

L. RALPH MECHAM  
DIRECTOR

JAMES E. MACKLIN, JR.  
DEPUTY DIRECTOR

ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS

WASHINGTON, D.C. 20544

April 16, 1990

MEMORANDUM TO: THE CHIEF JUSTICE  
THE EXECUTIVE COMMITTEE

As requested by Chief Judge James Oakes,  
I am attaching a copy of his letter regarding  
S. 2027.



L. Ralph Mecham

Attachment

*cc: Judge Oakes*

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

CHAMBERS OF  
JAMES L. OAKES  
CHIEF JUDGE

BRATTLEBORO, VERMONT 05201-0696

April 12, 1990

BY FAX

Hon. L. Ralph Mecham, Director  
Administrative Office of the  
United States Courts  
Washington, DC 20544

Re S. 2027

*Ralph*  
Dear Mr. Mecham:

Pursuant to your and my conversation of Tuesday, April 10, and through the good offices of Senator Leahy I had a lengthy telephone conversation yesterday with Jeff Peck, general counsel to the Senate Judiciary Committee. In the course of that conversation he acknowledged that the bill had taken a considerable "bashing" but that Senator Biden was adamant that a bill would be forthcoming. He said that the Senator was opposed to any pilot-program compromise but was open to compromise on three fronts: (1) making discretionary various aspects of the bill that are presently mandatory; (2) waiving the application of the bill in high crime and emergency districts; and (3) not limiting magistrates' powers over discovery and the like.

Mr. Peck was courteous and cooperative and at least said they were eager to accommodate the judges albeit consistent with the passage of a bill. He mentioned the pleasant luncheon had by the Chief Justice and the Senator. He did say that no date for the next hearing had been set, but they are hopeful of getting a bill out by June.

I told him he might expect to hear from the four New York-area bar associations which are formulating a joint position paper and volunteered the testimony of a couple of the top case manager-judges in the Southern District of New York. Our conversation ended on a pleasantly upbeat note without being more particular as, of course, I simply do not want in any way to interfere or be at cross purposes with the work of Judge Peckham's committee.

Sincerely yours,

*Jim Oakes*  
James L. Oakes  
Chief Judge