**NRAP Commission – Rule Status**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NRAP RULE** | | **DISCUSSION** | **APPROVED** | **COMMENTS** |
| 1 | SCOPE, CONSTRUCTION OF RULES | **On agenda Aug. 16, 2023** |  |  |
| 2 | SUSPENSION OF RULES | **Discussed Sep. 26, 2022** | **Approved with no revisions (Sep. 26, 2022)** |  |
| 3 | APPEAL — HOW TAKEN | **Discussed on May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 3A | CIVIL ACTIONS: STANDING TO APPEAL; APPEALABLE DETERMINATIONS | **On agenda Aug. 16, 2023** |  |  |
| 3B | CRIMINAL ACTIONS: RULES GOVERNING | **Discussed Oct. 25, 2022** | **Approved (Oct. 25, 2022)** |  |
| 3C | FAST TRACK CRIMINAL APPEALS | **Discussed Oct. 25, 2022;**  **Nov. 15, 2022** | **Approved (Nov. 15, 2022; July 19, 2023)** |  |
| 3D | JUDICIAL DISCIPLINE: RIGHT TO APPEAL; HOW TAKEN; RULES GOVERNING | **Discussed May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 3E | FAST TRACK CHILD CUSTODY APPEALS | **Discussed Apr. 19, 2023;**  **June 14, 2023; July 19, 2023** | **Approved (July 19, 2023) but with further revisions to be circulated by email** |  |
| 4(a) | APPEAL — WHEN TAKEN (CIVIL) | **Discussed Feb. 15, 2022;**  **Mar. 14, 2023** | **Approved (Mar. 14, 2023; Apr. 19, 2023)** | **Yes** |
| 4(b)-(f) | APPEAL -- WHEN TAKEN (CRIMINAL) | **Discussed Jan. 31, 2022;**  **Mar. 14, 2023; Apr. 19, 2023** | **Approved (Apr. 19, 2023)** | **Yes** |
| 5 | CERTIFICATION OF QUESTIONS OF LAW | **Discussed May 23, 2022; Aug. 17, 2022** | **Approved (Aug. 17, 2022)** |  |
| 7 | BOND FOR COSTS ON APPEAL IN CIVIL CASES | **Discussed May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 8 | STAY OR INJUNCTION PENDING APPEAL OR RESOLUTION OF ORIGINAL WRIT PROCEEDINGS | **Discussed July 27, 2022;**  **Oct. 25, 2022; Nov. 15, 2022** | **Approved (Nov. 15, 2022)** |  |
| 9 | TRANSCRIPT; DUTY OF COUNSEL; DUTY OF THE COURT REPORTER OR RECORDER | **Discussed Apr. 25, 2022** |  |  |
| 10 | THE RECORD |  |  |  |
| 11 | PREPARING AND FORWARDING THE RECORD |  |  |  |
| 12 | DOCKETING THE APPEAL; FILING OF THE RECORD | **Discussed Feb. 15, 2023** | **Approved with no revisions (Feb. 15, 2023)** | **Yes** |
| 12A | REMAND AFTER AN INDICATIVE RULING BY THE DISTRICT COURT ON A MOTION FOR RELIEF THAT IS BARRED BY A PENDING APPEAL |  | **Approved with no revisions (May 23, 2022)** |  |
| 13 | COURT REPORTERS’ AND RECORDERS’ DUTIES AND OBLIGATIONS; SANCTIONS | **Discussed May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 14 | DOCKETING STATEMENT | **Discussed May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 16 | SETTLEMENT CONFERENCES IN CIVIL APPEALS | **On agenda Aug. 16, 2023** |  |  |
| 17 | DIVISION OF CASES BETWEEN THE SUPREME COURT AND THE COURT OF APPEALS |  | **Approved with 3 alternate provisions (May 23, 2022)** | **Yes** |
| 21 | WRITS OF MANDAMUS AND PROHIBITION AND OTHER EXTRAORDINARY WRITS | **Discussed July 27, 2022;**  **Sep. 26, 2022** | **Approved (Sep. 26, 2022)** |  |
| 22 | HABEAS CORPUS PROCEEDINGS | **Discussed Nov. 15, 2022** | **Approved (Nov. 15, 2022)** |  |
| 23 | CUSTODY OF PRISONERS IN HABEAS CORPUS PROCEEDINGS | **Discussed Nov. 15, 2022** | **Approved (Nov. 15, 2022)** |  |
| 24 | PROCEEDINGS IN FORMA PAUPERIS |  |  |  |
| 25 | FILING AND SERVICE | **Discussed June 14, 2023** | **Approved (June 14, 2023)** | **Yes** |
| 25A | COURT COMPOSITION, SESSION, QUORUM AND ADJOURNMENTS | **Discussed June 14, 2023** | **Approved (June 14, 2023)** | **Yes** |
| 26 | COMPUTING AND EXTENDING TIME |  |  |  |
| 26.1 | DISCLOSURE STATEMENTS | **On agenda Aug. 16, 2023** |  |  |
| 27 | MOTIONS | **Discussed July 27, 2022;**  **Sep. 26, 2022; Nov. 15, 2022** | **Approved (Sep. 26, 2022; Nov. 15, 2022)** |  |
| 28 | BRIEFS |  |  |  |
| 28.1 | CROSS-APPEALS |  |  |  |
| 28.2 | ATTORNEY’S CERTIFICATE | **On agenda Aug. 16, 2023** |  |  |
| 29 | BRIEF OF AN AMICUS CURIAE | **Discussed May 23, 2022; Aug. 17, 2022; Sep. 26, 2022** | **Approved (Sep. 26, 2022)** |  |
| 30 | APPENDIX TO THE BRIEFS | **Discussed Apr. 25, 2022;**  **May 23, 2023** | **Approved (May 23, 2023)** |  |
| 31 | FILING AND SERVICE OF BRIEFS |  |  |  |
| 32 | FORM OF BRIEFS, THE APPENDIX AND OTHER PAPERS |  |  |  |
| 33 | APPEAL CONFERENCES | **Discussed Apr. 19, 2023;**  **May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 34 | ORAL ARGUMENT |  |  |  |
| 35 | DISQUALIFICATION OF A JUSTICE OR JUDGE | **July 19, 2023** | **Approved (July 19, 2023)** | **Yes** |
| 36 | ENTRY OF JUDGMENT |  | **Approved (Mar. 2, 2022)** |  |
| 37 | INTEREST ON JUDGMENTS | **Discussed Sep. 26, 2022** | **Approved with no revisions (Sep. 26, 2022)** |  |
| 38 | FRIVOLOUS CIVIL APPEALS — DAMAGES AND COSTS | **On agenda Aug. 16, 2023** |  |  |
| 39 | COSTS | **Discussed May 23, 2023** | **Approved (May 23, 2023)** | **Yes** |
| 40 | PETITION FOR REHEARING | **Discussed Nov. 15, 2022; Dec. 15, 2022; Jan. 17, 2023; Feb. 15, 2023.** | **Approved (Feb. 15, 2023; Dec. 15, 2022)** | **Yes** |
| 40A | PETITION FOR EN BANC RECONSIDERATION | **Discussed Dec. 15, 2022; Jan. 17, 2023; Feb. 15, 2023** | **Approved (Feb. 15, 2023)** | **Yes** |
| 40B | PETITION FOR REVIEW BY THE SUPREME COURT | **Discussed Dec. 15, 2022; Jan. 17, 2023; Feb. 15, 2023** | **Approved (Feb. 15, 2023)** | **Yes** |
| 41 | ISSUANCE OF REMITTITUR; STAY OF REMITTITUR | **Discussed Mar. 28, 2022; Dec. 15, 2023** | **Approved (Mar. 28, 2022; Dec. 15, 2022)** |  |
| 42 | VOLUNTARY DISMISSAL | **Discussed June 14, 2023** | **Approved (June 14, 2023)** | **Yes** |
| 43 | SUBSTITUTION OF PARTIES | **Discussed Sep. 26, 2022** | **Approved with no revisions (Sep. 26, 2022)** |  |
| 44 | CASES INVOLVING CONSTITUTIONAL QUESTIONS WHERE STATE IS NOT A PARTY | **Discussed May 23, 2022** | **Approved (May 23, 2022)** |  |
| 45 | CLERK’S DUTIES |  |  |  |
| 45A | SEAL OF SUPREME COURT | **July 19, 2023** | **Approved repeal (July 19, 2023)** | **Yes** |
| 46 | ATTORNEYS | **On agenda Aug. 16, 2023** |  |  |
| 46A | PARTIES APPEARING WITHOUT COUNSEL |  |  |  |
| 47 | RULES OF APPELLATE PRACTICE | **On agenda Aug. 16, 2023** |  |  |
| 48 | TITLE | **On agenda Aug. 16, 2023** |  |  |