

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

CLERK OF COURT

FEDERAL BUILDING - U.S. COURTHOUSE

222 W. 7TH AVENUE, #4

ANCHORAGE, ALASKA 99513-7564

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CLERK

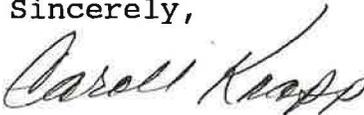
May 1, 1991

Karen K. Siegel
Office of Judicial Conference
Washington, DC 20544

Dear Ms. Siegel:

Enclosed is a copy of the Miscellaneous General Order No. 698, Amendment No. 1, to the Civil Justice Reform Act Advisory Group report for the United States District Court for the District of Alaska.

Sincerely,



Carol Knapp,
Deputy Clerk
U S District Court

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UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
By Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

| | | |
|-----------------------------|---|------------------------|
| In the Matter of the |) | |
| |) | |
| REPORT OF THE CIVIL JUSTICE |) | MISCELLANEOUS GENERAL |
| REFORM ACT ADVISORY GROUP |) | ORDER NO. 698 |
| |) | <u>AMENDMENT NO. 1</u> |

CIVIL JUSTICE EXPENSE &
DELAY REDUCTION PLAN

By Miscellaneous General Order No. 698, this court adopted its Civil Justice and Expense Delay Reduction Plan based upon the report of the Civil Justice Reform Act Advisory Group. The court's plan has been subject to review by the chief judges of each district of the Ninth Circuit in accordance with Section 474 of the Act. The chief judges have noted two areas in which the court's plan is in need of clarification.

Firstly, the court's plan was unclear to reviewers on the subject of whether it prohibited discovery motions unless accompanied by a certification of the moving party that a good faith effort had

been made to reach agreement with opposing counsel. In fact the court's plan makes such provision; however, it was presented in a fashion which would not be recognized by those outside of the District of Alaska. At pages 14 and 17, in connection with the court's adoption of principles and guidelines of litigation management and cost and delay reduction, the court makes reference to its Local General Rule 5(E). That rule in substance provides that the court will not consider discovery motions in any civil case in the absence of a certificate that counsel have conferred with respect to the pending discovery matter and enumerating the matters remaining for determination by the court.

Secondly, the reviewers note that this district's plan does not contain a schedule for effectuating the various components of the plan. The following is a schedule which itemizes the major components of the court's plan, indicates those items which are either self-executing or done, a target date for certain other aspects of the plan and, finally, identification of those areas where additional work by the advisory group is called for by the plan.

| | Requires No Action Self Executing | Done | Target Date | Further Consideration by Advisory Group |
|----------------------------------------------------|--------------------------------------------|------|----------------|--------------------------------------------------|
| I. SYSTEMIC CHANGES | | | | |
| A. Fill Vacant Judgeships | X | | | |
| B. Additional District Judgeship | X | | | |
| C. Upgrade Anchorage Part-Time U.S.M.J. | | X | | |
| D. Adopt Mandatory Disclosure Rule ¹ | | | 07/01/92 | |

¹ Plan calls for working mandatory disclosure into differential case management pending adoption of a rule.

| | Requires No Action Self Executing | Done | Target Date | Further Consideration by Advisory Group |
|-------------------------------------------------------------------------------------|--------------------------------------------|------|-----------------|--------------------------------------------------|
| I. SYSTEMIC CHANGES (continued) | | | | |
| E. Assignment of Certain Cases to "Fast-Track" Schedules | | | | X |
| F. Increased Discovery Master Utilization | | | 07/01/92 | |
| G. Revised Case Weighting Criteria | X | | | |
| H. Bifurcation of Issues & Staged Discovery | | | 07/01/92 | |
| I. Alternative Dispute Resolution | | | | X |
| J. Assessment of Judicial Impact of New Legislation | X | | | |
| II. RECOMMENDATIONS FOR JUDICIAL ACTION | | | | |
| A. Standardization of Procedures | X (in part) | | | X |
| B. More Aggressive Case Management | | | 07/01/92 | |
| C. More Rapid Resolution of Dispositive Motions | X | | | |
| D. Early Screening & Tentative Ruling Experiment | | | | X |
| III. RECOMMENDATIONS FOR ACTION BY LITIGANTS AND COUNSEL | | | | |
| A. Representation by Counsel with Power to Bind | X | | | |
| B. Case Management Plans | | | 07/01/92 | |
| C. Parties' Signature to Requests for Extension of Discovery Deadline or Trial Date | | | 07/01/92 | |
| D. Continuing Legal Education | | X | | |
| IV. RECOMMENDATIONS FOR ACTION BY THE CLERK'S OFFICE | | | | |
| A. Automated Docketing | | | November, 1992 | |
| B. Speed Up Processing of Orders | | X | | |
| C. Law Clerk Training | | | September, 1992 | |
| D. File Clerk Position | | | F.Y. 1993 | |

Dated at Anchorage, Alaska, this 27 day of April, 1992.


 H. Russel Holland, Chief
 United States District Judge


 James K. Singleton
 United States District Judge