

DEVELOPMENT OF MECHANISMS FOR RESOLVING MINOR DISPUTES

CODIFICATION

Pub. L. 96-190, Feb. 12, 1980, 94 Stat. 17, known as the Dispute Resolution Act, provided for the establishment and maintenance of mechanisms for resolving minor disputes, established the Dispute Resolution Resource Center and Dispute Resolution Advisory Board, prescribed duties for the Center and Board, authorized appropriations for the Center and Board of \$1,000,000 for

each of the fiscal years 1980, 1981, 1982, 1983, and 1984, directed that financial assistance to eligible applicants be in the form of grants, prescribed conditions for such grants, authorized appropriations for such grants of \$10,000,000 for each of the fiscal years 1981, 1982, 1983, and 1984, and required an annual report by the Attorney General to the President and Congress relating to the administration of Pub. L. 96-190.

FEDERAL RULES OF APPELLATE PROCEDURE

(As amended to January 5, 1999)

HISTORICAL NOTE

The Federal Rules of Appellate Procedure were adopted by order of the Supreme Court on Dec. 4, 1967, transmitted to Congress by the Chief Justice on Jan. 15, 1968, and became effective on July 1, 1968.

The Rules have been amended Mar. 30, 1970, eff. July 1, 1970; Mar. 1, 1971, eff. July 1, 1971; Apr. 24, 1972, eff. Oct. 1, 1972; Apr. 30, 1979, eff. Aug. 1, 1979; Oct. 12, 1984, Pub. L. 98-473, title II, §210, 98 Stat 1987; Mar. 10, 1986, eff. July 1, 1986; Nov. 18, 1988, Pub. L. 100-690, title VII, §7111, 102 Stat. 4419; Apr. 25, 1989, eff. Dec. 1, 1989; Apr. 30, 1991, eff. Dec. 1, 1991; Apr. 22, 1993, eff. Dec. 1, 1993; Apr. 29, 1994, eff. Dec. 1, 1994; Apr. 27, 1995, eff. Dec. 1, 1995; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 24, 1996, Pub. L. 104-132, title I, §103, 110 Stat. 1218; Apr. 24, 1998, eff. Dec. 1, 1998.

TITLE I. APPLICABILITY OF RULES

Rule

1. Scope of Rules; Title.
2. Suspension of Rules.

TITLE II. APPEAL FROM A JUDGMENT OR ORDER OF A DISTRICT COURT

3. Appeal as of Right—How Taken.
 - [3.1. Abrogated.]
4. Appeal as of Right—When Taken.
5. Appeal by Permission.
 - [5.1. Abrogated.]
6. Appeal in a Bankruptcy Case from a Final Judgment, Order, or Decree of a District Court or Bankruptcy Appellate Panel.
7. Bond for Costs on Appeal in a Civil Case.
8. Stay or Injunction Pending Appeal.
9. Release in a Criminal Case.
10. The Record on Appeal.
11. Forwarding the Record.
12. Docketing the Appeal; Filing a Representation Statement; Filing the Record.

TITLE III. REVIEW OF A DECISION OF THE UNITED STATES TAX COURT

13. Review of a Decision of the Tax Court.
14. Applicability of Other Rules to the Review of a Tax Court Decision.

TITLE IV. REVIEW OR ENFORCEMENT OF AN ORDER OF AN ADMINISTRATIVE AGENCY, BOARD, COMMISSION, OR OFFICER

15. Review or Enforcement of an Agency Order—How Obtained; Intervention.
- 15.1. Briefs and Oral Argument in a National Labor Relations Board Proceeding.
16. The Record on Review or Enforcement.
17. Filing the Record.
18. Stay Pending Review.
19. Settlement of a Judgment Enforcing an Agency Order in Part.
20. Applicability of Rules to the Review or Enforcement of an Agency Order.

TITLE V. EXTRAORDINARY WRITS

21. Writs of Mandamus and Prohibition, and Other Extraordinary Writs.

Rule

TITLE VI. HABEAS CORPUS; PROCEEDINGS IN FORMA PAUPERIS

22. Habeas Corpus and Section 2255 Proceedings.
23. Custody or Release of a Prisoner in a Habeas Corpus Proceeding.
24. Proceeding in Forma Pauperis.

TITLE VII. GENERAL PROVISIONS

25. Filing and Service.
26. Computing and Extending Time.
- 26.1. Corporate Disclosure Statement.
27. Motions.
28. Briefs.
29. Brief of an Amicus Curiae.
30. Appendix to the Briefs.
31. Serving and Filing Briefs.
32. Form of Briefs, Appendices and Other Papers.
33. Appeal Conferences.
34. Oral Argument.
35. En Banc Determination.
36. Entry of Judgment; Notice.
37. Interest on Judgment.
38. Frivolous Appeal—Damages and Costs.
39. Costs.
40. Petition for Panel Rehearing.
41. Mandate: Contents; Issuance and Effective Date; Stay.
42. Voluntary Dismissal.
43. Substitution of Parties.
44. Case Involving a Constitutional Question When the United States Is Not a Party.
45. Clerk's Duties.
46. Attorneys.
47. Local Rules by Courts of Appeals.
48. Masters.

FORMS

Form

1. Notice of Appeal to a Court of Appeals From a Judgment or Order of a District Court.
2. Notice of Appeal to a Court of Appeals From a Decision of the United States Tax Court.
3. Petition for Review of Order of an Agency, Board, Commission or Officer.
4. Affidavit Accompanying Motion for Permission to Appeal In Forma Pauperis.
5. Notice of Appeal to a Court of Appeals from a Judgment or Order of a District Court or a Bankruptcy Appellate Panel.

EFFECTIVE DATE AND APPLICATION OF RULES

Section 2 of the Order of the Supreme Court, dated Dec. 4, 1967, provided: "That the foregoing rules shall take effect on July 1, 1968, and shall govern all proceedings in appeals and petitions for review or enforcement of orders thereafter brought in and in all such proceedings then pending, except to the extent that in the opinion of the court of appeals their application in a particular proceeding then pending would not be feasible or would work injustice, in which case the former procedure may be followed."

EFFECTIVE DATE OF 1970 AMENDMENT; TRANSMISSION TO CONGRESS

Sections 2 and 3 of the Order of the Supreme Court, dated Mar. 30, 1970, provided: