

FEDERAL RULES OF CIVIL PROCEDURE

TABLE OF RULES

I. Scope of Rules; Form of Action

Rule

1. Scope and Purpose
2. One Form of Action

II. Commencing an Action; Service of Process, Pleadings, Motions, and Orders

Rule

3. Commencing an Action
4. Summons
- 4.1. Serving Other Process
5. Serving and Filing Pleadings and Other Papers
- 5.1. Constitutional Challenge to a Statute—Notice, Certification, and Intervention
- 5.2. Privacy Protection for Filings Made with the Court
6. Computing and Extending Time; Time for Motion Papers

III. Pleadings and Motions

Rule

7. Pleadings Allowed; Form of Motions and Other Papers
- 7.1. Disclosure Statement
8. General Rules of Pleading
9. Pleading Special Matters
10. Form of Pleadings
11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions
12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Pretrial Hearing
13. Counterclaim and Crossclaim
14. Third-Party Practice
15. Amended and Supplemental Pleadings
16. Pretrial Conferences; Scheduling; Management

IV. Parties

Rule

17. Plaintiff and Defendant; Capacity; Public Officers
18. Joinder of Claims
19. Required Joinder of Parties

FEDERAL RULES OF CIVIL PROCEDURE

- 20. Permissive Joinder of Parties
- 21. Misjoinder and Nonjoinder of Parties
- 22. Interpleader
- 23. Class Actions
- 23.1. Derivative Actions
- 23.2. Actions Relating to Unincorporated Associations
- 24. Intervention
- 25. Substitution of Parties

V. Disclosures and Discovery

Rule

- 26. Duty to Disclose; General Provisions Governing Discovery
- 27. Depositions to Perpetuate Testimony
- 28. Persons Before Whom Depositions May Be Taken
- 29. Stipulations About Discovery Procedure
- 30. Depositions by Oral Examination
- 31. Depositions by Written Questions
- 32. Using Depositions in Court Proceedings
- 33. Interrogatories to Parties
- 34. Producing Documents, Electronically Stored Information, and Tangible Things, or Entering onto Land, for Inspection and Other Purposes
- 35. Physical and Mental Examinations
- 36. Requests for Admission
- 37. Failure to Make Disclosures or to Cooperate in Discovery; Sanctions

VI. Trials

Rule

- 38. Right to a Jury Trial; Demand
- 39. Trial by Jury or by the Court
- 40. Scheduling Cases for Trial
- 41. Dismissal of Actions
- 42. Consolidation; Separate Trials
- 43. Taking Testimony
- 44. Proving an Official Record
- 44.1. Determining Foreign Law
- 45. Subpoena
- 46. Objecting to a Ruling or Order
- 47. Selecting Jurors
- 48. Number of Jurors; Verdict; Polling
- 49. Special Verdict; General Verdict and Questions
- 50. Judgment as a Matter of Law in a Jury Trial; Related Motion for a New Trial; Conditional Ruling
- 51. Instructions to the Jury; Objections; Preserving a Claim of Error
- 52. Findings and Conclusions by the Court; Judgment on Partial Findings
- 53. Masters

FEDERAL RULES OF CIVIL PROCEDURE

VII. Judgment

Rule

- 54. Judgments; Costs
- 55. Default; Default Judgment
- 56. Summary Judgment
- 57. Declaratory Judgment
- 58. Entering Judgment
- 59. New Trial; Altering or Amending a Judgment
- 60. Relief from a Judgment or Order
- 61. Harmless Error
- 62. Stay of Proceedings to Enforce a Judgment
- 62.1. Indicative Ruling on a Motion for Relief That Is Barred by a Pending Appeal
- 63. Judge's Inability to Proceed

VIII. Provisional and Final Remedies

Rule

- 64. Seizing a Person or Property
- 65. Injunctions and Restraining Orders
- 65.1. Proceedings Against a Security Provider
- 66. Receivers
- 67. Deposit into Court
- 68. Offer of Judgment
- 69. Execution
- 70. Enforcing a Judgment for a Specific Act
- 71. Enforcing Relief for or Against a Nonparty

IX. Special Proceedings

Rule

- 71.1. Condemning Real or Personal Property
- 72. Magistrate Judges: Pretrial Order
- 73. Magistrate Judges: Trial by Consent; Appeal
- 74. Method of Appeal from Magistrate Judge to District Judge Under Title 28, U.S.C. § 636(c)(4) and Rule 73(d) (Abrogated)
- 75. Proceedings on Appeal from Magistrate Judge to District Judge Under Rule 73(d) (Abrogated)
- 76. Judgment of the District Judge on the Appeal Under Rule 73(d) and Costs (Abrogated)

X. District Courts and Clerks: Conducting Business; Issuing Orders

Rule

- 77. Conducting Business; Clerk's Authority; Notice of an Order or Judgment
- 78. Hearing Motions; Submission on Briefs
- 79. Records Kept by the Clerk
- 80. Stenographic Transcript as Evidence

FEDERAL RULES OF CIVIL PROCEDURE

XI. General Provisions

Rule

81. Applicability of the Rules in General; Removed Actions
82. Jurisdiction and Venue Unaffected
83. Rules by District Courts; Judge's Directives
84. Forms (Abrogated)
85. Title
86. Effective Dates

APPENDIX OF FORMS (Abrogated)

Form

1. Caption
2. Date, Signature, Address, E-Mail Address, and Telephone Number
3. Summons
4. Summons on a Third-Party Complaint
5. Notice of a Lawsuit and Request to Waive Service of a Summons
6. Waiver of the Service of Summons
7. Statement of Jurisdiction
8. Statement of Reasons for Omitting a Party
9. Statement Noting a Party's Death
10. Complaint to Recover a Sum Certain
11. Complaint for Negligence
12. Complaint for Negligence When the Plaintiff Does Not Know Who Is Responsible
13. Complaint for Negligence Under the Federal Employers' Liability Act
14. Complaint for Damages Under the Merchant Marine Act
15. Complaint for the Conversion of Property
16. Third-Party Complaint
17. Complaint for Specific Performance of a Contract to Convey Land
18. Complaint for Patent Infringement
19. Complaint for Copyright Infringement and Unfair Competition
20. Complaint for Interpleader and Declaratory Relief
21. Complaint on a Claim for a Debt and to Set Aside a Fraudulent Conveyance Under Rule 18(b)
30. Answer Presenting Defenses Under Rule 12(b)
31. Answer to a Complaint for Money Had and Received with a Counterclaim for Interpleader
40. Motion to Dismiss Under Rule 12(b) for Lack of Jurisdiction, Improper Venue, Insufficient Service of Process, or Failure to State a Claim
41. Motion to Bring in a Third-Party Defendant
42. Motion to Intervene as a Defendant Under Rule 24
50. Request to Produce Documents and Tangible Things, or to Enter onto Land Under Rule 34
51. Request for Admissions Under Rule 36
52. Report of the Parties' Planning Meeting

FEDERAL RULES OF CIVIL PROCEDURE

- 60. Notice of Condemnation
- 61. Complaint for Condemnation
- 70. Judgment on a Jury Verdict
- 71. Judgment by the Court Without a Jury
- 80. Notice of a Magistrate Judge's Availability
- 81. Consent to an Assignment to a Magistrate Judge
- 82. Order of Assignment to a Magistrate Judge

SUPPLEMENTAL RULES FOR ADMIRALTY OR MARITIME CLAIMS AND ASSET FORFEITURE ACTIONS

Rule

- A. Scope of Rules
- B. In Personam Actions: Attachment and Garnishment
- C. In Rem Actions: Special Provisions
- D. Possessory, Petitory, and Partition Actions
- E. Actions In Rem and Quasi In Rem: General Provisions
- F. Limitation of Liability
- G. Forfeiture Actions In Rem