

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

CHAMBERS OF
JAMES Mc GIRR KELLY
JUDGE

8814 UNITED STATES COURTHOUSE
INDEPENDENCE MALL WEST
PHILADELPHIA, PENNSYLVANIA 19106
(215) 597-5883

January 25, 1993

Robert M. Landis, Esquire
Chairman
Civil Justice Reform Act Advisory Group -
Eastern District of Pennsylvania
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103

Dear Chairman Landis:

This is in response to your letter of January 22, 1993 inviting me to give the Civil Justice Reform Act Advisory Group for the United States District Court for the Eastern District of Pennsylvania (Advisory Group) my views regarding the operation of the Plan to reduce costs and delay in civil litigation which went into effect December 31, 1991.

Overall I believe the Plan is working reasonably well. There are still a number of counsel who are not familiar with the Plan. However, that problem seems to be decreasing and over time it should be de minimis. In reviewing my civil calendar and discussing the matter with some other judges, it appears the increasing criminal caseload makes it more difficult for the court and the parties to dispose of complex civil litigation. I believe without the Plan, the problem would be greater than it is today.

While I set trial dates within 12 months of the filing in ordinary cases, and within 18 months of filing in complex cases, I must admit that in complex cases, the record of beginning a trial within 18 months has not been very successful. This is not only due to the inability to get the case on trial because of prior commitments to criminal cases, but also to the continuing problem of discovery disputes.

Two assets our court employs with continued successful results are: (1) the talents of Judge Charles R. Weiner in the asbestos litigation, and (2) our court annexed arbitration

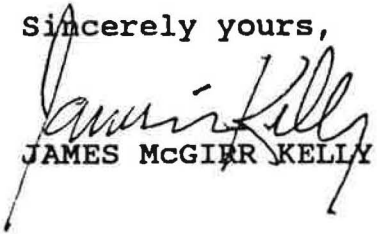
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system. These two assets continue to be of tremendous service to the court, the bar and the parties.

The Plan has been a positive step in reducing delay in civil litigation and in reducing the costs of civil litigation. You and your Committee are to be commended for your continued services in this matter.

If you desire any further information from me, please do not hesitate to contact me.

Sincerely yours,



JAMES MCGIER KELLY

JMK/hrl