

Proposed Amendments to Rule 81

Rule 81 is amended as follows:

Rule 81. Papers Filed; Conformity; Form, Size, Copies

* * * * *

PRACTICE COMMENT: Compliance with Rule 81 is encouraged because it will facilitate review of papers by the court. Pursuant to Rule 5(d), the clerk may refuse to accept any paper presented for filing because it does not comply with the procedural requirements of the rules or practice of the court-, **including the requirements of Rule 7 to file motions and legal support (briefs) in a single document.** Additionally, a judge may reject nonconforming papers or take other appropriate action if it is determined that such action is warranted.

* * * * *

(As amended Oct. 3, 1984, eff. Jan. 1, 1985; July 28, 1988, eff. Nov. 1, 1988; Nov. 29, 1995, eff. Mar. 31, 1996; May 1, 1998, eff. Sept. 1, 1998; Jan. 25, 2000, eff. May 1, 2000; Dec. 18, 2001, eff. Apr.1, 2002; Sept. 30, 2003, eff. Jan. 1, 2004; May 25, 2004, eff. Sept. 1, 2004; Nov. 25, 2008, eff. Jan. 1, 2009; March 24, 2009, eff. May 1, 2009; Dec. 7, 2010, eff. Jan. 1, 2011; Dec. 6, 2011, eff. Jan. 1, 2012; Dec. 4, 2012, eff. Jan. 1, 2013; Dec. 14, 2021, eff. Jan. 14, 2022; June 28, 2022, eff. Aug. 1, 2022; _____, **eff.** _____.)

Advisory Committee Note

The Federal Rule of Appellate Procedure/Court of Appeals for the Federal Circuit Rule 27 require that motions and briefs in support of motions shall be in the form of a single document and contain all legal arguments for the disposition of the motion. Rule 7(b) is being amended to require parties to file the motion and supporting legal arguments (i.e., the brief) in one document. The practice comment in this rule is being amended to clarify that the clerk of the court has discretion to refuse to accept any paper presented for filing because it does not comply with the procedural requirements of the rules or practice of the court. Even though the Rule provides authority to the clerk to enforce the Rules and Standard Chambers Procedures, a specific cross-reference to the proposed Rule 7 change should facilitate rapid adoption of the new requirement.