

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

In re:

Tenth Circuit Rule 33 Confidentiality
Requirements.

EMERGENCY GENERAL ORDER

FILED April 17, 2002

Before TACHA, Chief Judge, SEYMOUR, EBEL, KELLY, HENRY, BRISCOE, LUCERO, MURPHY and HARTZ, Circuit Judges.

It is the consensus of the court that the confidentiality requirements of Tenth Circuit Rule 33.1(D) must be strengthened immediately. The confidentiality requirements of Rule 33 are broadened to forbid disclosure of statements made during a conference and in related discussions, and any records of them, to anyone outside the mediation process. Mediation proceedings under Rule 33 may not be recorded by counsel or the parties. These requirements take effect immediately upon filing of this General Order.

As soon as practicable, the court will adopt amendments to Rule 33.1(D) in compliance with 28 U.S.C. § 2071.

ENTERED FOR THE COURT

Patrick Fisher, Clerk