



UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

ORDER General Docket No. 2022-2

The court adopts the following amendments to the FIFTH CIRCUIT RULES to conform with changes in the FEDERAL RULES OF APPELLATE PROCEDURE that were effective December 1, 2019.

The approved amendments to the FIFTH CIRCUIT RULES (changes in red):

25.2.5 Service of Documents by Electronic Means. The court's electronic Notice of Docket Activity constitutes service of the filed document on all Filing Users. Parties who are not Filing Users must be served with a copy of any document filed electronically in accordance with the by Fed R. App. P. 25 and 5th CIR. R. 25. If the document is not available electronically, the filer must use an alternative method of service. ~~The court's electronic Notice of Docket Activity does not replace the certificate of service required by FED. R. APP. P. 25 (d).~~

26.1.1 ~~Corporate~~ Disclosure Statement. The court uses a "Certificate of Interested Persons" in lieu of a ~~Corporate~~ Disclosure Statement. See 5th CIR. R. 28.2.1.

28.2.1 Certificate of Interested Persons. The certificate of interested persons required by this rule is broader in scope than the ~~corporate~~ disclosure statement contemplated in Fed R. App. P. 26.1. The certificate of interested persons provides the court with additional information concerning parties whose participation in a case may raise a recusal issue. A separate ~~corporate~~ disclosure statement is not required. Counsel and unrepresented parties will furnish a certificate for all private (non-governmental) parties, both appellants and appellees, which must be incorporated on the first page of each brief before the table of contents or index, and which must certify a

complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent corporations, or other legal entities who or which are financially interested in the outcome of the litigation. If a large group of persons or firms can be specified by a generic description, individual listing is not necessary. Each certificate must also list the names of opposing law firms and/or counsel in the case. The certificate must include all information called for by FED R. APP. P. 26.1(a), (b) and (c) as appropriate for the case under review. ...

28.3(l) A certificate of service ~~in the form~~ if required by Fed R. App. P. 25(d);

30.1.4(i) A certificate of service ~~complying with~~ if required by Fed R. App. P. 25(d);

35.2.9 A certificate of service if required by Fed R. App. P. 25(d).

The amended rules are effective April 26, 2022.

Dated this 26th day of April 2022.

Lyle W. Cayce
Clerk of Court

ENTERED AT THE DIRECTION OF THE COURT

To read the Rules and Internal Operating Procedures of the United States Court of Appeals for the Fifth Circuit April 2022, go to www.texasbar.com/fifthcircuitdocket2022-2.