

[§ 2076. Repealed. Pub. L. 100-702, title IV, § 401(c), Nov. 19, 1988, 102 Stat. 4650]

Section, added Pub. L. 93-595, §2(a)(1), Jan. 2, 1975, 88 Stat. 1948; amended Pub. L. 94-149, §2, Dec. 12, 1975, 89 Stat. 806, authorized the Supreme Court to prescribe amendments to Federal Rules of Evidence. See sections 2072 to 2074 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 1, 1988, see section 407 of Pub. L. 100-702, set out as an Effective Date of 1988 Amendment note under section 2071 of this title.

§ 2077. Publication of rules; advisory committees

(a) The rules for the conduct of the business of each court of appeals, including the operating procedures of such court, shall be published. Each court of appeals shall print or cause to be printed necessary copies of the rules. The Judicial Conference shall prescribe the fees for sales of copies under section 1913 of this title, but the Judicial Conference may provide for free distribution of copies to members of the bar of each court and to other interested persons.

(b) Each court, except the Supreme Court, that is authorized to prescribe rules of the conduct of such court's business under section 2071 of this title shall appoint an advisory committee for the study of the rules of practice and internal operating procedures of such court and, in the case of an advisory committee appointed by a court of appeals, of the rules of the judicial council of the circuit. The advisory committee shall make recommendations to the court concerning such rules and procedures. Members of the committee shall serve without compensation, but the Director may pay travel and transportation expenses in accordance with section 5703 of title 5.

(Added Pub. L. 97-164, title II, §208(a), Apr. 2, 1982, 96 Stat. 54; amended Pub. L. 100-702, title IV, §401(b), Nov. 19, 1988, 102 Stat. 4650; Pub. L. 101-650, title IV, §406, Dec. 1, 1990, 104 Stat. 5124.)

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-650 inserted before period at end of first sentence “and, in the case of an advisory committee appointed by a court of appeals, of the rules of the judicial council of the circuit”.

1988—Subsec. (b). Pub. L. 100-702 substituted “Each court, except the Supreme Court, that is authorized to prescribe rules of the conduct of such court's business under section 2071 of this title shall appoint” for “Each court of appeals shall appoint” and “such court” for “the court of appeals”.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-650 effective 90 days after Dec. 1, 1990, see section 407 of Pub. L. 101-650, set out as a note under section 332 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-702 effective Dec. 1, 1988, see section 407 of Pub. L. 100-702, set out as a note under section 2071 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as an Effective Date of 1982 Amendment note under section 171 of this title.

CHAPTER 133—REVIEW—MISCELLANEOUS PROVISIONS

- Sec.
2101. Supreme Court; time for appeal or certiorari; docketing; stay.
2102. Priority of criminal case on appeal from State court.
- [2103. Repealed.]
2104. Reviews of State court decisions.
2105. Scope of review; abatement.
2106. Determination.
2107. Time for appeal to court of appeals.
2108. Proof of amount in controversy.
2109. Quorum of Supreme Court justices absent.
- [2110. Repealed.]
2111. Harmless error.
2112. Record on review and enforcement of agency orders.
2113. Definition.

HISTORICAL AND REVISION NOTES

1949 ACT

This section inserts in the chapter analysis of chapter 133 of title 28, U.S.C., a new item “2111,” in view of the insertion in such title, by another section of this bill, of a new section 2111.

AMENDMENTS

1988—Pub. L. 100-352, §5(c), (d)(2), June 27, 1988, 102 Stat. 663, struck out item 2103 “Appeal from State court or from a United States court of appeals improvidently taken regarded as petition for writ of certiorari” and substituted “Reviews of State court decisions” for “Appeals from State courts” in item 2104.

1982—Pub. L. 97-164, title I, §136, Apr. 2, 1982, 96 Stat. 41, struck out item 2110 “Time for appeal to Court of Claims in tort claims cases”.

1970—Pub. L. 91-358, title I, §172(a)(2)(B), July 29, 1970, 84 Stat. 590, added item 2113.

1962—Pub. L. 87-669, §2, Sept. 19, 1962, 76 Stat. 556, substituted “or from a United States court of appeals improvidently taken regarded as petition for” for “improvidently taken regarded as” in item 2103.

1958—Pub. L. 85-791, §1, Aug. 28, 1958, 72 Stat. 941, added item 2112.

1949—Act May 24, 1949, ch. 139, §105, 63 Stat. 104, added item 2111.

§ 2101. Supreme Court; time for appeal or certiorari; docketing; stay

(a) A direct appeal to the Supreme Court from any decision under section 1253 of this title, holding unconstitutional in whole or in part, any Act of Congress, shall be taken within thirty days after the entry of the interlocutory or final order, judgment or decree. The record shall be made up and the case docketed within sixty days from the time such appeal is taken under rules prescribed by the Supreme Court.

(b) Any other direct appeal to the Supreme Court which is authorized by law, from a decision of a district court in any civil action, suit or proceeding, shall be taken within thirty days from the judgment, order or decree, appealed from, if interlocutory, and within sixty days if final.

(c) Any other appeal or any writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree. A justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of certiorari for a period not exceeding sixty days.