

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

IN RE:	)	
	)	CASE AND DIVISION ASSIGNMENT
BUSINESS OF THE COURT	)	

Administrative Order

Pursuant to 28 U.S.C. § 137(a) and Local Court Rule 2.08, the following shall govern case and division assignment.

- A. **Automated Random Selection.** All cases shall be assigned by a random selection process, unless otherwise directed in this Order.
- B. **Divisional Assignment.** To ensure divisions are representative of a sampling of judges, the case-assignment decks for all divisions will include at least four (4) active district judges and/or four (4) magistrate judges.
- C. **Method of Assignment.** The clerk will perform the random selection process (draw) using the CM/ECF Case Assignment System (decks), for each active district, senior district, and magistrate judge. From time to time, and without regard to any particular action or proceeding, the Clerk of Court will review each deck and its draw. The Clerk of Court will consider all material circumstances when making recommendations for the decks and draws to the Chief Judge, including but not limited to the following: status (active district, senior district, or magistrate judge); duty station; administrative responsibilities; case type; and case weight.
- D. **Manual Process.** In the event of loss of system access, random assignment shall be manually conducted and recorded.
- E. **Direct Assignment – Civil Cases.** Civil cases shall be assigned directly to a particular judge only in the following circumstances:
 - (1) **Voluntary Dismissal.** When a voluntary dismissal pursuant to FRCP 41 or a dismissal pursuant to FRCP 4(m) is entered and the plaintiff later refiles the same or substantially equivalent case, the clerk will assign it to the judge who handled it at the time of the entry of the dismissal order. The plaintiff shall so indicate on the Original Filing Form submitted with the complaint.

(2) **Related Cases**. Situations may exist in which a filing includes the same or substantially equivalent parties and claims, and therefore the Court or a party believes the new civil case should be directly assigned to a particular judge. If a plaintiff believes circumstances require such a direct assignment, the plaintiff shall so indicate on the Original Filing Form submitted with the complaint by indicating the cases are substantially equivalent. The judge will be notified of the direct assignment to make a determination as to whether the case is substantially equivalent.

(3) **Related Cases – Court’s Own Motion**. In the interest of judicial economy, the Court, on its own motion, may reassign related cases to the judge who is handling the first-filed pending case. In the case of any dispute, the Chief Judge will resolve. See 28 U.S.C. § 137(a). The Clerk of Court will notify the affected parties in any pending case of this action.

(4) **Civil Cases Attacking Federal Sentence**. Civil cases, filed pursuant to 28 U.S.C. § 2255, attacking a sentence imposed by a federal court shall be assigned directly to the sentencing judge in the criminal case. If the sentencing judge is no longer available, as determined by the Chief Judge, the matter shall be randomly assigned from the appropriate assignment deck.

F. **Consolidation of Civil Cases**. See Local Rule 4.03.

G. **Criminal Cases - Reassignment**. Criminal cases shall be assigned solely on a random selection basis, in all divisions of the court.

(1) In multiple criminal cases involving the same defendant(s), any party involved in the cases may move for reassignment in the first-filed pending case with a notice filed in any case subject to the reassignment. If the motion is granted, the case(s) will be assigned to the judge with the first-filed pending case.

(2) When a defendant under supervision in a federal case is indicted on a new federal charge, the district judge receiving the new indictment will preside over all related revocation cases unless the judge assigned to the previously filed case cannot preside over the new case.

(3) If petitions for revocation are filed against a defendant under supervision in multiple federal cases, the cases will be reassigned to the judge handling the revocation in the most-recently assigned case, unless otherwise agreed upon by the judges assigned.

(4) When action is needed in a federal case involving a defendant under supervision and the case was previously assigned to a judge no longer available, as determined by the Chief Judge, the matter shall be randomly assigned from the appropriate case-assignment deck.

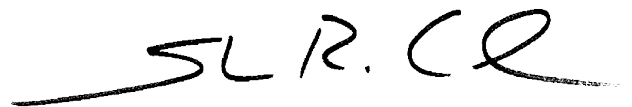
(5) In closed multi-defendant criminal cases in which the previously assigned judge is no longer available, as determined by the Chief Judge, the first request for reassignment will be randomly assigned from the appropriate case-assignment deck. Any subsequent proceedings requiring reassignment involving co-defendants from the same case will be assigned directly to the judge who received the first random reassignment.

(6) Waivers of indictment – new charges. The waiver of indictment will be randomly assigned to a district judge, and any other pending indictments or revocations involving the defendant, may be reassigned to the judge receiving the new case at the direction of the involved judges.

H. **Judge Shopping**. No person shall take any action designed to cause the assignment of any proceeding to a particular judge contrary to the provision of this Administrative Order. The method of assignment shall ensure that the identity of the assigned judge will not be disclosed until after filing and public posting on the docket. The method of assignment is also designed to prevent any litigant from choosing the judge to whom an action or proceeding is to be assigned. Any attempt to circumvent these assignment rules or to exploit the method of assignment for the purpose of choosing a presiding judge shall constitute grounds for discipline, including disbarment from this Court.

I. Any discretionary case assignments, and case-assignment issues, not addressed by this order will be determined by the Chief Judge. See 28 U.S.C. § 137(a).

So Ordered this 1st day of October 2026.

A handwritten signature in black ink, appearing to read "SLR. CR", written over a horizontal line.

Stephen R. Clark
Chief United States District Judge