

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS**

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**NOTICE REGARDING CONSENT TO PROCEED BEFORE  
UNITED STATES MAGISTRATE JUDGE  
ATTORNEY INSTRUCTIONS**

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Fed. R. Civ. P. 73 requires the clerk to give the parties written notice of their opportunity to consent to proceed before a magistrate judge. This notice is now delivered electronically via the court's CM/ECF system. When a new case is opened, the clerk will docket the *Notice of Magistrate Availability*. This event will generate the following text:

In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form [Consent to Proceed Before Magistrate Judge](#) is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event *Notice of Consent to Proceed Before Magistrate Judge*. (bjc, ) (Entered: 06/03/2010)

When a party agrees to consent to proceed before a magistrate judge, their attorney should electronically file the signed consent form using the sealed event, *Notice Regarding Consent to Proceed Before Magistrate Judge (sealed)*. This event is located under the **Notices** category. See below:

The screenshot shows the CM/ECF system interface. The top navigation bar includes 'Civil', 'Criminal', 'Query', 'Reports', 'Utilities', 'Search', and 'Logout'. The main content area is titled 'Notices'. A search box is present. Under 'Available Events (click to select an event)', a list of event names is shown, with 'Notice Regarding Consent to Proceed Before Magistrate Judge (sealed)' highlighted. To the right, under 'Selected Event', the same event name is displayed in a box. At the bottom left of the event list are 'Next' and 'Clear' buttons.

The *Notice Regarding Consent to Proceed Before Magistrate Judge* event is sealed. The event will not be visible on the docket sheet nor will any party including the court be notified electronically. The clerk will monitor the case and will only notify the judge when signed consents are received from all parties in the case.

**This Procedure applies to all civil cases except for motions under 28 USC § 2255.**

*The form is attached to these instructions.  
Please detach the form from these instructions before filing.*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION**

vs.

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CASE NO.

**CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. Section 636(c), you are hereby notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent. You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's trial jurisdiction from being exercised by a magistrate judge.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

**NOTICE**

In accordance with the provisions of 28 U.S.C. 636(c), the parties in this case hereby voluntarily consent to have a United States magistrate judge conduct any and all further proceedings in the case, including trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Signatures	Party Represented	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Dated: \_\_\_\_\_