

DOWNLOAD PDF APPENDIX : MEMBERS OF THE SUPREME COURT, 1941-1953, AND DATES OF SERVICE.

Chapter 1 : Rules of Appellate Procedure | Part 9: General Provisions - West Virginia Judiciary

the Supreme Court, the Appellate Court, and every judge and associate judge of the Circuit Court shall file a verified written statement (the statement) of economic interests and relationships which may create conflicts of interest, with the Clerk of the Illinois Supreme Court.

The Judiciary Act of called for the appointment of six "judges. Consequently, one seat was removed in and a second in , however, the Circuit Judges Act returned the number of justices to nine, [75] where it has since remained. Roosevelt attempted to expand the Court in Front row left to right: Back row left to right: Elena Kagan , Samuel A. Alito , Sonia Sotomayor , and Neil Gorsuch. Constitution states that the President "shall nominate, and by and with the Advice and Consent of the Senate , shall appoint Judges of the Supreme Court. Because the Constitution sets no qualifications for service as a justice, a president may nominate anyone to serve, subject to Senate confirmation. The Senate Judiciary Committee conducts hearings and votes on whether the nomination should go to the full Senate with a positive, negative or neutral report. The first nominee to appear before the committee was Harlan Fiske Stone in , who sought to quell concerns about his links to Wall Street , and the modern practice of questioning began with John Marshall Harlan II in Rejections are relatively uncommon; the Senate has explicitly rejected twelve Supreme Court nominees, most recently Robert Bork , nominated by President Ronald Reagan in Although Senate rules do not necessarily allow a negative vote in committee to block a nomination, prior to a nomination could be blocked by filibuster once debate had begun in the full Senate. A president may withdraw a nomination before an actual confirmation vote occurs, typically because it is clear that the Senate will reject the nominee; this occurred most recently with President George W. The Senate may also fail to act on a nomination, which expires at the end of the session. Although appointed to the court on December 19, by President Ulysses S. Grant and confirmed by the Senate a few days later, Stanton died on Dec 24, prior to receiving his commission. He is not, therefore, considered to have been an actual member of the court. Before , the approval process of justices was usually rapid. From the Truman through Nixon administrations, justices were typically approved within one month. From the Reagan administration to the present, however, the process has taken much longer. Some believe this is because Congress sees justices as playing a more political role than in the past. Recess appointees hold office only until the end of the next Senate session less than two years. The Senate must confirm the nominee for them to continue serving; of the two chief justices and eleven associate justices who have received recess appointments, only Chief Justice John Rutledge was not subsequently confirmed. Eisenhower has made a recess appointment to the Court, and the practice has become rare and controversial even in lower federal courts. Noel Canning limited the ability of the President to make recess appointments including appointments to the Supreme Court , ruling that the Senate decides when the Senate is in session or in recess. Writing for the Court, Justice Breyer stated, "We hold that, for purposes of the Recess Appointments Clause, the Senate is in session when it says it is, provided that, under its own rules, it retains the capacity to transact Senate business. The term "good behavior" is understood to mean justices may serve for the remainder of their lives, unless they are impeached and convicted by Congress, resign , or retire. Douglas was the subject of hearings twice, in and again in ; and Abe Fortas resigned while hearings were being organized in , but they did not reach a vote in the House. No mechanism exists for removing a justice who is permanently incapacitated by illness or injury, but unable or unwilling to resign. Sometimes vacancies arise in quick succession, as in the early s when Lewis Franklin Powell, Jr. Despite the variability, all but four presidents have been able to appoint at least one justice. William Henry Harrison died a month after taking office, though his successor John Tyler made an appointment during that presidential term. Likewise, Zachary Taylor died 16 months after taking office, but his successor Millard Fillmore also made a Supreme Court nomination before the end of that term. Andrew Johnson , who became president after the assassination of Abraham Lincoln , was denied the opportunity to appoint a justice by a reduction in the size of the Court. Jimmy Carter is the only person elected president to

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have left office after at least one full term without having the opportunity to appoint a justice. Somewhat similarly, presidents James Monroe , Franklin D. Roosevelt , and George W. Bush each served a full term without an opportunity to appoint a justice, but made appointments during their subsequent terms in office. No president who has served more than one full term has gone without at least one opportunity to make an appointment. Three presidents have appointed justices who together served more than a century:

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Chapter 2 : Clerk of Appellate Court General Information - State of Mississippi Judiciary

Division and discord: the Supreme Court under Stone and Vinson, / Melvin I. Urofsky. Members of the Supreme Court, , and Dates of Service.

Cases suitable for Rule 19 argument include, but are not limited to: Cases involving assignments of error in the application of settled law; Cases claiming an unsustainable exercise of discretion where the law governing that discretion is settled; Cases claiming insufficient evidence or a result against the weight of the evidence; Cases involving a narrow issue of law; and Cases in which a hearing is required by law. Upon conclusion of the argument, the case will be considered by the Court in chambers. Thereafter the Court will Decide the case on the merits by issuing a memorandum decision or an opinion; Set the case for oral argument under Rule 20; or Issue an appropriate order. Cases suitable for Rule 20 argument include, but are not limited to: Cases involving issues of first impression; Cases involving issues of fundamental public importance; Cases involving constitutional questions regarding the validity of a statute, municipal ordinance, or court ruling; and Cases involving inconsistencies or conflicts among the decisions of lower tribunals. Upon conclusion of the oral argument, the Court will Decide the case on the merits by issuing a memorandum decision which explains the reasons why the Court is not issuing an opinion; Decide the case on the merits by issuing an opinion; or Issue an appropriate order. Oral argument under either Rule 19 or Rule 20 is not necessary when: Marcus Patrele McKinley, , filed September 29, Signed opinions containing original syllabus points Signed opinions containing original syllabus points have the highest precedential value because the Court uses original syllabus points to announce new points of law or to change established patterns of practice by the Court. Signed opinions that do not contain original syllabus points Signed opinions that do not contain original syllabus points also carry significant, instructive, precedential weight because such opinions apply settled principles of law in different factual and procedural scenarios than those addressed in original syllabus point cases. Signed opinions, both those including new syllabus points and those not containing new syllabus points Signed opinions, both those including new syllabus points and those not containing new syllabus points, are published opinions of the Court. As such, they should be the primary sources relied upon in the development of the common law. Memorandum decisions Memorandum decisions are decisions by the Court that are not signed, do not contain syllabus points by the Court, and are not published. While memorandum decisions may be cited as legal authority and are legal precedent, their value as precedent is necessarily more limited; where a conflict exists between a published opinion and a memorandum decision, the published opinion controls. How to read an opinion The FRONT PAGE of each opinion indicates the Supreme Court case number, the style of the case petitioner and respondent identities , the name of the judge and the county circuit court the case originated in, the lower court case number, and the decision of the Supreme Court. Anyone desiring to speak to the attorneys can look up their contact information on the Membership Directory Search section of the West Virginia State Bar website, www. If no other Justice is listed, it is a unanimous, or , decision. Any Justice listed as concurring agrees with the majority decision. For example, if one Justice is listed as delivering the opinion of the Court and two others are listed as concurring, it is a decision. Any Justice listed as dissenting disagrees with the majority decision. If one Justice is listed as dissenting, it is a decision. If two are listed as dissenting, it is a decision. A Justice can both concur in part and dissent in part to a particular opinion. Justice or Justices YYY concurred in part and dissented in part. Justice ZZZ concurred in part and dissented in part. They are listed in an opinion in the order in which they appear in the opinion, not in order of importance. Signed opinions containing original syllabus points have the highest precedential value because the Court uses original syllabus points to announce new points of law or to change established patterns of practice by the Court. Original syllabus points have no reference to syllabus points in previous opinions at the end. Signed opinions that do not contain original syllabus points also carry significant, instructive, precedential weight because such opinions apply settled principles of law in different factual and procedural scenarios than those

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addressed in original syllabus point cases. These syllabus points are distinguishable because they reference to syllabus points in previous opinions at the end. Signed opinions, both those including new syllabus points and those not containing new syllabus points, are published opinions of the Court. Petition for rehearing Rule 25 A petition for rehearing may be filed within thirty days of the release of any memorandum decision or opinion, unless the time for filing is changed by Supreme Court order. A petition for rehearing is granted only in exceptional cases. A response to a petition for rehearing is not required, but an opposing party may file a response within fourteen days of the filing of the petition for rehearing. The Court may refuse the petition; grant the petition and direct further proceedings, including issuing a modified opinion or memorandum decision; or take such other action that is necessary to accomplish substantial justice in the case. Mandate Rule 26 Issuance of the mandate terminates jurisdiction of the Supreme Court in an action before the Court. An opinion or memorandum decision of the Court considering the merits of a case is not final until the mandate has been issued. The mandate contains a summary description of the judgment of the Court and any direction as to costs or other matters. The mandate must be read and construed together with the opinion or memorandum decision in the case. Original Jurisdiction Rule 16 Types: Mandamus, prohibition, habeas corpus, or certiorari. These cases are under the original jurisdiction of the Supreme Court. Issuance by the Court of an extraordinary writ is not a matter of right, but of discretion sparingly exercised. A type of original jurisdiction petition; an order of a superior court requiring a public body, inferior court, or public official to perform a required duty. An order issued by a court of superior jurisdiction to halt the performance of a particular act by an inferior court, state agency, or public official. It is used mainly by inmates who allege due process violations, but occasionally is used in child custody cases. A procedure for removing a case from a lower court to a higher court for review. Steps in original jurisdiction cases: The petition must contain a statement as to whether oral argument is necessary. If it is, the petition must say whether the case should be set for a Rule 19 argument or a Rule 20 argument, and why. The Supreme Court will issue a scheduling order indicating the date on or before which a response may be filed or other deadlines. Failure to comply with a scheduling order may result in sanctions, dismissal, or both. Consideration of the petition. After the response or summary response has been filed, or upon the date set forth in the scheduling order, the petition will be deemed to be mature. The Court may then Issue a rule to show cause, which unless otherwise provided, stays all further proceedings in the underlying action; decline to issue a rule to show cause the petitioner can pursue the same issues on appeal following a final order in the lower court ; or issue an order appropriate to the circumstances of the case. The rule to show cause will indicate a date when the action will be submitted for decision, either upon the papers previously submitted without further argument, or upon oral argument under Rule 19 or Rule The rule to show cause may be made returnable to a lower court for further proceedings. The Supreme Court may extend the time period for filing a notice of appeal for good cause. If a party fails to comply with a scheduling order the Court may impose sanctions or dismiss the appeal, or both. Unless otherwise provided by law, an appeal must be perfected within four months of the date the judgment being appealed was entered in circuit court. A circuit judge or the Supreme Court can extend the deadline for up to two months for good cause. Failure by the petitioner to perfect an appeal will result in the case being dismissed. After the response brief or summary response has been filed and any reply brief deemed necessary has been filed or the time for filing a reply has expired , the appeal will be deemed to be mature, and the Court will fully consider the written arguments of all parties to the appeal. Thereafter, the Court will: Appeals must be filed within thirty days of the entry of a Public Service Commission final decision. Within thirty days of receiving notice that an appeal has been perfected, the Commission must send the Supreme Court Clerk the record of proceedings before the Commission, including all the evidence. Consideration of the appeal. At the conclusion of oral argument, the case will be submitted to the Court for its consideration. The Court may, decide the case on the briefs without further argument, issue a written decision on the merits, or issue an appropriate order. Abuse and Neglect Appeals Rule 11 Notice of appeal. Unless otherwise provided by law, an appeal in an abuse and neglect case must be perfected within sixty days of the date the judgment being

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appealed was entered. A circuit judge or the Supreme Court may, for good cause, extend that deadline up to two months. Failure by the petitioner to perfect an appeal may result in the case being dismissed. The guardian ad litem for any minor child involved in an abuse and neglect appeal must file a brief or a summary response in an appropriate case and if argument is held the guardian must appear and present argument unless otherwise specifically ordered by the Supreme Court. After the response brief or summary response has been filed and any reply brief has been filed, the appeal will be deemed to be mature. The Supreme Court then will consider the written arguments of all parties to the appeal. The Court will either: If the respondent files a brief or summary response, the petitioner has twenty days to file a reply brief. After the response brief or summary response has been filed and any reply brief has been filed, the appeal will be deemed to be mature, and the Court will consider the written arguments of all parties to the appeal. Within thirty days of receipt of notice that an appeal has been perfected, the Commission must send to the Supreme Court Clerk the record of the proceedings before the Commission, including all the evidence. After the response brief or summary response has been filed and any reply brief has been filed, the appeal will be deemed to be mature, and thereafter the Court will fully consider the written arguments of all parties to the appeal. Thereafter, the Court will decide the case on the merits without oral argument; set the case for oral argument and decide the case on the merits; or issue an appropriate order after considering any written and oral arguments made by the parties.

e. Certified Questions Rule 17 Certified questions by a West Virginia circuit court or administrative tribunal Certification orders. The Supreme Court will issue a scheduling order. The parties to a certified question case must file a joint appendix. The Supreme Court may, in its discretion, schedule the case for argument under Rule 19 or Rule 20, issue an order declining to accept the certified question, or issue an otherwise appropriate order. Certified questions by federal and other courts The clerk of the court where the certification order was entered is required to transmit the order certifying questions and a list of the docket entries in the case to the Supreme Court Clerk. After all briefs have been timely filed, the certified question is deemed to be mature for full consideration by the Supreme Court. The Court may, in its discretion, schedule the case for argument under Rule 19 or Rule 20, issue an order declining to accept the certified question, or issue an otherwise appropriate order.

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Chapter 3 : Supreme Court of the United States - Wikipedia

As Rule provides, "If the Court schedules briefing and oral argument in a case that was governed by Federal Rule of Civil Procedure (c) or Federal Rule of Criminal Procedure (c), the parties shall submit electronic versions of all prior and subsequent filings with this Court in the case, subject to [applicable] redaction rules."

Motion and response Rule 29 through 33, Rule 40, Rule 41 15 pages Amicus curiae briefs Rule 30 25 pages Appendix by amicus curiae Rule 30 None Petition for bail and response Rule 34 15 pages Original and 10 copies Citations of authority. Citations of authority shall be made either in the body of a document or in footnoted form. Citation to an opinion of this Court must use the full parallel citation and may indicate if the opinion is per curiam, e. Nationwide Mutual Fire Ins. In accordance with Rule 12 of the West Virginia Trial Court Rules, the Clerk may permit certain filings required under these Rules to be made by facsimile transmission. Even with the consent of the Clerk, documents necessary to docket or perfect an action before the Court may not be filed by facsimile unless accompanied by a motion for leave to file by facsimile, setting forth good cause. In extraordinary circumstances, the Clerk may provide prior consent to exceed the twenty page limit for facsimile filings set forth in Trial Court Rule If a facsimile filing is accepted by the Clerk, the Clerk will provide by return facsimile a notice of acceptance, and a statement of the photocopying charges that apply under Trial Court Rule If a facsimile filing is accepted by the Clerk, the filing of the original shall not be required unless ordered by the Court or directed by the Clerk. Filings immediately prior to argument. No documents shall be filed less than forty-eight hours prior to a scheduled argument in a proceeding unless specifically requested by the Court. Improper form or filing. The Clerk may refuse to accept for filing a brief or other paper which does not comply with the Rules of Appellate Procedure and is unaccompanied by a motion for leave to file such brief or other paper despite such noncompliance. If a brief or other paper is returned to counsel or a party, if unrepresented by counsel, for correction and resubmission, a motion for leave to file out of time must accompany any resubmission out of time. To constitute a proper filing, a document must be received by the Clerk on or before the date it is due. Under this rule, the mere act of placing a brief or other paper in the mail on or before the due date does not constitute a proper filing. Computation and extension of time Computation of time. In computing any period of time prescribed by these rules, by an order of the Supreme Court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period extends until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. The Court for good cause shown may upon motion enlarge the time prescribed by these rules or by its order for doing any act, or may permit an act to be done after the expiration of such time. Additional time after service by mail. Whenever a party is required or permitted to do an act within a prescribed period after service of a paper upon him and the paper is served by mail, three days shall be added to the prescribed period. Provided, however, that this provision does not apply to extend the deadline provided by law or these rules for docketing or perfecting an appeal, and further does not apply to extend any deadline set forth in an order or notice of this Court. Public access to case records and confidentiality General rule. In all cases in which relief is sought in the Supreme Court, all pleadings, docket entries, and filings related thereto hereafter "case records" shall be available for public access unless otherwise provided by law or by a rule of this Court, or unless otherwise ordered by the Court in accordance with this Rule. Means of public access. Case records posted to the website may include, but are not limited to: Case records already determined to be confidential by a lower tribunal. Unless otherwise provided by order of this Court, upon filing, the portion of the case record determined to be confidential by the lower tribunal shall remain confidential. Whenever a party files a pleading or other document that is confidential in part or in its entirety, the party shall identify, by cover letter

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or otherwise, in a conspicuous manner, the portion of the filing that is confidential. Any party or other person with standing may file a motion to unseal the case record or portion of a case record in this Court, setting forth good cause why the case record should no longer be confidential. An opposing party may respond to the motion within ten days from the date of filing of the motion. Upon its consideration, the Court may, in its discretion, issue an order unsealing all or part of the case record, or issue an order denying the motion. Case records not previously determined to be confidential. Any party or other person with standing may file an original and the number of copies required by Rule 38 of a motion to seal the case record or portion of a case record in this Court. The motion must state the legal authority for confidentiality. Upon filing of the motion to seal, the case record or portion of the case record that is the subject of the motion shall be kept confidential pending a ruling on the motion. An opposing party may file a response to a motion to seal within ten days of the date of filing of the motion. Upon its consideration, the Court may, in its discretion, issue an order sealing all or part of the case record, or issue an order denying the motion. In order to protect the identities of juveniles and in order to avoid the unnecessary distribution of personal identifiers, any document filed with the Court other than an appendix must comply with the following standards. Initials or a descriptive term must be used instead of a full name in: Personal identifiers such as birth date and address may be used only when absolutely necessary to the disposition of the case. Social Security numbers may not be used under any circumstances. Sensitive financial or medical information may be used only when necessary to the disposition of the case. Briefs in Rule 20 argument cases. Restriction of electronic records. The motion shall be served upon all other parties to the case and any other concerned persons. An opposing party may respond to the motion within ten days of the date of filing of the motion. Upon its consideration, the Court may, in its discretion, issue an order granting or denying the motion and directing such action as may be appropriate. Oral argument open to the public. In presenting oral argument, parties must be mindful not to disclose the identity of juveniles and other personal identifiers contained in subsection e of this Rule. Substitution of parties Death of a party. If a party dies after an appeal is filed, the personal representative of the deceased party may be substituted as a party on motion that complies with Rule 38 filed by the representative or by any party with the Clerk. The motion of a party shall be served upon the representative in accordance with the provisions of Rule 38. If the deceased party has no representative, any party may suggest the death on the record and proceedings shall then be had as the Court may direct. If a party against whom an appeal may be taken dies after entry of a judgment or order in the circuit court, but before an appeal is docketed, a petitioner may proceed as if death had not occurred. If the appeal is docketed, substitution shall be effected in the Supreme Court in accordance with this subdivision. After the notice of appeal is filed, substitution shall be effected in the Supreme Court in accordance with this subdivision. Substitution for other causes. If substitution of a party in the Supreme Court is necessary for any reason other than death, substitution shall be effected in accordance with the procedure prescribed in subdivision a. Public officers; death or separation from office. When a public officer is a party to an appeal or other proceeding in the Supreme Court in his official capacity and during its pendency dies, resigns, or otherwise ceases to hold office, the action does not abate and his successor is automatically substituted as a party. Proceedings following the substitution shall be in the name of the substituted party, but any misnomer not affecting the substantial rights of the parties shall be disregarded. When a public officer is a party to an appeal or other proceeding in his official capacity, he may be described as a party by his official title rather than by name, but the Court may require his name to be added. Media access General rule. In proceedings that are open to the public, the Court may, in its discretion, permit a member of the media to utilize cameras or equipment used for word processing in and around the courtrooms in which the Court may sit, provided that the orderly procedures of the Court are not impaired or interrupted. Prior notice and compliance with rules required. Members of the media who wish to cover a Court proceeding shall notify the public information officer as far in advance as is practicable. If the public information officer is not available, the Clerk must be notified. It shall be the duty of media personnel to affirm that they have read this Rule and will abide by the same and further, to demonstrate to the public information officer, or to the Clerk,

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sufficiently and in advance of any proceeding, that the equipment sought to be used does not produce a distracting sound or light. A failure to provide advance notice may preclude the use of such equipment in any proceeding. After the proceedings have commenced, the Clerk or the public information officer shall terminate coverage of any portion of the proceedings or of the remainder of the proceedings if the Clerk, or the public information officer, determines that continuing coverage is disturbing the proceeding, will impede justice, or will create unfairness for any party. Media coverage of any nonjudicial meeting or other gathering in the courtrooms shall be determined by the concurrence of the sponsoring group and the public information officer or the Clerk, and shall be conducted in accordance with this Rule. These rules shall not limit media coverage of ceremonial proceedings conducted in court facilities under such terms and conditions as may be established by the public information officer. Broadcast media should arrive at least thirty minutes prior to oral arguments to begin setting up equipment. All equipment must be in place and tested no less than fifteen minutes in advance of the time scheduled for the court proceeding. The following equipment and persons shall be the maximum equipment and broadcast personnel permitted to actively cover proceedings in the courtroom at any one time: Only still camera equipment that does not produce distracting sound or light shall be employed in the courtroom. Only television equipment which does not produce distracting sound or light shall be employed in the courtroom. No artificial lighting other than that normally present in the courtroom shall be employed in the courtroom except that, with the concurrence of the public information officer or the Clerk, modifications and additions may be made to lighting in the courtroom, if such modification or additions are installed and maintained without public expense. Reporters who wish to utilize laptop computers to take notes must do so in an area provided for that purpose, and must be in place before proceedings begin. Space will be provided on a first-come first-served basis. Live audio feed must be used. Only film and video cameras without working audio pickup shall be employed in the courtroom. Audio recording equipment of any kind is not permitted in the courtroom. Instead, members of the media must utilize the live audio feed in a designated location in the courtroom. The live audio feed is available as a microphone level or line level signal and requires a female XLR connector. Members of the media are responsible for providing their own equipment suitable to connect to the live audio feed. Location of equipment and personnel. Video or film camera equipment shall be positioned in such location in the courtroom as shall be designated by the Clerk. All camera equipment shall be positioned only in such area. Any additional television equipment shall be positioned in an area outside the courtroom if that is technically possible. Cables and wiring must be placed in a safe and unobtrusive manner. A still camera photographer shall position himself or herself in such location in the courtroom as shall be designated by the Clerk. The photographer shall assume a fixed position within the designated area and shall act so as not to create a disturbance or call attention to himself or herself through further movement. The photographer shall not move about the courtroom. Unless expressly permitted by the Clerk, representatives of the media shall not move about the courtroom while a proceeding is in progress, and equipment, once positioned, shall not be moved during a proceeding. Broadcast, print, or other media interviews will not be permitted inside the courtroom at any time.

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Chapter 4 : AZ Supreme Court

The date a Member of the Court took his/her Judicial oath (the Judiciary Act provided "That the Justices of the Supreme Court, and the district judges, before they proceed to execute the duties of their respective offices, shall take the following oath ") is here used as the date of the beginning of his/her service, for until that.

A Notice of Appeal must be filed within 30 days after entry of the judgment or order being appealed; or within 14 days after the filing of the notice of appeal by another party; or within 30 days after entry of the order denying certain post-trial motions. The Notice of Appeal must be received and filed with the lower court clerk within the specified filing time. Mail time does not apply. The date of entry is the date the lower court clerk receives and files the judgment or order. A Notice of Appeal shall specify the party or parties taking the appeal and the party or parties against whom the appeal is taken and shall designate in whole or in part the judgment being appealed. A party not represented by counsel is served, and the defendant is served in criminal cases. The lower court clerk should be provided sufficient copies of the Notice of Appeal to accomplish service on all parties. It is imperative that this Appearance Form be returned within 14 days in order for attorneys to be assigned to the correct party in the appeal. The designation should specifically list opening and closing arguments and voir dire if they are necessary to the appeal. If the entire record is not designated, a statement of issues is filed and served on the counsel for appellee. The appellee can file and serve on appellant and the court reporter an additional designation of the record. The additional designation is prepared at the expense of the appellant unless the trial court judge enters an order requiring payment by the appellee. Unless specifically designated, the record will not include the following: Briefs are not usually included in the record unless necessary to show that an issue was presented to the trial court. Upon payment of the estimated costs, the appellant files with the lower court clerk a Certificate of Compliance setting forth that the costs have been paid and serves a copy on the court reporter, appellee and Supreme Court Clerk. The appellant must comply with the order granting any increase within 14 days after entry. The cost of record preparation is adjusted and then the actual cost is determined. If additional costs are due, the record will not be filed with the Supreme Court until those costs are paid. The court reporter will not begin transcribing the proceedings until the Certificate of Compliance has been served. The court reporter will file an Acknowledgment upon receipt from the appellant of the Certificate of Compliance. The court reporter has 60 days to prepare the transcript. This portion of the appeal record consists of copies of designated papers and exhibits filed in the trial court. The appellant shall then deliver the record to the appellee along with a written statement of any proposed correction to the record. The appellee has 14 days to review the record. At the expiration of this period, the appellee returns the record to the trial court clerk along with a written statement of any proposed correction to the record. Agreed corrections are made by stipulation. Disputed corrections are presented to the trial court judge for determination. Such corrections shall be completed within 7 days. If it is determined that a supplemental record must be filed, the order of the trial court judge shall specify the due date for filing the supplemental record and the party responsible for the record preparation. A motion to extend the attorney review time is filed in the trial court and a copy served on the Supreme Court Clerk. A copy of the Order granting or denying the motion for additional review time is served on the Supreme Court Clerk. After all corrections have been made or supplemental record prepared, the appeal record is delivered to the Supreme Court Clerk. If no reply brief is filed, a letter shall be filed within the time allowed for filing of the reply brief. A concise statement of the reasons in support of oral argument shall be included in the brief or letter. Any party not complying with this rule shall not be heard orally except by special permission or order of the appropriate appellate court. If oral argument has been requested, counsel will be notified by the Court if the request has been granted or if the case will be submitted on the briefs only. Oral argument is discretionary. After all briefs are filed, a Court Assignment Notice is entered. Supreme Court decisions are handed down each Thursday at 1: All decisions of the Court of Appeals will be final unless the Supreme Court grants certiorari. The Motion for Rehearing shall

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not exceed 25 pages. The original and ten copies are filed in Supreme Court cases, and the original and eleven copies are filed in Court of Appeals cases. A response to the Motion for Rehearing shall be filed within 7 days after service of the Motion for Rehearing, and oral argument is not permitted. However, a party seeking review of a judgment of the Court of Appeals must first file a Petition for Rehearing in the Court of Appeals. Within 14 days after the disposition of the Petition for Rehearing, the original and ten copies of a petition for writ of certiorari must be filed in the Supreme Court and served on all other parties. The following shall be attached to the petition: Briefs and oral argument shall not be allowed unless requested by the Supreme Court. The writ of certiorari may not exceed 10 pages. Within 7 days after the filing of an application for writ of certiorari, a party may file an original and ten copies of a written response which shall not exceed 10 pages. The mandate shall issue 21 days after the entry of judgment unless a Motion for Rehearing is filed at which time it will issue 7 days after final disposition of the Motion for Rehearing. The mandate shall issue 21 days after the latest of: Briefs and record excerpts are deemed filed on the day of mailing; however, to be deemed filed on the day of mailing, a certificate shall be attached. This certificate should be signed by the person mailing the document, identify the original document and number of copies being filed with the Clerk, identify the parties served with a copy, and specify the date of mailing. Papers received without a certificate shall be deemed filed on the date the document is received by the Supreme Court Clerk. Unopposed procedural and emergency relief motions may be filed by FAX transmission. A document in excess of 5 pages shall not be filed without prior leave of the Clerk. Only the original motion is filed, and opposing counsel is served with a copy. Any objection to a motion for time will be filed and submitted to the Court with any future extension request. The rules provide that no one may withdraw the record of a case during the pendency of an appeal except by or on behalf of a party. After the parties complete their briefs, the case is screened, assigned to the Court of Appeals or retained by the Supreme Court, and placed on a docket. After the case is placed on a docket, the case may be called up by the appropriate court at any time. Records containing more than 10 volumes will be assessed actual mailing cost. Amended January 3, Requests for records are processed twice daily. In general requests received by

Chapter 5 : Guide to Supreme Court Procedure

The Stone Court --the Court at War --The Expansion of Individual Rights --Umpire of the Federal System --Transition --The Cold War --The Rights of Labor --Incorporation and Due Process --The Road to Brown --Appendix: Members of the Supreme Court, , and Dates of Service.

Chapter 6 : Division and discord : the Supreme Court under Stone and Vinson, | Search Results | IUCAT

As this Court is aware from the last time this case was before it, Ford brought this action in district court asserting jurisdiction under 28 U.S.C. Â§ (a)(1), and.

Chapter 7 : Rules > Recent Amendments > Rules of the Supreme Court

The Supreme Court of Florida may certify a lawyer who is the spouse of a full- time active duty member of the United States armed forces to engage in the practice of law in Florida while the lawyer's spouse is stationed within this.

Chapter 8 : Justices to Present

(f) Court: the Appellate Division of the Supreme Court of the State of New York for the Judicial Department having jurisdiction over a complaint, investigation, proceeding or person covered by these Rules.

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The certified copies of the trial court docket opinion, if any, and judgment from which the appeal is being taken, which are to be transmitted to the Supreme Court with the Notice of Appeal, are made by the lower court clerk at the appellant's expense.