

AM

Middle Louisiana

**MINUTES OF THE FIRST MEETING OF THE  
ADVISORY GROUP CIVIL JUSTICE UNIFORM  
ACT OF 1990**

The first meeting of the Advisory Group was held on Wednesday, March 20, 1991 at 5:15 p.m. in the Federal Courthouse. Committee Members present were:

Frank Coates  
Helen Crouse  
Karen Eddlemon  
Brent Honore  
Ernest Johnson  
Luke Lavergne  
P. Raymond Lamonica  
Phyllis McLaurin  
Billy Miller  
Charles Patin  
Michael Rubin  
Jennifer Schaye  
Katherine Spaht

Members of the Court and Court Staff that were present were:

Honorable John V. Parker, Judge  
Honorable Frank J. Polozola, Judge  
Magistrate Judge Christine Noland  
Magistrate Judge Stephen C. Riedlinger  
Honorable C. Lee Dupuis, Clerk of Court

Judge Parker welcomed members of the Committee. He pointed out that the U.S. Attorney is the only permanent member of the group. Current Committee appointees are ranging in term from one to three years; under the Act no Committee Member may serve for more than four years.

Judge Parker pointed out that there is a forty minute videotape available for any Committee Member who wants to view it concerning the Act and the Committee's activities.

Judge Parker went through the materials that were made available to the group and pointed out the statistics in the folder. He also noted that no judges can serve on the Committee. The Committee is to make recommendations to the Court, however, all members of the Court and its staff will be available to the Committee to assist in any way possible.

Judge Parker went through the initial questions on page five of the materials, "Obtaining Guidance from the Court Regarding the Role of Advisory Groups." The answers to the questions are as follows:

1. **Does the court wish to be an early implementation district, or has it been designated a pilot or a demonstration district? If either is so, the court must implement an expense and delay reduction plan by Dec. 31, 1991.**

*Answer: No.*

2. **If the court is neither a pilot nor an early implementation district, what is the deadline by which the court wishes the advisory group to submit its report? The outside limit set by the statute for implementation of a plan is three years from the date of enactment, i.e, Dec. 1, 1993.**

*Answer: The Chair of the Committee is Michael H. Rubin. The reporter is Katherine Spaht. The Chair will take notes of the meeting. The reporter will be Vice-Chair and will serve what other functions the Committee deems appropriate.*

3. **If a reporter has been appointed, what is to be the reporter's role?**

*Answer: See Number Three*

4. **Does the court wish to establish any ground rules for the advisory group with respect to such matters as interviewing members of the bar, government officials, or others?**

*Answer: No ground rules were established.*

5. What kind of access will the advisory group have to the court? Will the court permit interviews with judges, magistrate judges, and staff? What court records may be consulted by the advisory group? Will the advisory group be expected or permitted to examine the caseload at the level of individual judges?

*Answer: The Committee will have access to all members of the Court and the staff. The Clerk of Court will assist in assembling statistical information.*

6. What resources, monetary and otherwise (e.g., assistance from the court through its clerk or clerk's office staff), will be provided to the advisory group?

*Answer: None; however, the Clerk of Court's staff will be available to make copies and send out mailings.*

7. Will the advisory group be expected or permitted to call on experts, such as statisticians or pollsters? Can names be recommended to the group? What resources will be available for this purpose?

*Answer: If the Committee can find experts who are willing to serve gratis, then the Committee is permitted to call on such experts.*

8. What role will the advisory group play in the annual review of the plan and the dockets required by the Act?

*Answer: It is anticipated that after the Report is due in, this group (or another group) will play a role in the annual review of the plan.*

9. What are the terms of the current advisory group members? How will future appointments to the group be made?

*Answer: The terms of the original advisory group members already have been provided to each member of the Committee.*

Judge Parker discussed the fact that Alternative Dispute Resolution is a high-priority item for the Middle District of Louisiana and noted that Magistrate Judge Noland has a Committee

working on this. This Committee is seeking to achieve a new local rule on procedure for alternative dispute resolution, including mandatory arbitration, summary jury trials, and other matters.

Magistrate Judge Noland pointed out that she is reviewing an enormous amount of data on methods and techniques on alternative dispute resolution and is working with the Baton Rouge Bar Association to put on a program on alternative dispute resolution. It was pointed out that Luke Lavergne has worked actively on this with the Baton Rouge Bar Association.

Judge Polozola said that he is working on a seminar for Tulane on alternative dispute resolution. Thirty-six districts have some form of alternative dispute resolution procedures and he will make available to the Committee any materials they wish.

Judge Polozola also pointed out that the statistics in the packet of materials (page eight of the bound materials) have changed significantly since June 30, 1990, the cut-off date for these materials. He pointed out, for example, that the criminal docket has greatly increased.

Judge Parker pointed out that there is a meeting of Chief Judges in Florida in May and that a member of this Committee may be invited to attend the meeting on May 16th. Katherine Spaht was given the option of attending and, if she cannot attend, members of the Committee were encouraged to contact her so that there will be a member of the Committee in attendance.

The next meeting of the Committee will be held on April 29th at 5:15 p.m. in the Federal Courthouse Library. The following items were agreed upon in conjunction with that meeting:

1. Judge Parker, Judge Polozola, Magistrate Judge Noland, and Magistrate Judge Riedlinger, along with Clerk of Court Lee Dupuis, will be invited to address the group on their views on the handling of dockets, methods of speeding of the dockets, matters that are effective in the Middle District, and other matters that might be implemented.
  - A. A Committee has been appointed to suggest question to the Court in conjunction with this discussion and to lead the discussion. The Committee consists of

Ray Lamonica, Charles Patin, Phyllis McLaurin, and Frank Coates.

- B. The Court requested that it be provided with these questions in advance of the meeting so that it can be prepared to respond.
- 2. Each member of the Committee is asked to review in detail the materials that have been provided by Judge Parker.
  - 3. At the April meeting the Committee will consider:
    - A. The date of the next meeting.
    - B. The role and function of the Committee.
    - C. A breaking down into smaller subcommittees on various projects.

RESPECTFULLY SUBMITTED:

BY:

  
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Michael H. Rubin, Chairman