

To: Advisory Committee on Rules  
From: David Peck  
Date: May 14, 2020  
Re: 2020-003, Supreme Court Rule 51

Supreme Court Rule 51, which governs the Advisory Rules Committee, contains two provisions addressing the semi-annual reports that the Committee is required to file with the supreme court. Rule 51(d)(2)(G) states that the Committee shall submit a report to the Court on or before April 1 and on or before November 1 on proposed rule and rule amendments. Rule 51(d)(3) provides that the Committee shall submit a report to the Court of any proposed rules or amendments on or before February 1 and August 1. I believe that these two sections were intended to refer to the same reports, such that two, rather than four, reports per year should be filed with the court. To correct what appears to me to have been an oversight, I suggest the following amendment to Rule 51(d)(2)(G):

(G) To submit a report to the Court on or before ~~April~~ **February** 1 and on or before ~~November~~ **August** 1 of each year on proposed rule and rule amendments, or to report to the Court on or before ~~April~~ **February** 1 and on or before ~~November~~ **August** 1 that it has determined that no changes are in its opinion necessary at that time;

I do not believe this requires expedited consideration, nor do I wish to be heard by the Committee regarding the suggested rule. I would suggest that this may qualify as calling for a technical change, such that the Chair of the Committee may wish to consider submitting this suggestion directly to the Court. See Sup. Ct. R. 51(c)(3).