

00-CV-6

Author: "Barbara Crabb" <Barbara_Crabb@wiwd.uscourts.gov> at ~Internet
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TO: Rules Comments at AO-OJPPO
Subject: Fed. R. App. P. 44 (b)

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The proposed amendment is a helpful solution to the pesky problem for courts of remembering to notify the United States Attorney when the constitutionality of a federal statute is challenged in a case in which the United States is not a party. My suggestion is that a rule similar to present Rule 44 be added to the rules of civil procedure, to assist district courts in remembering to make the requiring notification.

P.S. When I went onto the web site to make my comment and got to the portion showing the text of Rule 44, I tried to check the box for submit comments as directed (I thought) by the introductory instructions, but all that happened was that I was bounced to the introductory sheet. Are others having a similar problem?

Barbara B. Crabb, District Judge, W.D. Wis.

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November 2, 2000

Honorable Barbara B. Crabb
United States District Court
P.O. Box 591
Madison, Wisconsin 53701-0591

Re: *Comment to Proposed Amendments of the Federal Rules of Appellate Procedure
and Suggestion to the Federal Rules of Civil Procedure*

Dear Judge Crabb:

Thank you for your comment on the proposed amendments to Appellate Rule 44 and for your suggestion that a rule similar to the present Rule 44 be added to the Federal Rules of Civil Procedure. A copy of your letter has been sent to the members of the Advisory Committee on Appellate Rules and the chair and reporter of the Advisory Committee on Civil Rules.

We also appreciate your bringing to our attention the problem you had with the web site. Our staff has reviewed the process of submitting comments electronically based on your comments. In order to make the process more user-friendly, we are redesigning and implementing a system with improved features and navigation.

We welcome your comments and appreciate your interest in the rulemaking process.

Sincerely,



Peter G. McCabe
Secretary

cc: Honorable Anthony J. Scirica
Honorable Will L. Garwood
Honorable David F. Levi
Advisory Committee on Appellate Rules
Professor Edward H. Cooper
Professor Daniel R. Coquillette