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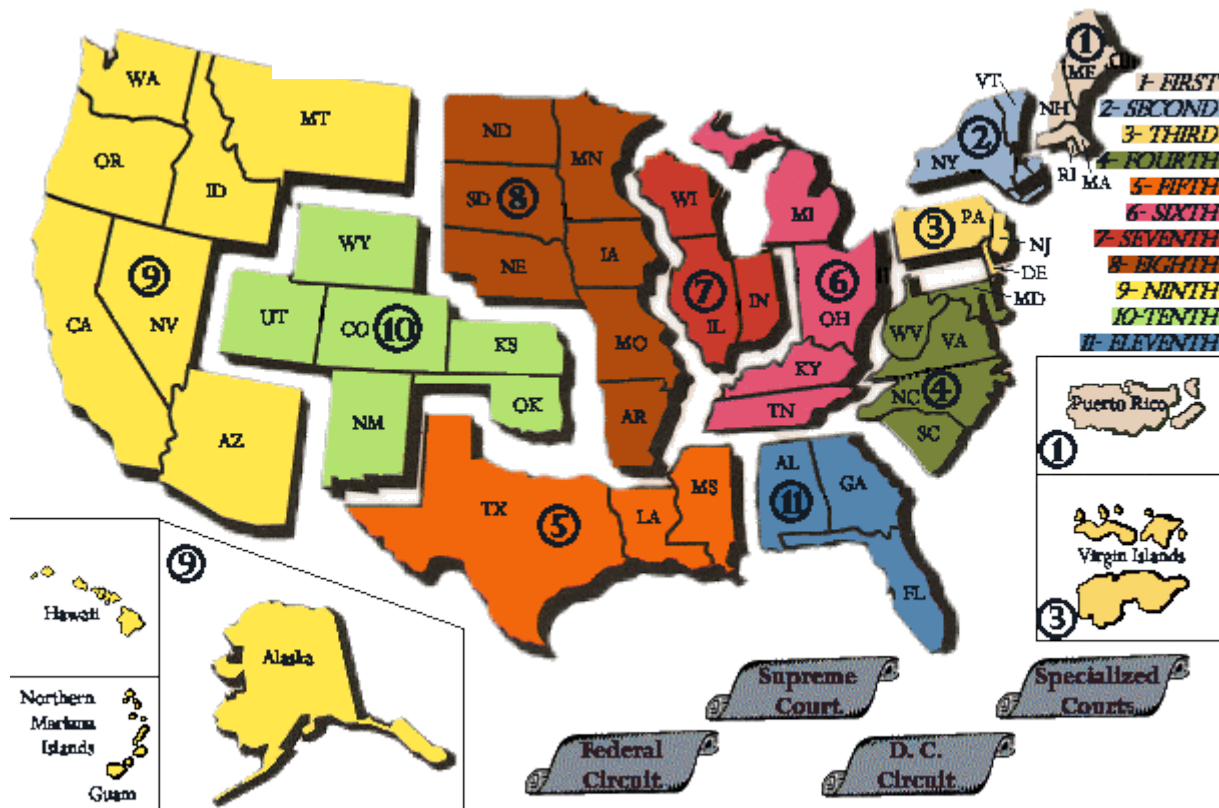


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Procedural Research

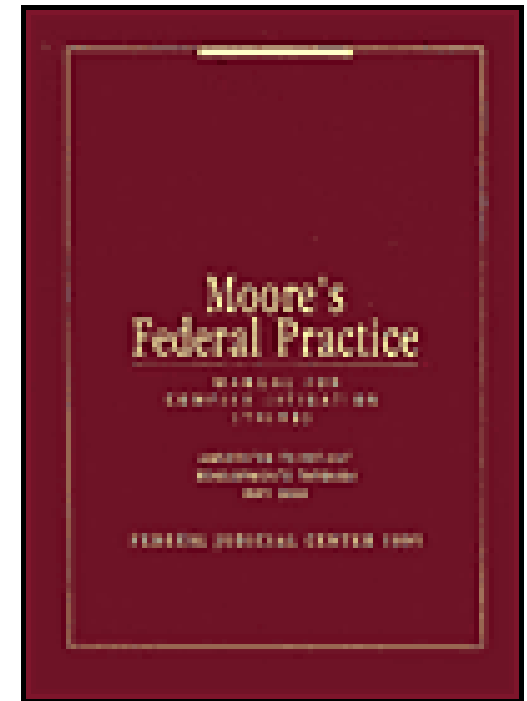
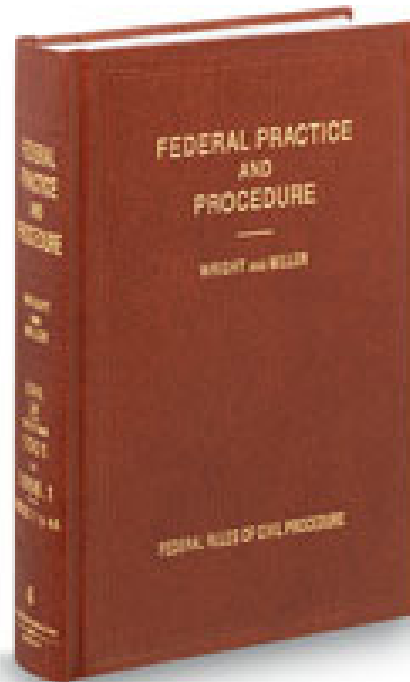
What we will cover

- **Federal and California Jurisdictions:**
 - Procedural practice guides, treatises, & form books
 - Court websites: court rules, forms, jury instructions, etc.

Federal Civil Procedural Practice Materials



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People V. **Rutter** 143 Cal.App.4th 1349 | 49 Cal.Rptr.3d 925 | 10/16/2006 | Cal.App. 2 Dist.

Harbin-bey V. **Rutter** 420 F.3d 571 | 8/18/2005 | C.A.6 (Mich.)

Rutter V. Rutter 294 Ga. 1 | 10/7/2013 | Ga.

Dockets

Rutter V. Rutter BFL-15-002561 | 9/30/2015 | Cal.Super.

Rutter V. Rutter M-1502-FL-5123 | 9/6/2013 | Cal.Super.

Rutter V. Rutter M-1502-FL-4849 | 2/1/2013 | Cal.Super.

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- Weinstein's Federal Evidence | *i*
- Federal Habeas Corpus Practice and Procedure | *i*
- Federal Litigation Guide | *i*

Law Reviews & Journals

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Federal court websites

- www.uscourts.gov
- **U.S. Supreme Court**
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Rules of Appellate Procedure

Rules of Civil Procedure

Rules of Criminal Procedure

Rules

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Current Rules of Practice & Procedure

Below are links to the national federal rules and forms in effect, as well as local rules (which are required to be consistent with the national rules) prescribed by district courts and courts of appeal.

Rules of Appellate Procedure

The [Federal Rules of Appellate Procedure](#) govern procedure in the United States courts of appeals. The Supreme Court first adopted the Rules of Appellate Procedure by order dated December 4, 1967, transmitted to Congress on January 15, 1968, and effective July 1, 1968. The Appellate Rules and accompanying forms were last amended in 2014.

Rules of Bankruptcy Procedure

The [Federal Rules of Bankruptcy Procedure](#) govern procedures for bankruptcy proceedings. For many years, such proceedings were governed by the General Orders and Forms in Bankruptcy promulgated by the Supreme Court. By order dated April 24, 1973, effective October 1, 1973, the Supreme Court prescribed, pursuant to 28 U.S.C.

Related Links

-  [Rules of Appellate Procedure](#)
-  [Rules of Bankruptcy Procedure](#)
-  [Interim Bankruptcy Rule 100](#)
-  [Rules of Civil Procedure](#)
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Local Rules

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Federal Rules of Civil Procedure

Civil Rules (rules 1 to 86)

Title I—Scope Of Rules; Form of Action (rules 1 to 2)

Title II—Commencing An Action; Service of Process,Plea and Orders (rules 3 to 6)

Title III—Pleadings and Motions (rules 7 to 16)

Title IV—Parties (rules 17 to 25)

Title V—Disclosures and Discovery (rules 26 to 37)

Title VI—Trials (rules 38 to 53)

Title VII—Judgment (rules 54 to 63)

Title VIII—Provisional and Final Remedies (rules 64 to 71)

Title IX—Special Proceedings (rules 71 to 76)

Title X—District Courts and Clerks: Conducting Business; Issuing Orders (rules 77 to 80)

Title XI—General Provisions (rules 81 to 86)

Appendix Of Forms [Abrogated (Apr. 29, 2015, eff. Dec. 1, 2015).]

Supplemental Rules For Admiralty or Maritime Claims and Asset Forfeiture Actions
(rules A to G)

Related Links

[Redline of Civil Rules Amendments
\(eff. Dec. 1, 2015\)](#)

[Federal Rules of Civil Procedure](#)

App, FEDERAL RULES OF CIVIL PROCEDURE, TITLE III: PLEADINGS AND MOTIONS

le 28—Appendix

ERAL RULES OF CIVIL PROCEDURE

TITLE III. PLEADINGS AND MOTIONS

Pleadings Allowed; Form of Motions and Other Papers

PLEADINGS. Only these pleadings are allowed:

- complaint;
- answer to a complaint;
- answer to a counterclaim designated as a counterclaim;
- answer to a crossclaim;
- third-party complaint;
- answer to a third-party complaint; and
- if the court orders one, a reply to an answer.

MOTIONS AND OTHER PAPERS.

General. A request for a court order must be made by motion. The motion must:

- be in writing unless made during a hearing or trial;
- state with particularity the grounds for seeking the order; and
- state the relief sought.

Form. The rules governing captions and other matters of form in pleadings apply to motions and other papers.

(Added Dec. 27, 1946, eff. Mar. 19, 1948; Jan. 21, 1963, eff. July 1, 1963; Apr. 28, 1983, eff. Aug. 1, 1983; Apr. 30, 2007, eff. Dec. 1, 2007.)

NOTES OF ADVISORY COMMITTEE ON RULES—1937

Provision designating pleadings and defining a motion is common in the State practice acts. See Ill.Rev.Stat. (1937), ch. 110, §156 (Designation and order of pleadings); 2 Minn.Stat. (Mason, 1927) §9246 (Definition of motion); and N.Y.C.P.A. (1937) §113 (Definition of motion). Former Equity Rules 18 (Pleadings—Technology), 29 (Defenses—How Presented), and 33 (Testing Sufficiency of Defense) abolished technical forms of pleading, demurrers, and pleas, and provided for insufficiency of an answer.

Subdivision (a). This preserves the substance of [former] Equity Rule 31 (Reply—When Required—When Cause at Issue). Compare the English



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a Fallen Colleague

NEW Ninth Circuit Judge
Richard Clifton to Step Down
Honolulu jurist to assume
senior status

NEW Alaska FPD Richard
Curtner Reappointed
Fifth term effective January
2016

NEW Ninth Circuit Chief Judge
Gains New Duties
Joins executive committee

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NEW Invitation for Public
Comment on the
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Bankruptcy Judge Peter H.
Carroll

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Cases of Interest

- (01/11/16) 15-17517 A Woman's Friend Pregnancy Resource Clinic v. Harris **NEW**
- (12/30/15) 15-17497 Livingwell Medical Clinic v. Harris
- (12/29/15) 15-17532, 15-17533, 15-17534, O'Connor et al. v. Uber
- (12/29/15) In re: Kwok Cheung Chow, 15-73900
- (12/22/15) In re: Center for Medical Progress, 15-73617, 15-17318
- (12/22/15) Edward O'Bannon, Jr. v. NCAA, 14-16601
- (11/16/15) Jones v. Davis, 14-56373 "Constitutionality of California Death Penalty"

Announcements

- (01/01/16) Online Citation Sources Added to Docket
- (11/23/15) Upcoming Immigration Trainings
- (10/30/15) Change in Process for Submitting Excerpts of Record
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Federal Rules of Appellate Procedure (FRAP), Ninth Circuit Rules, Circuit Advisory Committee Notes

Effective January 1, 2015

This document contains the Federal Rules of Appellate Procedure, Ninth Circuit Rules and Circuit Advisory Committee Notes, and is provided in HTML format and as an Adobe Acrobat PDF document. To print this document, use the PDF version.

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LOCAL RULES

The Local Rules of Practice for the United States District Court for the Southern District of California are listed below. Civil Rules may be cited as CivLR____; criminal rules may be cited as CrimLR_____.

Rules covering admiralty and habeas corpus proceedings may be cited as A.1-E.1; and HC.1, HC.2, et seq.

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These rules are current as of 2/2/2015.

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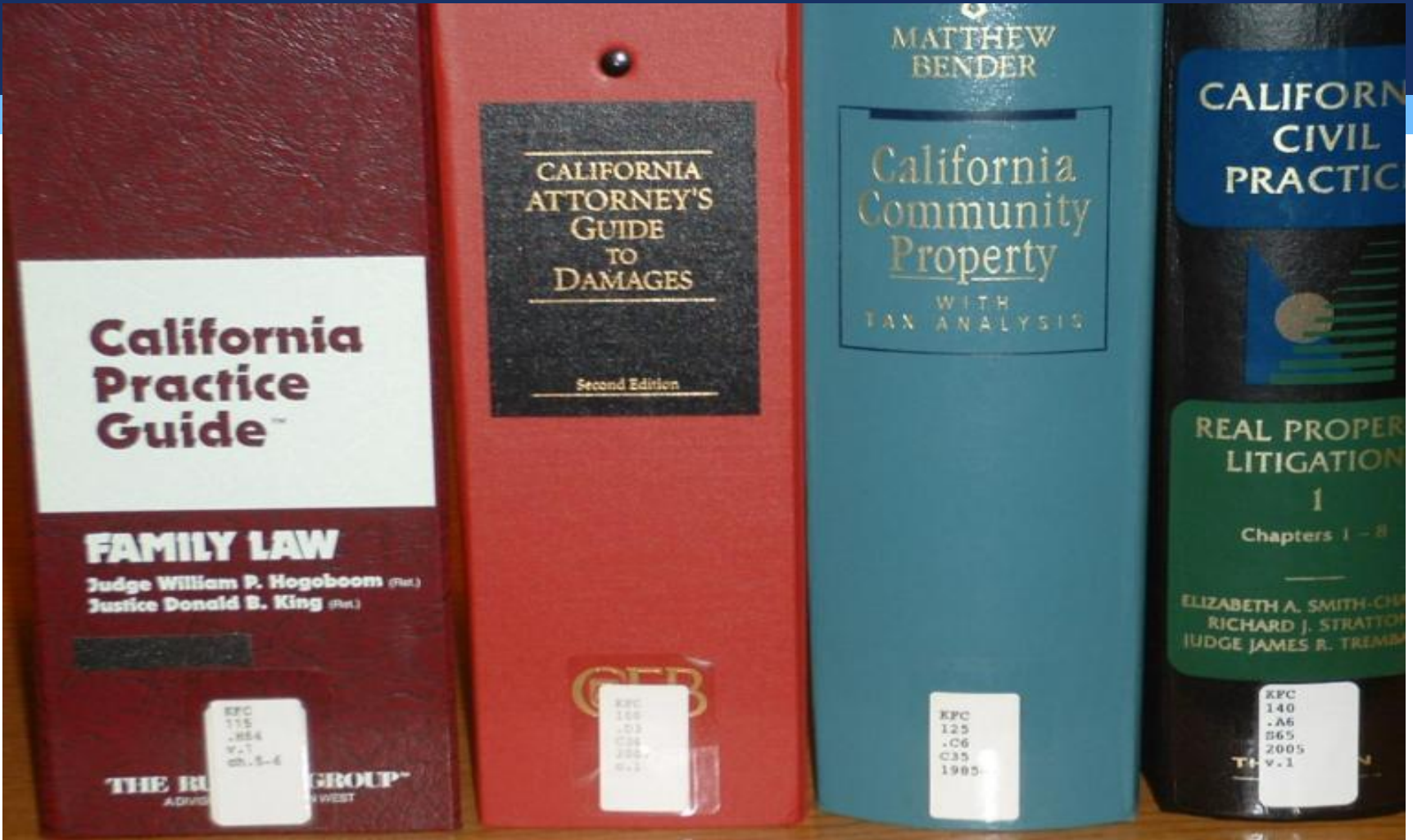
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Revised as of:
February 2, 2015

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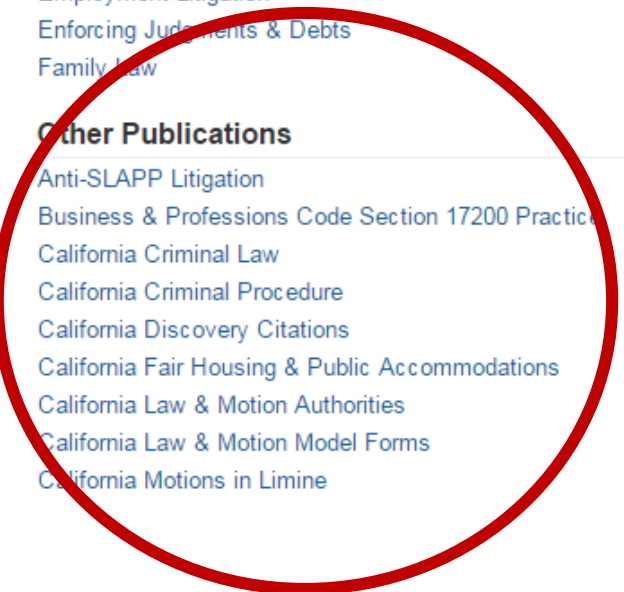
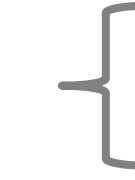
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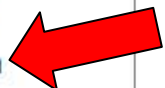
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