

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

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

This report contains no recommendations for Conference consideration. A meeting of the committee scheduled for last January was postponed until June when the committee will review its operating procedures and consider any matters transmitted by the various advisory committees. Several advisory committees, as indicated below, have either conducted meetings in the last six months or have meetings scheduled for the near future.

I. Federal Rules of Appellate Procedure

The Advisory Committee on the Federal Rules of Appellate Procedure has been considering various amendments to the Appellate Rules including rules governing appeals under the Bankruptcy Reform Act and the Federal Magistrate Act. A meeting has been scheduled for mid June at which time the committee anticipates putting their proposals in final form for publication.

II. Federal Rules of Civil Procedure

The proposed amendments to the Federal Rules of Civil Procedure, approved by the Conference last September (Conf.Rept., p. 86) were transmitted to the Supreme Court on September 30, 1982 and as of the date of this report were awaiting action by the Court. The Advisory Committee is currently examining an accumulation of suggestions for amendments to various civil rules

with the view to determining whether amendments should be made. The committee is scheduled to meet on March 3 and 4.

III. Federal Rules of Criminal Procedure

The proposed amendments to the Federal Rules of Criminal Procedure, approved by the Conference in September 1982 (Conf. Rept., p. 85) were transmitted to the Supreme Court on October 1, 1982 and are currently pending before the Court. The Advisory Committee on the Federal Rules of Criminal Procedure has not met since September.

IV. Rules of Bankruptcy Procedure

The new set of bankruptcy rules to govern procedure in bankruptcy cases under the new bankruptcy code, Title 11, United States Code, approved by the Conference in September 1982 (Conf. Rept., p. 85) was transmitted to the Supreme Court for its consideration on September 29, 1982. The Conference has previously authorized the committee to transmit directly to the Supreme Court any technical amendments to the rules that may be required by legislation enacted by Congress in response to the Northern Pipeline decision. To date there has been no Congressional action and it has not been necessary for the Advisory Committee on Bankruptcy Rules to meet.

Respectfully submitted,

Judge Edward T. Gignoux, Chairman
Judge Carl McGowan
Judge Amalya L. Kearse
Judge James S. Holden
Professor Wade H. McCree
Professor Frank J. Remington
Edward H. Hickey, Esquire
Francis N. Marshall, Esquire

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