

## AMENDMENT OF RULES.

### ORDER.

IT IS ORDERED that Paragraph 9 of Rule 27 of the Rules of this Court be, and it hereby is, amended to read as follows:

"9. (a)—*Brief of an amicus curiae in cases before the Court on the merits*:—A brief of an *amicus curiae* may be filed only after order of the Court or when accompanied by written consent of all parties to the case and presented promptly after announcement postponing or noting probable jurisdiction on appeal, granting certiorari, or pertinent action in a case upon the original docket.

"(b)—*Brief of an amicus curiae prior to consideration of jurisdictional statement or a petition for writ of certiorari*:—A brief of an *amicus curiae* filed with consent of the parties, or motion, independent of the brief, for leave to file when consent is refused may be filed only if submitted a reasonable time prior to the consideration of a jurisdictional statement or a petition for writ of certiorari. Such motions are not favored. Distribution to the Court under the applicable rules of a jurisdictional statement or a petition for writ of certiorari and its consideration thereof will not be delayed pending the receipt of such brief or the filing of such motion.

"(c)—*Motion for leave to file*:—When consent to the filing of a brief of an *amicus curiae* is refused by a party to the case, a motion, independent of the brief, for leave to file may timely be presented to the Court. It shall concisely state the nature of the applicant's interest, set forth facts or questions of law that have not been, or reasons for believing that they will not adequately be, presented by the parties, and their relevancy to the disposition of the case. A party served with such motion may seasonably file in this Court an objection concisely stating the reasons for withholding consent.

"(d)—*Consent not required*:—Consent to the filing of a brief of an *amicus curiae* need not be had when the brief is presented for the United States sponsored by the Solicitor General; for any agency of the United States authorized by law to appear in its own behalf, sponsored by its appropriate legal representative; for a State sponsored by its Attorney General; or for a political subdivision of a State sponsored by the authorized law officer thereof.

"(e)—*Signature of a member of the bar of this Court and proof of service required*:—All briefs and/or motions filed under this Rule shall bear the signature of a member of the Bar of this Court, and shall be accompanied by proof of service on all parties to the case."

NOVEMBER 14, 1949.