

**COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES**

August 12, 2009

TO THE BENCH, BAR, AND PUBLIC:

Proposed Style Amendments to the Federal Rules of Evidence

The Judicial Conference Advisory Committee on the Federal Rules of Evidence has completed its style revision of the Evidence Rules in accordance with uniform drafting guidelines. The restyling of the Evidence Rules is the fourth in a series of comprehensive style revisions to simplify, clarify, and make more uniform all of the federal rules of practice, procedure, and evidence. The proposed restyled Evidence Rules are now circulated to the bench, bar, and public for comment. The proposed restyled rules, along with a report from the Advisory Committee, are posted on the Judiciary's Federal Rulemaking web site at www.uscourts.gov/rules. Proposed amendments to the Federal Rules of Bankruptcy Procedure and Federal Rules of Criminal Procedure are published separately.

Opportunity for Public Comment

Please provide any comments and suggestions on the proposed amendments, whether favorable, adverse, or otherwise, as soon as possible. **The comment deadline is February 16, 2010.** Comments, suggestions, or other correspondence may be submitted electronically to Rules_Comments@ao.uscourts.gov or in hard copy to the Secretary of the Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Washington, D.C. 20544. The Advisory Committee will review all timely comments. All comments are made part of the official record and are available to the public.

The Advisory Committee welcomes comment on all aspects of the proposed style amendments. The Advisory Committee also specifically invites comment on the following proposed style changes: (1) the definition of "record" in restyled Evidence Rule 101(b)(4), including the bracketed language; (2) the use of "admitted to prove" in restyled Evidence Rules 803(7)(A), 803(10), 803(14)(A), 803(22)(C), and 803(23); (3) the use of bullet points in restyled Evidence Rules 402, 407, 501, 802, and 1101; and (4) the restyling of Evidence Rule 801(d)(2)(B).

The Advisory Committee will hold public hearings on the proposed style amendments on the following dates:

- January 5, 2010 Phoenix, Arizona
- January 29, 2010 San Francisco, California
- February 4, 2010 New York, New York

Memorandum to Bench, Bar, and Public
August 12, 2009
Page 2

If you wish to testify, you must contact the Committee Secretary at the above address **at least 30 days before the hearing.**

After the public comment period, the Advisory Committee will decide whether to submit the proposed amendments to the Standing Committee on Rules of Practice and Procedure. At present, the Standing Committee has not approved these proposed amendments, except to authorize their publication for comment. The proposed amendments have not been submitted to nor considered by the Judicial Conference or the Supreme Court.

Lee H. Rosenthal
Chair

Peter G. McCabe
Secretary