

Western District of Texas

FIRST MEETING OF THE WESTERN DISTRICT OF TEXAS
ADVISORY COMMITTEE UNDER THE
CIVIL JUSTICE REFORM ACT OF 1990.

AGENDA
March 15, 1991 Meeting

- (1) 10:00 A.M. - Call to Order.
- (2) Call of Roll by Secretary.
- (3) Opening remarks by Judge Lucius Bunton.
- (4) Remarks by Judge Hudspeth.
- (5) Overview of District and the Act as it pertains to clerk's office, record-keeping, etc; by U.S. District Clerk Charles Vagner.
- (6) The Act as it pertains to the criminal docket:
 - (a) Lucien Campbell.
 - (b) Ronald Ederer (who will also discuss Act as it pertains to U.S. Attorney's civil docket).
- (7) Indoctrination film (during lunch).
- (8) Outline of Suggested Steps to Achieve the Goals of the Act and format, etc., of Report. Professor Bill Underwood.
- (9) Discussion of ways to obtain input:
 - (a) from the Judges within the District
 - (b) from other districts
 - (c) from the Bar
 - (d) from the litigants
 - (e) from the public.
- (10) General discussion and other business.
- (11) Subcommittee organization.
- (12) Drawing for terms.
- (13) Discussion of Grant Request.
- (14) Setting next meeting.
- (15) Adjournment.

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SUBCOMMITTEES*

(A) SUBCOMMITTEE ON DOCKET ASSESSMENT

- 1) This subcommittee would perform the assessment mandated by Section 472(c) of the Act.

(B) SUBCOMMITTEE ON TRIAL PROCEDURES

- 1) While fewer than five percent of the cases filed eventually result in trials, studies suggest that more than forty percent of judge time is spent in trial. More efficient trials would increase court capacity. This might mean more trials faster, depending on an existing court capacity in the Western District. Further trial settings might mean quicker settlements and cost savings throughout the system.
- 2) This subcommittee would study whether there is a need to increase trial efficiency in the Western District as well as consider proposals for making trials more efficient.

(C) SUBCOMMITTEE ON PRETRIAL PRACTICE

- 1) This subcommittee would perform the assessments mandated by Section 473(a)(1)-(5) and Section 473(1)-(3) of the Act; and making proposals based on these assessments as mandated by Section 472(b)(3).

(D) SUBCOMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION (ADR)

- 1) This subcommittee would perform the assessments mandated by Sections 473(a)(6) and 473(b)(4)-(5) of the Act, and make proposals based on these assessments as mandated by Section 472(b)(3).

(E) SUBCOMMITTEE ON COURT PERSONNEL

- 1) Recommendation for effective use of available personnel.
- 2) Recommendations regarding use of magistrates, masters, etc.
- 3) Developing comparative data with other districts.

(*NOTE: Those present at announced subcommittee meetings will constitute a quorum, whether a majority or not.)

A. SUBCOMMITTEE ON DOCKET ASSESSMENT:

1. This subcommittee will perform the assessment mandated by section 472(c)(1) of the Act. In particular, it should prepare a report to the committee that determines the condition of the civil and criminal dockets; identifies trends in case filings and in the demands being placed on the court's resources; identifies the principal causes of cost and delay in civil litigation; and examines the impact of new legislation on litigation cost and delay.
2. This subcommittee's report will be the focus of the committee meeting tentatively scheduled for June 7, 1991.
3. At least one member of each other subcommittee will serve on the Subcommittee on Docket Assessment.*

Subcommittee Members

Judith R. Blakeway : Chair

Ronald F. Ederer
John A. Grambling
S. Mark Murray
Sarabelle Sutton

Also:

- * Robert Ramos (representing Criminal Docket Subcommittee)
- * Harry Lee Hudspeth (representing Pretrial Practice Subcommittee)
- * Paul J. Van Osselaer (representing Trial Procedures Subcommittee)
- * James M. Heidelberg, Jr. (representing ADR Subcommittee)
- * Gary Bledsoe (representing Court Personnel, etc., Subcommittee).

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

B. SUBCOMMITTEE ON BURDENS CREATED BY THE CRIMINAL DOCKET:

1. At the committee's initial meeting, an apparent consensus existed that the flood of criminal prosecutions initiated in the Western District was a principal cause of delay on the civil docket.
2. This subcommittee will consider proposals and make recommendations concerning civil delay caused by the criminal docket.

Subcommittee Members

Gerald H. Goldstein : Chair

Lucien B. Campbell
Richard F. Gutierrez
Robert Ramos

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

C. SUBCOMMITTEE ON PRETRIAL PRACTICE:

1. This subcommittee will perform the assessments mandated by Sections 473(a)(1)-(5) and 473(b)(1)-(3) of the Act. Based on these assessments, the subcommittee will propose appropriate recommendations for the committee's consideration.

Subcommittee Members

A. Richard Bonner : Chair

David Donaldson
Judge Harry Lee Hudspeth
Paul J. Van Osselaer
William O. Whitehurst, Jr.

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

D. SUBCOMMITTEE ON TRIAL PROCEDURES:

1. While fewer than five percent of the cases filed eventually result in trials, studies suggest that more than forty percent of judge time is spent in trial. More efficient trials would increase court capacity. This might mean more trials faster, depending on existing court capacity in the Western District. Faster trial settings might mean quicker settlements and cost savings throughout the system.
2. This subcommittee will study whether there is a need to increase trial efficiency in the Western District as well as consider proposals for making trials more efficient.

Subcommittee Members

Charles Herring, Jr. : Chair

Rolando L. Rios
Paul J. Van Osselaer

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

E. SUBCOMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION (ADR):

1. This subcommittee will perform the assessments mandated by Sections 473(a)(6) and 473(b)(4)-(5) of the Act, and make proposals based on these assessments as mandated by Section 472(b)(3).

Subcommittee Members

Fred Shannon : Chair

James M. Heidelberg, Jr.
LaNelle L. McNamara
Charlotte Slack

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

F. SUBCOMMITTEE ON COURT PERSONNEL, FACILITIES, EQUIPMENT
AND DOCKET MANAGEMENT SYSTEMS:

1. This subcommittee will examine whether the Western District is presently making effective and efficient use of personnel resources, whether the District has any physical needs that might contribute to delay, and assess the current docket management system.

Subcommittee Members

John W. Primomo : Chair

Ernest Angelo, Jr.
Gary Bledsoe
Gilbert Moreno

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood

G. SUBCOMMITTEE ON COORDINATING ACTIVITIES OF SUBCOMMITTEES:

1. The Chairperson of each subcommittee will automatically become a member of the Subcommittee on Coordinating Activities of Subcommittees.
2. This subcommittee will meet as early as possible to ensure that there is no duplication of effort among the subcommittees and to ensure that all of the committee's responsibilities are being carried out through a subcommittee.

Subcommittee Members

Fred Shannon : Chair

Judith R. Blakeway
A. Richard Bonner
Gerald H. Goldstein
Charles Herring, Jr.
John W. Primomo

Ex Officio: Jim D. Bowmer
Roy R. Barrera, Sr.
William Underwood