

SEPTEMBER 29, 1976

Office of the White House Press Secretary

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NOTICE TO THE PRESS

The President has signed H. R. 15319--Habeas Corpus Rules. This bill approves, with amendments, the habeas corpus rules promulgated by the Supreme Court on April 26, 1976.

Pursuant to statutes known as the Rules Enabling Acts, the United States Supreme Court is authorized to promulgate rules of practice and procedure governing the conduct of criminal and civil cases in the Federal courts. On April 26, 1976, the Supreme Court promulgated several amendments to the Federal Rules of Criminal Procedure, and complete revisions of the rules of procedure and practice for cases involving writs of habeas corpus in State and Federal cases. The enrolled bill is the product of congressional study of the habeas corpus rules and would approve them with certain amendments. Briefly, 28 U.S.C. 2254 and 2255 define eligibility for habeas corpus actions in State and Federal cases, respectively, involving persons in court-ordered custody.

H. R. 15319 will approve in their entirety most of the habeas corpus rules promulgated by the Supreme Court; four of the Section 2254 rules and their counterparts related to Section 2255 would be amended. The new habeas corpus rules, as amended, would not take effect until February 1, 1977, in order to give the Administrative Office of the U. S. Courts time to make changes in forms annexed to the rules, to print the rules and forms as amended, and to circulate them to the bench and bar.

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