

IN THE SUPREME COURT OF MISSISSIPPI
No. 89-R-99027-SCT

IN RE: MISSISSIPPI RULES OF APPELLATE PROCEDURE

ORDER

This matter has come before the Court en banc on its own motion for consideration of policies regarding the publication of petitions and proposals for amendments to rules regarding the admission to the practice of law and the conduct of attorneys. By Special Order No. 2056 signed April 24, 1986, a procedure was established for the publication of such petitions in the *Mississippi Lawyer* and for a ninety day period of comment prior to a decision by the Court on the proposals and petitions. Thereafter, Special Order No. 2056 was superceded and set aside by M.R.A.P. 27(f), adopted effective January 1, 1995, eliminating all requirements for notice and response as to all rules petitions, except as specifically required by the Court. Having considered the matter further, the Court finds that there should be an expedient procedure established for notifying the members of the Bar and the interested public of pending changes in the rules relating to the admission to the practice of law and the conduct of attorneys.

IT IS THEREFORE ORDERED that Rule 27(f) of the Mississippi Rules of Appellate Procedure be amended to read as set forth in Exhibit "A" to this Order.

IT IS FURTHER ORDERED that the Clerk of the Court shall spread this Order upon the minutes of the Court and shall forward a true certified copy hereof to West Publishing Company for publication in the *Southern Reporter (Mississippi Edition)* and in the *Mississippi Rules of Court*.

ORDERED, this the ____ of August, 1999.

EDWIN LLOYD PITTMAN, PRESIDING JUSTICE, FOR THE COURT

SULLIVAN, P.J., NOT PARTICIPATING

EXHIBIT "A"
TO ORDER AMENDING M.R.A.P. 27(f)

AMENDMENT TO M.R.A.P. 27(f)

[Additions indicated by underscoring; deletions by strikethrough.]

(f) Motions Proposing Adoption, Repeal, or Amendment of Rules of Court and Rules Governing the Practice of Law. All applications concerning the adoption, repeal, or amendment of of the Mississippi Rules of Civil Procedure, Rules of Evidence, Rules of Appellate Procedure, ~~Uniform Circuit Court Rules, Uniform Criminal Rules of Circuit Court Practice,~~ Uniform Circuit and County Court Rules, Uniform Chancery Court Rules, ~~Uniform County Court Rules, Uniform Criminal Rules of County Court Practice,~~ Uniform Rules of Procedure for Justice Court, Code of Judicial Conduct, Rules of the Commission on Judicial Performance, Rules and Regulations for Mandatory Continuing Judicial Education, Rules of Professional Conduct, Rules of Discipline for the Mississippi Bar, Rules and Regulations for Mandatory Continuing Legal Education, Rules Governing Admission to the Mississippi Bar, and all other ~~procedural~~ rules affecting the practice of law and the administration of the courts in Mississippi shall be filed in the Supreme Court. Such motions shall comply with all other requirements of the Mississippi Rules of Appellate Procedure; specifically, four (4) copies shall be filed with the original, but the Supreme Court may require that additional copies be furnished. No notice or response to such motion shall be required, except as may be required by the Court, but the Court may in its discretion submit any rules motion to the Supreme Court Rules Advisory Committee, or any other source, for review and comment. Upon receipt of requests or petitions for adoption or amendment of rules governing the practice of law, including Rules of Professional Conduct, Rules of Discipline for the Mississippi Bar, Rules and Regulations for Mandatory Continuing Legal Education, Rules Governing Admission to the Mississippi Bar, the Clerk of the Supreme Court shall publish the proposal or request on the Supreme Court's Internet site, and invite comment thereon. No action shall be taken by the Supreme Court on such proposal or request for a period of thirty(30) days following the commencement of such publication, and all comments received shall be considered; however, the Court may dispense with such publication and comment in the event that the Court deems the urgency of the proposal or request prohibitive to the delay needed for publication and comment.

[Amended effective August ,1999.]

Comment

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Subdivision (f) sets out procedures to be followed in the adoption and amendment of rules governing practice and procedures in the courts and those specific to the practice of law. The provision of the subdivision providing for publication on the

Internet and comment supercedes Misc. Order 2056 which formerly required Bar related petitions to be published in the *Mississippi Lawyer* with a ninety day comment period. Misc. Order 2056 was vacated by the order adoption of this provision for subdivision (f).

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[Comment amended June 21, 1996; October 15, 1998, effective January 1, 1999; August 26, 1999.]