

DATE: May 21, 2002

TO: Judge Anthony J. Scirica, Chair
Standing Committee on Rules of Practice
and Procedure

FROM: Judge Samuel A. Alito, Jr., Chair
Advisory Committee on Appellate Rules

RE: Report of Advisory Committee on Appellate Rules

I. Introduction

The Advisory Committee on Appellate Rules met on April 22, 2002, in Washington, D.C. At its meeting, the Advisory Committee approved two sets of proposed amendments, one of which is now being presented to the Standing Committee, the other of which will be held and presented later as part of a group of proposed amendments. The Advisory Committee also agreed to continue to study a couple of controversial proposals, which I discuss below. Finally, the Advisory Committee removed several items from its study agenda.

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II. Action Items

A. Forms 1, 2, 3, and 5

Four of the five forms in the appendix to the Appellate Rules refer to “the ___ day of _____, 19__” (Forms 1 and 2), “entered on _____, 19__” (Form 3), or “entered in this case on _____, 19__” (Form 5). At its April meeting, the Advisory Committee voted to replace all references to “19__” in Forms 1, 2, 3, and 5 with references to “20__.” This appears to be the type of technical change that does not need to be published for comment.

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