



Committee on Judicial Review

October 30, 2013 Public Meeting Agenda

- I. Meeting Opening
 - A. Paul Verkuil, Conference Chair
 - B. Gretchen Jacobs, Research Director
 - C. Ron Levin, Committee Chair
- II. Approval of Meeting Minutes from April 22, 2013
- III. Discussion of the Committee's Project on Remand Without Vacation
 - A. Introduction to the Research Report—Stephanie Tatham, In-House Researcher
 - B. Discussion of the Revised Draft Recommendation
 - i. Questions on Issues Raised in Advance Comments
 1. Redline Line 47, n. 4: Should the recommendation urge that Congress amend the APA, 5 U.S.C. § 706(2), to expressly permit remand without vacation?
 2. Redline Lines 51-53, 101-102: Should there be a presumption against application of the remedy on review of agency action under the APA, 5 U.S.C. § 706(2)? If so, when should it apply?
 3. Redline Lines 97-99: Should the court ask the parties for their views on the appropriateness of the remedy and conditions that should attach to its use after deciding to remand agency action?
 4. Redline Lines 114-121: When agency actions are remanded without vacation, should notice be given to parties, and if so, in what form?
 5. Circulated Public Comment: Should courts impose deadlines for responsive agency action on remand?
 - ii. Discussion of Other Comments on the Preamble or Recommendation Text
- IV. Comments by Public Attendees (with Committee consent)
- V. Closing Remarks