

## **RULE 73**

### **ASSIGNMENT OF CASES TO UNITED STATES MAGISTRATE JUDGES**

#### **(a) Designation of Jurisdiction**

The judges of this district designate and authorize the United States Magistrate Judges for the District of Puerto Rico to conduct, upon the consent of the parties, any and all proceedings in a jury or non-jury civil matter, including determination of all pretrial, trial, post-trial and dispositive motions, and order the entry of judgment in the case without further order of the court.

Nothing in these rules shall preclude a district judge from reserving any proceedings to be conducted by a district judge, rather than a magistrate judge. The Court may modify the designation of jurisdiction or duties assigned to magistrate judges in this district as conditions may warrant. The Court may also, pursuant to 28 U.S.C. §636(c)(4), vacate a referral of a civil matter to a magistrate judge for good cause.

#### **(b) Consent to Order of Reference**

At the time a civil action or notice of removal is filed, the Clerk of Court shall deliver to the filing party or counsel, if so represented, (i) a notice of the party's right to consent to the exercise of a magistrate judge's jurisdiction to conduct any or all proceedings and order the entry of judgment, and (ii) a consent form for execution by all the parties. The notice shall instruct the parties or their counsel that the consent form is to be returned to the Clerk of Court only if all parties consent to the exercise of such jurisdiction. If any party declines to consent, neither the Clerk of Court, nor any Magistrate Judge, nor any District Judge of the Court shall be informed of the identity of the declining party. However, a District Judge or a Magistrate Judge may again advise the parties of the availability of the magistrate judge, but in so doing, shall also advise the parties that they are free to withhold consent without adverse consequence(s).

#### **(c) Appeals**

Upon entry of judgment in any civil action in which a magistrate judge exercised consent jurisdiction, pursuant to 28 U.S.C. § 636(c)(3), a party shall appeal directly to the United States Court of Appeals for the First Circuit in the same manner as it would appeal from any other judgment of this Court.