

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

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R E P O R T

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TO THE JUDICIAL CONFERENCE OF THE UNITED STATES:

Your Committee is delighted to report that on February 28, 1966 the Supreme Court adopted without change the proposals for the amendment of the Federal Rules of Civil Procedure, including the proposals for unification of civil and admiralty procedure, and the proposals for the amendment of the Federal Rules of Criminal Procedure which were approved by the Judicial Conference at its September 1965 session. Rept. pp. 51-53. The amendments were immediately transmitted by the Chief Justice to the Senate and House of Representatives and, in the absence of contrary action by the Congress, will go into effect on July 1, 1966, pursuant to the order of the Court.

The Advisory Committee on Civil Rules is continuing its study of the rules relating to depositions and discovery. Proposals for the amendment of these rules

have not yet been submitted to the Conference and it is hoped that appropriate amendments in this area may be formulated and published for the consideration of the Bench and Bar in the near future.

The amendments just adopted to the Federal Rules of Criminal Procedure involve nearly all of the criminal rules with respect to which amendments appeared to the Advisory Committee on Criminal Rules to be appropriate. There are, however, a few areas of criminal procedure which have not yet been reported upon. The Advisory Committee is continuing its study of these areas.

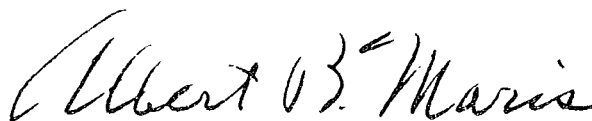
The Advisory Committee on Appellate Rules is engaged in the final stage of perfecting its draft of uniform appellate rules and expects to have its final draft completed within the next few months. The Congress has not yet enacted the bill which would empower the Supreme Court to promulgate uniform appellate rules but it is hoped that action will be taken on this bill at the present session.

The Advisory Committee on Bankruptcy Rules is now engaged in the task of preparing a complete new set of rules of practice and procedure in bankruptcy to be promulgated by the Supreme Court under the recently enacted statutory authority and which will supersede the present General Orders and the procedural provisions of the Bankruptcy Act. This is a large task which will take some time to complete but the Advisory Committee has made an auspicious start and is well on its way.

The Advisory Committee on Rules of Evidence is also hard at work at the task which has been assigned to it of preparing uniform rules of evidence for the district courts. This is likewise a very large project which will take a substantial period of time to complete.

The Advisory Committee on Admiralty Rules is now inactive since its task of preparing for the unification of civil and admiralty procedure has been completed. It is probable, however, that after the new rules have been in force for a period of time sufficient to enable experience under them to be accumulated it will be wise to give further consideration to perfecting and possibly adding to the supplemental admiralty rules in the light of this experience. It may well be appropriate to assign this task to the existing Advisory Committee on Admiralty Rules.

Respectfully submitted,

A handwritten signature in cursive script that reads "Albert B. Maris". The signature is written in dark ink and is positioned to the right of the date.

Chairman

March 4, 1966