

**BRIEF SUMMARY OF COMMENTS OF THE COURTS, LAWYERS,
AND THE ADMINISTRATION OF JUSTICE SECTION
ON THE PERIOD FOR PUBLIC COMMENT ON
PROPOSED CHANGES TO SUPERIOR COURT RULES**

The Courts, Lawyers, and the Administration of Justice of the District of Columbia Bar requests that the Rules Committee of the Superior Court generally allow 60 days, instead of the current 30 days, for comments on proposed changes of Superior Court rules. This change would facilitate the submission of comments by the Bar and its sections.

COURTS, LAWYERS AND THE ADMINISTRATION OF JUSTICE SECTION



The District of Columbia Bar

February __, 1993

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Hon. Henry F. Greene
H. Carl Moultrie I Courthouse
500 Indiana Avenue, N.W.
Washington, D.C. 20001-2131

Re: Period for Public Comment on Proposed Rule Changes

Dear Judge Greene:

Committees:

Legislation

Rules

On behalf of the Courts, Lawyers and the Administration of Justice Section of the District of Columbia Bar, and the Section's Court Rules Committee, we are writing to you in your capacity as Chairman of the Rules Committee of the Superior Court. The views expressed in this letter represent only those of the Courts, Lawyers and the Administration of Justice Section of the District of Columbia Bar and not those of the Bar or its Board of Governors.

We respectfully request that the Court customarily provide a longer period for public comment on proposed rules changes. The Court now usually gives interested parties thirty days to submit comments. That period is generally adequate for individuals who wish to submit comments. However, it tends to be insufficient for the District of Columbia Bar because of its internal procedures.

After publication of a proposed rule change in the Daily Washington Law Reporter, the Court Rules Committee meets to discuss the change. The Court Rules Committee is a standing committee of the Section that serves as a clearinghouse for comments on proposed changes to court rules. The Committee ordinarily meets monthly on the second Tuesday of the month. If the Committee decides that comments are appropriate, it drafts comments and submits them for review by the Steering Committee of the Courts, Lawyers and the Administration of Justice Section. The guidelines of the District of Columbia Bar generally require the Section to give at least eight days notice to the Bar's Board of Governors before the Section may submit comments to any court.

These procedures are important to ensure that the any comments are carefully considered and draw on a broad range of experience and expertise within the Bar. Unfortunately, these procedures also take time to complete. Realistically, a 30-day comment period does not allow sufficient time to complete these procedures in an orderly fashion.

We therefore suggest that the Court generally allow sixty days for comments, unless there is a need for expedited action or if the proposed rule change merely corrects a typographical error or makes a similar nonsubstantive, technical change.

Sincerely yours,

G. Brian Busey
Cochair, Courts, Lawyers and
the Administration of Justice
Section

Donna M. Murasky
Cochair, Courts, Lawyers and
the Administration of Justice
Section

Anthony C. Epstein
Chair, Court Rules Committee