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WASHINGTON, D.C. 20544

April 25, 1990

MEMORANDUM TO THE MEMBERS OF THE SUBCOMMITTEE ON THE BIDEN BILL

I bring to your attention the attached memorandum from Chief Judge Breyer concerning one aspect of the 14-Point Program. Although Judge Breyer indicates that Judge Oakes shares his views, you should be advised that Judge Oakes has already cast his ballot in favor of the program.



L. Ralph Mecham

Attachment

cc: Honorable Charles Clark
Honorable Wayne D. Brazil

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

To : Ralph Mechem
Director, Administrative Office

From :  Stephen Breyer
Chief Judge, First Circuit

Date : April 24, 1990

Subject : Biden Bill
Executive Committee Proposal

In reading the proposal, one minor aspect struck me as administratively anomalous. The proposal would seek to coordinate plans within a circuit (and promote discussion among district courts within a circuit) by creating a special committee of chief judges of the circuit's district courts, apparently operating entirely on its own. It might be better to have this exact same committee appointed by, or convened by, the Circuit Council, thereby making clear that the circuit executive, and related administrative resources, will be available to that committee, and avoiding the creation of a new circuit administrative body that is operating on a different track. I do not mean to suggest that appellate court judges should get involved in the details of the plan; I agree that the coordinating committee, even if convened by the circuit, should consist of chief judges of the districts, but I think it would be better to follow the traditional administrative forms that are in place.

Judge Oakes and I have discussed this matter and he agrees.