

**AGENDA G-7
Rules of Practice
and Procedure
March, 1984**

SUMMARY

**REPORT OF THE JUDICIAL CONFERENCE COMMITTEE ON
RULES OF PRACTICE AND PROCEDURE**

This report is informational only and contains no
recommendations for Conference action.

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**REPORT OF THE JUDICIAL CONFERENCE COMMITTEE ON
RULES OF PRACTICE AND PROCEDURE**

TO THE CHIEF JUSTICE OF THE UNITED STATES, CHAIRMAN, AND THE
MEMBERS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

Your Committee on Rules of Practice and Procedure has not met since the last session of the Conference. The next Committee meeting is scheduled to be held on July 16-17, 1984. At that time the Committee will receive and review any recommendations for rules changes emanating from the various Advisory Committees and will consider other matters on the agenda pertaining to the rules program.

Status of Advisory Committee Work

The Advisory Committee on the Federal Rules of Civil Procedure met in Washington, D. C. on January 18-19 to conduct public hearings on the proposed amendments to the civil rules submitted to the bench and bar for comment last September, to review the written comments submitted by the public, and to consider other matters on its agenda. A public hearing on the rules proposals was also held in Los Angeles on February 3. The deadline for the submission of written comments on the proposed changes is March 1. The Committee will meet again on March 22 and 23 to formulate its final recommendations.

The Advisory Committee on the Federal Rules of Criminal Procedure held public hearings on the proposed amendments to the criminal rules also submitted to the bench and bar last September in Washington, D.C. and San Francisco on February 14. The deadline for submitting written comments on these proposals is May 1. The Committee will meet on June 18 and 19 to formulate its final recommendations.

The Advisory Committee on the Federal Rules of Appellate Procedure met in Washington, D. C. on December 15. The Committee plans to submit final drafts of various rules amendments for consideration by the Standing Committee at its next meeting. The Advisory Committee is awaiting Congressional action on the bills pertaining to the jurisdiction of bankruptcy courts and will thereafter determine whether any changes in the Appellate Rules relating to bankruptcy appeals will be required.

The Advisory Committee on Bankruptcy Rules is scheduled to meet on March 30. At that time the Committee will consider questions arising under the new bankruptcy rules which became effective on August 1, 1983.

Amendments To The Rules Enabling Acts

At the September, 1983 session of the Conference the Standing Committee reported on the draft bill to amend the Rules

Enabling Acts on which Congressman Kastenmeier had requested comments. Thereafter Mr. Kastenmeier was advised of Conference action approving the views of the Standing Committee on the various provisions of the draft bill.

On October 18, 1983 Mr. Kastenmeier introduced a bill, H.R. 4144, 98th Congress, which is virtually identical to the draft bill considered by the Committee and the Conference. Hearings on the bill were set last November, then postponed. Attempts to reschedule the hearing have been made, but as of the date of this report no final determination has been made. The Chairman of your Committee has been asked to testify and has already submitted a statement setting forth Conference approved views.

Respectfully submitted,
For the Committee on Rules
of Practice and Procedure

Edward T. Gignoux, Chairman

February 14, 1984