

ASSIGNMENT OF CIVIL CASES  
TO A MAGISTRATE JUDGE  
UPON THE CONSENT OF THE PARTIES

A civil case may be conditionally assigned to a magistrate judge or reassigned from a district judge to a magistrate judge under 28 U.S.C. § 636(c) for any and all proceedings in a jury or non-jury matter, including pretrial, trial, and post-trial motions, and ordering the entry of judgment. Before a magistrate judge can exercise jurisdiction over a civil case, all parties must sign a written consent to proceed before the magistrate judge.

(a) **Notice.** The Clerk of Court must notify the parties in all civil cases that they may consent to have a magistrate judge conduct any or all proceedings in the case and order the entry of a final judgment. In all prisoner pro se cases and cases involving an *in forma pauperis* (IFP) application, Notice of Assignment to United States Magistrate Judge (“Notice of Assignment”) with a consent to proceed form will be sent to the plaintiff by the Clerk of Court at the time the action is conditionally filed. If the case is not dismissed by the initial review order and reassignment was not requested by the plaintiff(s), the case will provisionally remain with the randomly assigned Magistrate Judge, and Notice of Assignment and consent to proceed form will be sent to counsel for the appearing defendant(s). In all other civil cases, the Notice of Assignment and consent to proceed form will be sent to counsel for the plaintiff and first-appearing defendant by the Clerk of Court at the time the first defendant appears. Additional Notices of Assignment and consent to proceed form(s) will be sent to counsel for each subsequently-appearing defendant(s) after their appearance has been made.

(b) **Return of Consent Forms.** Any party deciding to proceed before a magistrate judge should sign the consent to proceed form and return it to the Clerk of Court by e-mailing the same in .pdf format to the following address: [consents@id.uscourts.gov](mailto:consents@id.uscourts.gov) (or by mail if the pro se litigant does not have electronic capabilities). The Clerk of Court will keep custody of all consent to proceed forms under seal until it is determined whether all parties have consented to proceed before a Magistrate Judge. If all parties to an action consent to proceed before a magistrate judge, the Clerk of Court will file and docket the consent to proceed forms and the case will continue before, or be reassigned to, a Magistrate Judge. Parties are free to withhold their consent without adverse substantive consequences, and the Clerk of Court will take reasonable steps to ensure the voluntariness and confidentiality of consents and requests for reassignment.

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**RELATED AUTHORITY**

[General Order No. 237](#)

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