

United States District Court
Eastern District of Missouri
319 U.S. Court House & Custom House
St. Louis, Missouri

John F. Nangle
Chief Judge

(314) 539-3603
FCS 262-3603

April 6, 1990

TO: MEMBERS OF THE EXECUTIVE COMMITTEE
RE: Senate Bill 2027

I have some interesting information although I do not fully comprehend its significance. I heard yesterday from a Judge who is on the District Court in the Western District of Missouri. He advises that Judge Scott Wright has been contacted by the Senate Judiciary Staff to request his appearance to testify at a committee hearing concerning the above bill. Apparently, he is to testify because the staff feels that parts of the Biden Bill are similar to Rule 16 of the Western District's local rules. He anticipates being asked about the Western District of Missouri ADR procedures. I believe that Scott plans to have a meeting late next week with his other Judges and members of their Federal Practice Committee concerning these subjects.

For your further information, I would advise that I have contacted all of the District Judges in the Eighth Circuit concerning the above bill. I have heard from 29 of them in all, 28 expressing opposition to the Biden Bill and one, Scott Wright, stating that he does support the bill (although he would suggest some minor changes). There are six active Judges in the Western District and the other five of them have written me expressing general opposition to the Biden Bill.

I apologize for giving you all of the above facts but they present a puzzle to me. As we all know, Senator Biden will be able to find five or six or seven Judges who have views similar to those of Scott Wright's. I urge that we specifically request our district court representatives to advise us about the views of their district judges on the Biden Bill as soon as possible. We must arm our spokesman at the next hearing so that he or she will have some statistical support when testifying. Otherwise, I fear that a totally wrong impression may be given by the apparent

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"selectivity" being followed by the Senate Committee in choosing
who will testify concerning the Biden Bill.

Sincerely,



John F. Nangle

JFN:bar

CC: L. Ralph Mecham
Karen K. Siegel