to a Magistrate Judge.

(c) If all parties consent to Magistrate Judge jurisdiction, the Clerk shall transmit the case to the assigned District Judge for approval and transfer of the case to the assigned Magistrate Judge for all further proceedings. The District Judge has discretion on whether to transfer the case to a Magistrate Judge after being advised that all parties have returned forms indicating unanimous consent to Magistrate Judge jurisdiction.

(d) If any party declines to consent to Magistrate Judge jurisdiction, the form should be returned indicating that the party declines to consent pursuant to the directions contained in the Notice; the action will remain assigned to the District Judge.

(e) There is no adverse consequence if the parties decline to consent to Magistrate Judge jurisdiction. Other than as set forth below in paragraph (h), once all parties have consented, consent is irrevocable other than as permitted by 28 U.S.C. § 636(c)(4).

(f) A District or Magistrate Judge may advise the parties as to the availability of a Magistrate Judge to try a civil case or hear a civil motion by consent.

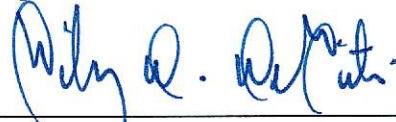
(g) Notwithstanding an initial decision to proceed before the District Judge, the parties may consent to Magistrate Judge jurisdiction during the pendency of a case.

(h) Any party added to the civil action where consents were previously returned by all then-existing parties shall be notified by the Clerk of the obligation to complete and return the consent form. The form shall be returned within twenty-one days of receipt. If the added party does not consent to Magistrate Judge jurisdiction within twenty-one days the action shall be transferred to the previously assigned District Judge.

(i) If any party fails to timely return a consent form, the Court may enter a show cause order directing a response. However, if the parties fail to comply with these Rules the case will be retained by or transferred to the previously assigned District Judge as appropriate under the circumstances of the particular case.

The provisions of this General Order shall be in effect from October 1, 2024, through September 30, 2025, absent extension by subsequent general order.

**IT IS SO ORDERED** this 22 day of August 2024.



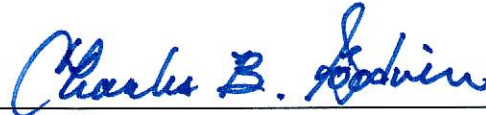
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TIMOTHY D. DeGIUSTI  
CHIEF UNITED STATES DISTRICT JUDGE



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SCOTT L. PALK  
UNITED STATES DISTRICT JUDGE



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CHARLES B. GOODWIN  
UNITED STATES DISTRICT JUDGE



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PATRICK R. WYRICK  
UNITED STATES DISTRICT JUDGE



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JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE



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BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE