

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

MAR 23 1990

March 26, 1990

CHAMBERS OF  
GILBERT S. MERRITT  
CHIEF JUDGE  
SUITE 303 CUSTOMS HOUSE  
701 BROADWAY  
NASHVILLE, TENNESSEE 37203

The Honorable William H. Rehnquist  
The Honorable Levin H. Campbell  
The Honorable James L. Oakes  
The Honorable A. Leon Higginbotham, Jr.  
The Honorable Sam J. Ervin, III  
The Honorable Charles Clark  
The Honorable William J. Bauer  
The Honorable Donald P. Lay  
The Honorable Alfred T. Goodwin  
The Honorable William J. Holloway, Jr.  
The Honorable Gerald B. Tjoflat

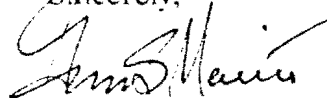
Re: S. 2027 ("Biden bill")

Dear Mr. Chief Justice and Chief Circuit Judges:

Congressman Kastenmeier and Senator Heflin participated in the Sixth Circuit Judicial Conference on March 23rd and 24th. Director Mecham was in attendance. The two of us had an opportunity to talk to Congressman Kastenmeier and Senator Heflin about the Biden bill. Congressman Kastenmeier advised that he signed on to the bill in the House in order to keep control of the bill in his Courts Subcommittee but that he does not favor passage of the bill. He advised us privately and then advised the Sixth Circuit Judicial Conference publicly that he believes the federal courts already have too many problems to deal with and that we should not at the present time be saddled with this new responsibility.

Senator Heflin advised that he had signed on to the Biden bill and did not think of it at the time as particularly controversial. He has now talked to lawyers and judges, particularly in his region of the country, and finds that they are opposed to the bill. He told me that he is rethinking his position with an eye to modifying it so that it will not be so objectionable. I would suggest that the committee on this matter make arrangements to go see Senator Heflin in order to give him a coherent statement about why the requirement of a mandatory case management and tracking system is unwise.

Sincerely,



Gilbert S. Merritt  
Chief Judge

cc: The Honorable Charles L. Brieant  
The Honorable Robert F. Peckham  
Mr. Ralph Mecham