

**TABLE OF PROPOSED REVISIONS TO
ELEVENTH CIRCUIT RULES AND INTERNAL OPERATING PROCEDURES**

Page	Circuit Rule or IOP	Comments
46	<u>FRAP 8, IOP Proof of Service Required</u>	Proposed revisions to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
47	<u>FRAP 9, IOP Proof of Service Required</u>	Proposed revisions to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
70	<u>FRAP 18, IOP Proof of Service Required</u>	Proposed revisions to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
74	<u>11th Cir. R. 21-1 Writs of Mandamus and Prohibition and Other Extraordinary Writs</u>	Proposal to delete subsection (c) in its entirety as unnecessary.
76-77	<u>11th Cir. R. 22-4 Petitions in Capital Cases Pursuant to 28 U.S.C. §§ 2254 and 2255</u>	Proposal to replace the current rule with a rule describing the assignment of capital cases.
86	<u>11th Cir. R. 25-3 Electronic Case Files (ECF) System</u>	Proposed revisions to: (1) permit non-incarcerated pro se parties to file documents electronically through the ECF system; and (2) delete a sentence in subsection (a) <u>Electronic Filing and Service</u> about the certificate of service in light of anticipated amendments to FRAP 25(d).
94	<u>11th Cir. R. 26.1-2 CIP: Contents</u>	Proposed revision in subsection (a) <u>General</u> to require a CIP in bankruptcy appeals to identify “each” debtor instead of “the” debtor.
99	<u>11th Cir. R. 27-1(a) Number of Copies and Form of Motion</u>	Proposed revisions to subsection (8) to reflect that a certificate of service may not be required “on the other parties to the appeal,” in light of anticipated amendments to FRAP 25(d).
102	<u>11th Cir. R. 27-1(d) Motions Acted Upon by a Single Judge</u>	Proposal to delete the reference to motions to recall mandates in subsection (8).
109	<u>11th Cir. R. 28-1 Briefs - Contents</u>	Proposal to add to subsection (n) <u>Certificate of Service</u> “The certificate described in FRAP 25(d), if required by that rule.”

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121	11th Cir. R. 30-1 <u>Appendix - Appeals from District Court and Tax Court</u>	Proposed revisions to: (1) subsection (d) <u>Number of Copies</u> to reflect that non-incarcerated pro se parties will be allowed to file documents electronically; and (2) subsection (e) <u>Form</u> to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
126	11th Cir. R. 31-3 <u>Briefs - Number of Copies</u>	Proposed revisions to reflect that non-incarcerated pro se parties will be allowed to file documents electronically.
130	11th Cir. R. 32-3 <u>Briefs - Form</u>	Proposed revisions to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
131	FRAP 32, IOP 3 <u>Briefs - Miscellaneous Information</u>	Proposed revisions to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
139	11th Cir. R. 34-4 <u>Oral Argument Calendar</u>	Proposal to incorporate the content of General Order 36 into a new subsection (e) <u>Change in or Addition to Counsel</u> .
140	FRAP 34, IOP 1 <u>Non-Argument Calendar</u>	Proposal to delete “a brief memorandum is prepared” and “active” from the sentence, “If the staff attorney is of the opinion that the appeal of a party does not warrant oral argument, a brief memorandum is prepared and the appeal is returned to the clerk for routing to one of the court’s active judges, selected in rotation.”
145	11th Cir. R. 35-1 <u>Number of Copies and Length</u>	Proposed revisions to reflect that non-incarcerated pro se parties will be allowed to file documents electronically.
147	11th Cir. R. 35-5 <u>Form of Petition</u>	Proposed revisions to subsection (j) to reflect that a certificate of service may not be required, in light of anticipated amendments to FRAP 25(d).
159	11th Cir. R. 40-1 <u>Contents</u>	Proposal to delete the reference to the “certificate of service.”
159	11th Cir. R. 40-2 <u>Number of Copies</u>	Proposed revisions to reflect that non-incarcerated pro se parties will be allowed to file documents electronically.
162	FRAP 41, IOP 1 <u>Stay or Recall of Mandate</u>	Proposal to delete the reference to motions to recall mandates.

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174-75	11th Cir. R. 46-6(a) <u>Filings from an Attorney Who Is Not a Member of the Eleventh Circuit Bar</u>	Proposed revisions to the conditional filing rule to, among other things, reflect that attorneys in “inactive” status with this Court’s bar may have certain documents conditionally filed.
182	FRAP 47, IOP 9(b) <u>Administrative Motions Procedure</u> and 9(c) <u>Non-Argument Calendar Appeals</u>	Proposed revisions to state that if an initiating judge recuses from considering an administrative or non-argument matter, the file is “returned to the Clerk for submission to the next available panel on the appropriate log.”