

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

ORDER

The court published 5th CIR. R. 34.7 and 46.1 for public comment pursuant to 28 U.S. Code § 2071. The period for public comment has expired. After considering the comments received, the court hereby adopts the enclosed amendments to 5th CIR. R. 34.7 and 46.1 effective August 15, 2008.

IT IS SO ORDERED.

Done this 5th day of August, 2008.

/s/ Charles R. Fulbruge III
Clerk of Court
By Direction

CHANGES TO 5TH CIR. R.

EFFECTIVE AUGUST 15, 2008

Rule 34.7. Recording of Oral Arguments. *No cameras, tape recorders, or other equipment designed for the recording or transmission of visual images or sound may be present or used during oral argument. However, with the advance approval of the presiding judge, counsel may arrange, at their own expense, for a qualified court reporter to record and transcribe oral argument. If it is the court reporter's usual practice, the reporter may make and use a sound recording for the sole purpose of preparing an accurate transcript. The reporter may not make any recordings of the oral argument available to counsel, a party, or any other person until the court posts its recording of the oral argument on the court's Internet website.*

46.1 Admission and Fees. *Attorneys must have and maintain a valid underlying license to practice law issued by a governmental licensing authority listed in FED. R. APP. P.46(a)(1) to be admitted and continue to practice before this court. Admission is governed by FED. R. APP. P. 46 and this rule. Attorneys are admitted for a period of five years and must, after notice from the clerk, timely apply for readmission at the end of five years. To be admitted or readmitted, an attorney must pay the fee fixed by court order. No fee will be required of an attorney who otherwise has all qualifications for admission and is: appointed to represent an appellant in forma pauperis; appearing on behalf of the United States; or newly graduated from law school, licensed to practice in Louisiana, Mississippi, or Texas, and on orders for extended active duty in the Judge Advocate General's Corps.*

Effective August 15, 2008