

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

Misc. No. 10-21

IN RE: RULES OF PRACTICE AND PROCEDURE

ORDER

Pursuant to the authority of 38 U.S.C. § 7264(a) and consistent with 28 U.S.C. § 2071(b), the Court has determined that Rule 30(a) (CITATION OF CERTAIN AUTHORITY) of its Rules of Practice and Procedure (Rules) should be revised to bring it more clearly in line with Rule 32.1(a) of the Federal Rules of Appellate Procedure and make it clearer that citing precedential decisions is not prohibited or restricted. The proposed revisions were developed in collaboration with the Court's Rules Advisory Committee.

Accordingly, it is

ORDERED that the attached proposed revisions to the Court's Rules are hereby published for public comment for a period of 30 days. Comments must be submitted to the Clerk of the Court by July 26, 2021, at comments@uscourts.cavc.gov or to 625 Indiana Avenue, NW, Suite 900, Washington, DC 20004.

DATED: June 25, 2021

FOR THE COURT:

/s/Gregory O. Block
GREGORY O. BLOCK
Clerk of the Court

Attachment:
Proposed Revised Rule

Proposed revision to U.S. Vet. App. Rule 30(a)

(a) Citation of Nonprecedential Authority. Parties, intervenors, and amicus curiae may cite nonprecedential dispositions by any court for the persuasive value of the court's analysis. Parties, intervenors, and amicus curiae citing such a disposition shall identify any clear precedent on point (or state that none exists) and explain how the nonprecedential disposition applies to the case before the court. With the exception of dispositions available in a publicly accessible electronic database, a copy of any cited unpublished disposition shall be attached to the document containing the citation.