

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
600 W. CAPITOL, ROOM 423
LITTLE ROCK, ARKANSAS 72201-3325
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05-CV-020

BILL WILSON
JUDGE

December 21, 2005

Standing Committee
c/o John K. Rabiej, Chief, Rules Committee Support Office
Administrative Office of the U. S. Courts
One Columbus Circle, NE
Washington, DC 20544

VIA E-MAIL & FAX

RE: Proposed Style Changes to the Federal Rules of Civil Procedure

I realize that this comment is a little tardy, but I just learned of the negative comments from the committee from the Eastern District of New York. I very respectfully, but very vigorously, disagree with their evaluation.

From the get go, there has been considerable opposition to restyling. As you know, Judge Keeton appointed the first style subcommittee when he was Chair of the Standing Committee. I believe this was about 10 or 12 years ago. I was a member of the Standing Committee when the restyling project commenced.

I had been appointed to the Style Subcommittee when the restyling of the Federal Rules of Criminal Procedure commenced.

As you know, we heard the same objections to restyling at that time.

The legal profession has traditionally been very conservative about changes (style or substantive) to any rules with which members of the profession have worked.

I am satisfied that plain, simple language is to be preferred.

Clarity has been the goal for the past decade or so, and I think this is a very good thing.

Some of the Criminal Rules of Procedure, before restyling, were unrecadable. The one dealing with a person being arrested under a warrant issued in another district was particularly convoluted. In fact, I asked the late Professor Charles Allen Wright to diagram that rule, and he conceded that it could not be diagramed in any meaningful way (I use this as an example because I think it is indisputable that Professor Wright possessed singular skill in the fields of grammar and writing).

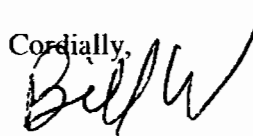
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I don't know how one weighs the old question of cost versus benefit in this particular area. We need rules so plain that practicing lawyers can understand them. In fact, we ought to make them so plain that even judges can understand them.

I urge full steam ahead on this restyling project and others.

Cordially,

A handwritten signature in black ink, appearing to read "Bill Wilson", written in a cursive style.

Bill Wilson

P.S. I read the proposed style changes when they were first proposed and found nothing significant enough to prompt me to comment. If I were on the Standing Committee, I would be inclined to make some of the specific changes recommended by the E.D.N.Y., but, for the most part, I do not share their fear of misinterpretation.