

FEDERAL RULES OF CIVIL PROCEDURE

(As amended to January 3, 2012)

HISTORICAL NOTE

The original Rules of Civil Procedure for the District Courts were adopted by order of the Supreme Court on Dec. 20, 1937, transmitted to Congress by the Attorney General on Jan. 3, 1938, and became effective on Sept. 16, 1938.

The Rules have been amended Dec. 28, 1939, eff. Apr. 3, 1941; Dec. 27, 1946, eff. Mar. 19, 1948; Dec. 29, 1948, eff. Oct. 20, 1949; Apr. 30, 1951, eff. Aug. 1, 1951; Apr. 17, 1961, eff. July 19, 1961; Jan. 21, 1963, eff. July 1, 1963; Feb. 28, 1966, eff. July 1, 1966; Dec. 4, 1967, eff. July 1, 1968; Mar. 30, 1970, eff. July 1, 1970; Mar. 1, 1971, eff. July 1, 1971; Nov. 20, 1972, and Dec. 18, 1972, eff. July 1, 1975; Apr. 29, 1980, eff. Aug. 1, 1980; Oct. 21, 1980, Pub. L. 96-481, title II, §205(a), (b), 94 Stat. 2330; Jan. 12, 1983, Pub. L. 97-462, §§2-4, 96 Stat. 2527-2530, eff. Feb. 26, 1983; Apr. 28, 1983, eff. Aug. 1, 1983; Apr. 29, 1985, eff. Aug. 1, 1985; Mar. 2, 1987, eff. Aug. 1, 1987; Apr. 25, 1988, eff. Aug. 1, 1988; Nov. 18, 1988, Pub. L. 100-690, title VII, §§7047(b), 7049, 7050, 102 Stat. 4401; Apr. 30, 1991, eff. Dec. 1, 1991; Dec. 9, 1991, Pub. L. 102-198, §11, 105 Stat. 1626; Apr. 22, 1993, eff. Dec. 1, 1993; Apr. 27, 1995, eff. Dec. 1, 1995; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 11, 1997, eff. Dec. 1, 1997; Apr. 24, 1998, eff. Dec. 1, 1998; Apr. 26, 1999, eff. Dec. 1, 1999; Apr. 17, 2000, eff. Dec. 1, 2000; Apr. 23, 2001, eff. Dec. 1, 2001; Apr. 29, 2002, eff. Dec. 1, 2002; Mar. 27, 2003, eff. Dec. 1, 2003; Apr. 25, 2005, eff. Dec. 1, 2005; Apr. 12, 2006, eff. Dec. 1, 2006; Apr. 30, 2007, eff. Dec. 1, 2007; Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 28, 2010, eff. Dec. 1, 2010.

TITLE I. SCOPE OF RULES; FORM OF ACTION

Rule

1. Scope and Purpose.
2. One Form of Action.

TITLE II. COMMENCING AN ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS, AND ORDERS

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.

TITLE III. PLEADINGS AND MOTIONS

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.

Rule

13. Counterclaim and Crossclaim.
14. Third-Party Practice.
15. Amended and Supplemental Pleadings.
16. Pretrial Conferences; Scheduling; Management.

TITLE IV. PARTIES

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

TITLE V. DISCLOSURES AND DISCOVERY

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.

TITLE VI. TRIALS

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.

Rule		Form		
	TITLE VII. JUDGMENT			
54.	Judgment; Costs.	20.	Complaint for Interpleader and Declaratory Relief.	
55.	Default; Default Judgment.	21.	Complaint on a Claim for a Debt and to Set Aside a Fraudulent Conveyance Under Rule 18(b).	
56.	Summary Judgment.	30.	Answer Presenting Defenses Under Rule 12(b).	
57.	Declaratory Judgment.	31.	Answer to a Complaint for Money Had and Received with a Counterclaim for Interpleader.	
58.	Entering Judgment.	40.	Motion to Dismiss Under Rule 12(b) for Lack of Jurisdiction, Improper Venue, Insufficient Service of Process, or Failure to State a Claim.	
59.	New Trial; Altering or Amending a Judgment.	41.	Motion to Bring in a Third-Party Defendant.	
60.	Relief from a Judgment or Order.	42.	Motion to Intervene as a Defendant Under Rule 24.	
61.	Harmless Error.	50.	Request to Produce Documents and Tangible Things, or to Enter onto Land Under Rule 34.	
62.	Stay of Proceedings to Enforce a Judgment.	51.	Request for Admissions Under Rule 36.	
62.1.	Indicative Ruling on a Motion for Relief That is Barred by a Pending Appeal.	52.	Report of the Parties' Planning Meeting.	
63.	Judge's Inability to Proceed.	60.	Notice of Condemnation.	
	TITLE VIII. PROVISIONAL AND FINAL REMEDIES		61.	Complaint for Condemnation.
64.	Seizing a Person or Property.	70.	Judgment on a Jury Verdict.	
65.	Injunctions and Restraining Orders.	71.	Judgment by the Court without a Jury.	
65.1.	Proceedings Against a Surety.	80.	Notice of a Magistrate Judge's Availability.	
66.	Receivers.	81.	Consent to an Assignment to a Magistrate Judge.	
67.	Deposit into Court.	82.	Order of Assignment to a Magistrate Judge.	
68.	Offer of Judgment.		SUPPLEMENTAL RULES FOR ADMIRALTY OR MARITIME CLAIMS AND ASSET FORFEITURE ACTIONS	
69.	Execution.	Rule		
70.	Enforcing a Judgment for a Specific Act.	A.	Scope of Rules.	
71.	Enforcing Relief For or Against a Nonparty.	B.	In Personam Actions: Attachment and Garnishment.	
	TITLE IX. SPECIAL PROCEEDINGS		C.	In Rem Actions: Special Provisions.
71.1.	Condemning Real or Personal Property.	D.	Possessory, Petitory, and Partition Actions.	
[71A.]	[Renumbered.]	E.	Actions in Rem and Quasi in Rem: General Provisions.	
72.	Magistrate Judges: Pretrial Order.	F.	Limitation of Liability.	
73.	Magistrate Judges: Trial by Consent; Appeal.	G.	Forfeiture Actions in Rem.	
74.	[Abrogated.]		REFERENCES TO EQUITY RULES	
75.	[Abrogated.]		The Federal Rules of Civil Procedure supplant the Equity Rules since in general they cover the field now covered by the Equity Rules and the Conformity Act (former section 724 of this title).	
76.	[Abrogated.]		This table shows the Equity Rules to which references are made in the notes to the Federal Rules of Civil Procedure.	
	TITLE X. DISTRICT COURTS AND CLERKS: CONDUCTING BUSINESS; ISSUING ORDERS			
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.			
	TITLE XI. GENERAL PROVISIONS			
81.	Applicability of the Rules in General; Removed Actions.			
82.	Jurisdiction and Venue Unaffected.			
83.	Rules by District Courts; Judge's Directives.			
84.	Forms.			
85.	Title.			
86.	Effective Dates.			

APPENDIX OF FORMS

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.

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