

**JUDICIAL CONFERENCE  
OF THE  
UNITED STATES**

The Chief Justice of the United States  
Presiding

Director, Administrative Office of the  
United States Courts  
Secretary

March 1991

## JUDICIAL CONFERENCE OF THE UNITED STATES

### A. Historical Background

The Conference of Senior Circuit Judges was created by Congress in 1922, to "serve as the principal policy making body concerned with the administration of the United States Courts." In 1948, Congress enacted section 331 of title 28, United States Code, changing the name to the Judicial Conference of the United States.

### B. Duties and Responsibilities

As in 1922, the fundamental purpose of the Judicial Conference today is to make policy with regard to the administration of the United States courts. Section 331 of title 28 specifically provides that the Conference shall:

1. Make a comprehensive survey of the conditions of business in the courts of the United States;
2. Prepare plans for the assignment of judges to or from courts of appeals or district courts, where necessary;
3. Submit suggestions to the various courts in the interest of promoting uniformity of management procedures and the expeditious conduct of court business;
4. Exercise authority provided in section 372(c) of title 28 for the review of circuit council conduct and disability orders filed under that section; and
5. Carry on a continuous study of the operation and effect of the general rules of practice and procedure in use within the federal courts, as prescribed by the Supreme Court pursuant to law.

The Judicial Conference also supervises the Director of the Administrative Office of the United States in the performance of his duties as the administrative officer of the courts of the United States under section 604 of title 28. In addition, certain statutes authorize the Judicial Conference to act in a variety of specific areas dealing with the administration of the courts.

The Chief Justice is required to submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation. Section 331 of title 28 is reprinted at Exhibit A.

C. Conference Membership

The Chief Justice of the United States is the presiding officer. Membership is comprised of the Chief Judge of each judicial circuit, the Chief Judge of the Court of International Trade, and a district judge from each regional judicial circuit who is elected for a term of three years by the circuit and district judges of the circuit represented. Conference membership as of the publication of this document is at Exhibit B.

D. Meetings

The statute requires the Chief Justice to summon the Judicial Conference into session annually, at such time and place in the United States as he may designate. Traditionally, the Chief Justice has called the annual meeting in September and a semi-annual session in the spring, usually in March. The members are required to attend each session unless excused by the Chief Justice, who will then designate a replacement. The Conference generally meets in Washington, D.C., at the Supreme Court Building.

E. Organization and Operating Procedures

The Conference operates through a network of committees created to address and advise on a wide variety of subjects such as automation, personnel, probation and sentencing, procurement, space, security, and judicial salaries and benefits. In September, 1987, based on a comprehensive study of the Conference and its organization, the Conference revamped its entire committee structure and directed its seven-member Executive Committee to review the jurisdiction of each Conference committee and publish operating procedures for assembling Conference and committee agendas. A list of the Committees, including a brief statement of their jurisdiction and the names of the chairpersons and assigned staff members is at Exhibit C.

The Director of the Administrative Office of the United States Courts serves as Secretary to the Judicial Conference. In response to the expanded role of the Executive Committee and recommendations from the 1987 study for better organization and support to the Conference, the Director created the Office of the Judicial Conference Secretariat in October 1987 to assist him. The Judicial Conference Secretariat coordinates administrative support to the Conference itself and its Executive Committee, and also coordinates the activities of the Executive Secretariat, which consists of senior members of the Administrative Office's professional staff who dedicate all or a substantial portion of their time to the work of the Judicial Conference and its committees.

#### F. Committee Appointments

The Chief Justice has sole authority to make committee appointments. The Director of the Administrative Office and the Judicial Conference Secretariat collate recommendations from judicial officers and others and forward recommendations to the Chief Justice.

Committee chairpersons may appoint subcommittees composed of members of the committee. Appointment of subcommittees composed of non-committee members requires the approval of the Chief Justice.

Committee appointments are effective the first of October each year. As a general rule, committee appointments are for a term of three years, subject to one reappointment. Terms are staggered so that approximately one-third of committee membership turns over each year. Judges and others who desire committee service, or wish to recommend others for assignments, may make their interests or recommendations known at any time, in writing, to the Director of the Administrative Office (Attention: Judicial Conference Secretariat) where a permanent file is maintained for reference during the annual appointment process.

## EXHIBIT A

### JUDICIAL CONFERENCE OF THE UNITED STATES

28 U.S.C. 331

#### § 331 Judicial Conference of the United States

The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of International Trade, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States. Special sessions of the Conference may be called by the Chief Justice at such times and places as he may designate.

The district judge to be summoned from each judicial circuit shall be chosen by the circuit and district judges of the circuit at the annual judicial conference of the circuit held pursuant to section 333 of this title and shall serve as a member of the conference for three successive years, except that in the year following the enactment of this amended section the judges in the first, fourth, seventh, and tenth circuits shall choose a district judge to serve for one year, the judges in the second, fifth, and eighth circuits shall choose a district to serve for two years and the judges in the third, sixth, ninth, and District of Columbia circuits shall choose a district judge to serve for three years.

If the chief judge of any circuit, the chief judge of the Court of International Trade, or the district judge chosen by judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit or any other judge of the Court of International Trade, as the case may be. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved.

The Conference shall make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment of judges to or from circuits or districts where necessary. It shall also submit suggestions and recommendations to the various courts to promote uniformity of management procedures and the expeditious conduct of court business. The Conference is authorized to exercise the authority provided in section 372(c) of this title as the Conference, or through a standing committee. If the Conference elects to establish a standing committee, it shall be appointed by the Chief Justice and all petitions for review shall be reviewed by that committee. The Conference or standing committee may hold hearings, take sworn testimony, issue subpoenas and subpoenas duces tecum, and make necessary and appropriate orders in the exercise of its authority. Subpoenas and subpoenas duces tecum shall be issued by the clerk of the Supreme Court or by the clerk of any court of appeals, at the direction of the Chief Justice or his designee and under the seal of the court, and shall be served in the manner provided in rule 45(c) of the Federal Rules of Civil Procedure for subpoenas and subpoenas duces

tecum issued on behalf of the United States or an officer or any agency thereof. The Conference may also prescribe and modify rules for the exercise of the authority provided in section 372(c) of this title. All judicial officers and employees of the United States shall promptly carry into effect all orders of the Judicial Conference or the standing committee established pursuant to this section.

The Conference shall also carry on a continuous study of the operation and effect of the general rules of practice and procedure now or hereafter in use as prescribed by the Supreme Court for the other courts of the United States pursuant to law. Such changes in and additions to those rules as the Conference may deem desirable to promote simplicity in procedure, fairness in administration, the just determination of litigation, and the elimination of unjustifiable expense and delay shall be recommended by the Conference from time to time to the Supreme Court for its consideration and adoption, modification or rejection, in accordance with law.

The Attorney General shall, upon request of the Chief Justice, report to such Conference on matters relating to the business of the several courts of the United States, with particular reference to cases to which the United States is a party.

The Chief Justice shall submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation.

**EXHIBIT B**

**JUDICIAL CONFERENCE OF THE UNITED STATES**

**March 1991**

William H. Rehnquist, Chief Justice	Presiding
Chief Judge Stephen G. Breyer Chief Judge Frank H. Freedman	First Circuit Massachusetts
Chief Judge James L. Oakes Chief Judge Charles L. Brieant	Second Circuit New York (Southern)
Chief Judge Dolores K. Sloviter Chief Judge John F. Gerry	Third Circuit New Jersey
Chief Judge Sam J. Ervin, III Judge Frank A. Kaufman	Fourth Circuit Maryland
Chief Judge Charles Clark Chief Judge Barefoot Sanders	Fifth Circuit Texas (Northern)
Chief Judge Gilbert S. Merritt Chief Judge Eugene E. Siler, Jr.	Sixth Circuit Kentucky (Eastern)
Chief Judge William J. Bauer Judge Sarah Evans Barker	Seventh Circuit Indiana (Southern)
Chief Judge Donald P. Lay Chief Judge Donald E. O'Brien	Eighth Circuit Iowa (Northern)
Chief Judge J. Clifford Wallace Chief Judge William D. Browning	Ninth Circuit Arizona
Chief Judge William J. Holloway Chief Judge Earl E. O'Connor	Tenth Circuit Kansas
Chief Judge Gerald B. Tjoflat Judge Anthony A. Alaimo	Eleventh Circuit Georgia (Southern)

Chief Judge Abner J. Mikva  
Chief Judge Aubrey E. Robinson, Jr.

District of Columbia Circuit  
District of Columbia

Chief Judge Helen W. Nies

Federal Circuit

Chief Judge Edward D. Re

---

International Trade

Conference Secretary:

L. Ralph Mecham, Director  
Administrative Office of the U. S. Courts  
Washington, D. C. 20544



**EXHIBIT C**

**CHAIRMEN OF THE COMMITTEES OF THE  
JUDICIAL CONFERENCE OF THE UNITED STATES  
AND THE EXECUTIVE SECRETARIAT**

**March 1991**

**NOTE:** An abbreviated statement of each committee's jurisdiction is provided below. The full statement of jurisdiction can be found in the **JUDGES' MANUAL**, Chapter I, Exhibit B, and is also available upon request to the Administrative Office. Staff support for the committees is provided by the Secretary of the Conference, who is also the Director of the Administrative Office of the United States Courts. An Executive Secretariat has been established within the agency for this purpose, consisting of senior members of the Administrative Office's professional staff who dedicate all, or a substantial portion, of their time to the work of the Judicial Conference and its committees. The Executive Secretariat function is coordinated by the Office of the Judicial Conference Secretariat. All telephone numbers listed are accessible through the Federal Telecommunications System (FTS) or can be reached commercially with Area Code 202.

**EXECUTIVE COMMITTEE:** The senior executive arm of the Conference.

Honorable Charles Clark  
U. S. Court of Appeals, Fifth Circuit

Karen K. Siegel  
Chief, Office of the Judicial Conference Secretariat (786-7138)

**COMMITTEE ON THE ADMINISTRATIVE OFFICE:** To generally oversee Administrative Office operations.

Honorable Harlington Wood, Jr.  
U. S. Court of Appeals, Seventh Circuit

Clarence A. (Pete) Lee  
Assistant Director, Planning, Evaluation and Statistics (633-6200)

**COMMITTEE ON AUTOMATION AND TECHNOLOGY:** To coordinate the automation program in the courts and to improve automated resources available to the federal judiciary.

Honorable Rya W. Zobel  
U. S. District Court, District of Massachusetts

Edwin L. Stoorza  
Assistant Director, Automation and Technology (633-6106)

**COMMITTEE ON ADMINISTRATION OF THE BANKRUPTCY SYSTEM:** To perform general oversight of the federal bankruptcy system.

Honorable Lloyd D. George  
U. S. District Court, District of Nevada

Francis F. Szczebak  
Chief, Bankruptcy Division (633-6231)

**COMMITTEE ON THE BICENTENNIAL OF THE CONSTITUTION:** To coordinate the bicentennial activities of the judicial branch.

Honorable Damon J. Keith  
U. S. Court of Appeals, Sixth Circuit

Toby Slawsky  
Office of the General Counsel (633-6127)

**COMMITTEE ON THE BUDGET:** To formulate and present to Congress the budget for the judicial branch.

Honorable Richard S. Arnold  
U. S. Court of Appeals, Eighth Circuit

Raymond A. Karam  
Assistant Director, Administration (633-6101)

Dewey R. Heising  
Chief, Financial Management Division (633-6122)

**COMMITTEE ON THE CODES OF CONDUCT:** To provide advice on application of the Code of Conduct for United States Judges and other judicial branch codes of conduct.

Honorable Walter K. Stapleton  
U. S. Court of Appeals, Third Circuit

R. Townsend Robinson  
Office of the Assistant Director, Planning,  
Evaluation and Statistics (633-5987)

**COMMITTEE ON COURT ADMINISTRATION AND CASE MANAGEMENT:** To study and make recommendations on matters affecting case management, jury administration, and other subjects as assigned by the Executive Committee.

Honorable Robert M. Parker  
U. S. District Court, Eastern District of Texas

Duane R. Lee  
Chief, Court Administration Division (633-6478)

**COMMITTEE ON COURT AND JUDICIAL SECURITY:** To oversee all court and judicial security matters.

Honorable William D. Browning  
U. S. District Court, District of Arizona

William A. Cohan, Jr.  
Chief, Office of Court Security (786-6003)

**COMMITTEE ON CRIMINAL LAW AND PROBATION ADMINISTRATION:** To oversee the federal probation system and to review legislation and other issues relating to the administration of the criminal law.

Honorable Vincent L. Broderick  
U. S. District Court, Southern District of New York

Donald L. Chamlee  
Chief, Probation Division (633-6226)

**COMMITTEE ON DEFENDER SERVICES:** To oversee the provision of legal representation to defendants in criminal cases who cannot afford an adequate defense.

Honorable Gustave Diamond  
U. S. District Court, Western District of Pennsylvania

Theodore J. Lidz  
Chief, Defender Services Division (633-6051)

**COMMITTEE ON FEDERAL-STATE JURISDICTION:** To analyze proposed changes in federal jurisdiction and to serve as liaison with state courts.

Honorable Thomas M. Reavley  
U. S. Court of Appeals, Fifth Circuit

Karen M. Kremer  
Office of Legislative and Public Affairs (633-6040)

**COMMITTEE ON INTERCIRCUIT ASSIGNMENTS:** To assist the Chief Justice in assigning and designating judges for service outside their circuits.

Honorable Thomas F. Hogan  
U. S. District Court, District of Columbia

Marion A. Ott  
Office of the Judicial Conference Secretariat (786-7138)

**COMMITTEE ON THE JUDICIAL BRANCH:** To address problems affecting the judiciary as an institution and affecting the status of federal judicial officers.

Honorable Deanell R. Tacha  
U. S. Court of Appeals, Tenth Circuit

John E. Howell  
Chief, Article III Judges Division (633-8350)

**COMMITTEE ON JUDICIAL ETHICS:** To supervise the filing of financial disclosure reports by judicial officers and employees.

Honorable Julian A. Cook, Jr.  
U. S. District Court, Eastern District of Michigan

Raymond A. Karam  
Assistant Director, Administration (633-6101)

**COMMITTEE ON JUDICIAL RESOURCES:** To consider all issues of personnel administration, including the need for additional Article III judges and support staff, and to supervise the operation of statistical systems and the development of work measurement formulas.

Honorable Walter T. McGovern  
U. S. District Court, Western District of Washington

Raymond A. Karam  
Assistant Director, Administration (633-6101)

**COMMITTEE ON LONG RANGE PLANNING:** To coordinate the planning activities of the judiciary.

Honorable Otto R. Skopil, Jr.  
U. S. Court of Appeals, Ninth Circuit

**COMMITTEE ON ADMINISTRATION OF THE MAGISTRATES SYSTEM:** To provide oversight of the federal magistrates system.

Honorable Wayne E. Alley  
U. S. District Court, Western District of Oklahoma

John Thomas Jones  
Chief, Magistrates Division (633-6127)

**COMMITTEE TO REVIEW CIRCUIT COUNCIL CONDUCT AND DISABILITY ORDERS:** To consider petitions for review of final actions by circuit judicial councils regarding the misconduct or disability of federal judges.

Honorable Levin H. Campbell  
U. S. Court of Appeals, First Circuit

William R. Burchill, Jr.  
General Counsel (633-6127)

**COMMITTEE ON RULES OF PRACTICE AND PROCEDURE:** To carry on a continuous study of the operation and effect of the general rules of practice and procedure.

Honorable Robert E. Keeton  
U. S. District Court, District of Massachusetts

James E. Macklin, Jr.  
Deputy Director (633-6135)

**ADVISORY COMMITTEE ON APPELLATE RULES**

Honorable Kenneth F. Ripple  
U. S. Court of Appeals, Seventh Circuit

**ADVISORY COMMITTEE ON BANKRUPTCY RULES**

Honorable Edward Leavy  
U. S. Court of Appeals, Ninth Circuit

**ADVISORY COMMITTEE ON CIVIL RULES**

Honorable Sam C. Pointer, Jr.  
U. S. District Court, Northern District of Alabama

**ADVISORY COMMITTEE ON CRIMINAL RULES**

Honorable Wm. Terrell Hodges  
U. S. District Court, Middle District of Florida

**COMMITTEE ON SPACE AND FACILITIES:** To oversee all space and facilities issues affecting the federal judiciary.

Honorable Robert Broomfield  
U. S. District Court, District of Arizona

Raymond A. Karam  
Assistant Director, Administration (633-6101)

Gerald Thacker  
Chief, Space and Facilities Division (633-6090)

**AD HOC COMMITTEE ON ASBESTOS LITIGATION:** To review and consider possible methods for handling the large asbestos caseload, and to examine any administrative steps that can be taken under existing law and propose legislative remedies or federal rules changes if required.

Honorable Thomas M. Reavley  
U. S. Court of Appeals, Fifth Circuit

James E. Macklin, Jr.  
Deputy Director (633-6135)

For additional information write to:

**CHIEF, OFFICE OF THE JUDICIAL**

**CONFERENCE SECRETARIAT**

**WASHINGTON, D.C. 20544**

- \* - \* - \* - \* - \* -

Telephone:

FTS: 786-7138

COM: (202) 786-7138



Statutes Giving the JCUS Authority to Develop Rules/Regulations

28 U.S.C. §153 Salaries; character of service

(b) ...The Conference may promulgate appropriate rules and regulations to implement this section.

28 U.S.C. §372 Retirement for disability; substitute judge on failure to retire; judicial discipline

(c)(11)(C) ...Any rule promulgated under this subsection shall be a matter of public record, and any such rule promulgated by a judicial council may be modified by the Judicial Conference.

28 U.S.C. §375. Recall of certain judges and magistrates

(h) The Judicial Conference of the United States may promulgate regulations to implement this section.

28 U.S.C. §457. Records; obsolete papers

... Papers of any court established by Act of Congress which have become obsolete and are no longer necessary or useful, may be disposed of with the approval of the court concerned in the manner provided by sections 366-380 of Title 44 and in accordance with the rules of the Judicial Conference of the United States.

28 U.S.C. §631. Appointment and tenure

(b) No individual may be appointed or reappointed to serve as a magistrate under this chapter unless: ...(5) He is selected pursuant to standards and procedures promulgated by the Judicial Conference of the United States...

28 U.S.C. §651. Authorization of arbitration

Editorial Notes...Model Procedures. Section 902 of Pub.L. 100-702 provided that: "The Judicial Conference of the United States may develop model rules relating to procedures for arbitration under chapter 44 [this chapter], as added by section 901 of this Act..."

28 U.S.C. §753. Reporters

(a) ...The number of reporters shall be determined by the Judicial Conference of the United States.

The qualifications of such reporters shall be determined by standards formulated by the Judicial Conference...

(b) Each session of the court and every other proceeding designated by rule or order of the court or by one of the judges shall be recorded verbatim by shorthand, mechanical means, electronic sound recording, or any other method, subject to regulations promulgated by the Judicial Conference and subject to the discretion and approval of the judge...

(c) The reporters shall be subject to the supervision of the appointing court and the Judicial Conference in the performance of their duties, including dealings with parties requesting transcripts.

(d) The Judicial Conference shall prescribe records which shall be maintained and reports which shall be filed by the reporters...

#### 28 U.S.C. §1657. Priority of Civil Actions

(b) The Judicial Conference of the United States may modify the rules adopted by the courts to determine the order in which civil actions are heard and determined, in order to establish consistency among the judicial circuits.

#### 28 U.S.C. §1863. Plan for random jury selection

(a) ...The Judicial Conference of the United States may, from time to time, adopt rules and regulations governing the provisions and the operation of the plans formulated under this title.

#### 28 U.S.C. §1878. Experimental use of a one-step summoning and qualification procedure

(a) The Judicial Conference of the United States is hereby authorized to develop and conduct an experiment in which jurors serving in a limited number of United States district courts shall be qualified and summoned in a single procedure...

#### 28 U.S.C. §2071. Rule-making power generally

(c)(2) Any other rule prescribed by a court other than the Supreme Court under subsection (a) shall remain in effect unless modified or abrogated by the Judicial Conference.

#### 18 U.S.C. §3006A. Adequate representation of defendants

(h) Rules and reports... The Judicial Conference of the United States may, from time to time, issue rules and regulations governing the operation of plans formulated under this section.