

1 **Rule 31. Expedited decisions. ~~appeals decided after oral argument without written~~**
2 **~~opinion.~~**

3 (a) ~~Motion and stipulation~~ for expedited decision~~hearing~~. After ~~the filing of~~ all briefs
4 in an appeal have been filed, a party may move for an expedited decision without a
5 written opinion. The motion ~~shall~~must be in the form prescribed by Rule ~~23-27~~ and
6 ~~shall~~must describe: the nature of the case, the issues presented, and any special reasons
7 the parties may have for an expedited decision. ~~The court may dispose of any qualified~~
8 ~~case under this rule upon its own motion before or after oral argument.~~

9 (b) Cases ~~which~~that qualify for expedited decision. The following are matters ~~which~~
10 that the court may consider for expedited decision without opinion:

11 (1) appeals where all parties stipulate to an expedited decision;

12 ~~(2)~~ (2) appeals involving uncomplicated factual issues based primarily on
13 documents;

14 ~~(3)~~ (3) summary judgments;

15 ~~(4)~~ (4) dismissals for failure to state a claim;

16 ~~(5)~~ (5) dismissals for lack of personal or subject matter jurisdiction; and

17 ~~(6)~~ (6) judgments or orders based on uncomplicated issues of law.

18 ~~(c) In all motions brought under this rule, the substantive rules of law should be~~
19 ~~deemed settled, although the parties may differ as to their application.~~

20 ~~(d) Appeals ineligible for expedited decision. The court will not grant a motion for an~~
21 ~~expedited appeal in cases raising substantial constitutional issues, issues of significant~~
22 ~~public interest, issues of law of first impression, or complicated issues of fact or law.~~

23 ~~(ce) Procedure for~~ if expedited decision~~motion is granted~~. If a motion for expedited
24 decision is granted, the appeal will be given an expedited setting for oral argument
25 within 45 to 60 days from the date of the order granting the motion. Within two days
26 after submission of the appeal, the court will conference, decide the case, and issue a

27 written order which need not be accompanied by an opinion. ~~Entry of the order by the~~
28 ~~clerk in the records of the court, shall constitute the entry of t~~The judgment of the court
29 will be entered when the clerk docket the order.

30 ~~(d)~~ **(f) Effect as precedent.** Appeals decided by order under ~~this rule paragraph (e)~~ will
31 not stand as precedent, but, ~~in other respects,~~ will otherwise have the same force and
32 effect as other court decisions ~~of the court.~~

33 ~~(e)~~ **(g) Issuance of ing a written opinion.** If ~~it appears to the court after the case has been~~
34 ~~submitted for decision~~ the court decides to issue that a written opinion ~~should be issued,~~
35 the time limitation in paragraph ~~(c)~~ shall will not apply and the parties will be so
36 notified.

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