

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
WASHINGTON, D.C. 20544

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January 15, 1982

Report to the Standing Committee
on Practice and Procedure

In December 1981, Judge Robert A. Ainsworth, Jr., Chairman of the Advisory Committee on the Federal Appellate Rules died. At the request of Mr. Joseph Spaniol, this report is submitted as a substitute for the usual Chairman's report.

1. Rule 30 Study

Pursuant to the request of the Chief Justice, the Committee has undertaken a reevaluation of the requirement of a separate appendix. The first step of the Committee was to study and discuss the various practices adopted by the circuits pursuant to Rule 30(f). During the past year, the Committee decided that additional information was required and requested the reporter to undertake a survey designed to supply the Committee with comprehensive information on the following: a) the views of the appellate judges with respect to the various circuit practices; b) the views of the clerks of the appellate courts on the administrative impact of each practice; c) the views of a select number of practitioners in each circuit. The judicial survey is nearing completion. The clerks' and the practitioners' surveys have been discussed with the clerks of the courts of appeals. A final format will be ready in several weeks.

2. Major Changes Required By Legislation

The Committee has considered changes to implement the Bankruptcy Reform Act and the Magistrate Act. With respect to the former, an effort has been made, through contact between the reporters, to coordinate this Committee's work with the schedule of the Bankruptcy Committee. Judge Ainsworth's illness and death have delayed consideration of this material.

It is anticipated that this matter will receive priority attention at the Committee's next meeting after the appointment of a new chairman.

With respect to the Magistrate Act, the Committee, after discussion, deferred further action on the proposed changes. They will be discussed again at the next meeting.

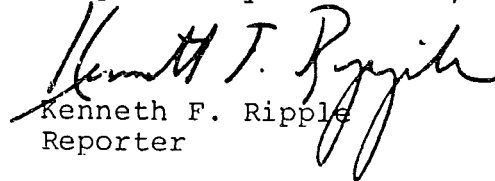
3. Other Changes

The Committee has under study approximately thirty other changes to the Federal Rules of Appellate Procedure. These changes are relatively minor and, in most cases, the Advisory Committee has, after discussion, deferred final consideration.

4. Monitoring the Rules

The Advisory Committee continues to monitor the Appellate Rules, including the recent changes. No major problems have been identified.

Respectfully submitted,


Kenneth F. Ripple
Reporter

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