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THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES

COMMITTEE ON SUPREME COURT ADMIRALTY RULES

On February 28, 1966, the Supreme Court reported to the Congress the proposed amendments to the Rules of Civil Procedure designed to unify the practice in civil and admiralty cases, in the form described in the report of this Committee at the November, 1965, meeting. The text of the amendments appears in the advance sheets, 335 F. (2d), #3, March 28, 1966, and will be published in the March, 1966 issue of A. M. C.

Unless the Congress disapproves within 90 days, or by May 29, 1966, the amendments will become effective according to their terms. The order of the Supreme Court provides that they shall take effect July 1, 1966, and shall govern all cases thereafter commenced, and all cases then pending, except to the extent that a Court determines that their application to a pending case is not feasible or would work injustice. The order further provides that the Supreme Court Admiralty Rules are rescinded as of July 1, 1966.

Sec. 2107 of Title 28, U. S. Code, requires that appeals in actions of a civil nature be taken within 30 days. It also provides that, in suits in admiralty, appeals from interlocutory decrees be taken within 15 days, and appeals from final decrees within 90 days.

Rule 1 of the Rules of Civil Procedure appears to make what have heretofore been suits in admiralty suits of a civil nature, which may therefore be governed by the 30-day time for appeal.

This apparent conflict creates a danger; and pending clarification of the conflict, by statute or decision, your Committee recommends:

1. An appeal from any *interlocutory* decree entered on or after June 16, 1966 be taken within 15 days of its entry;
2. An appeal from any *final* decree entered between April 2, 1966 and June 2, 1966, be taken *on or before June 30, 1966*;
3. An appeal from any *final* decree entered on or after June 2, 1966 be taken within 30 days of its entry.

JOHN W. R. ZISGEN,
Chairman.