



# JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

CHIEF JUDGE CHARLES CLARK  
Chairman, Executive Committee

March 12, 1990

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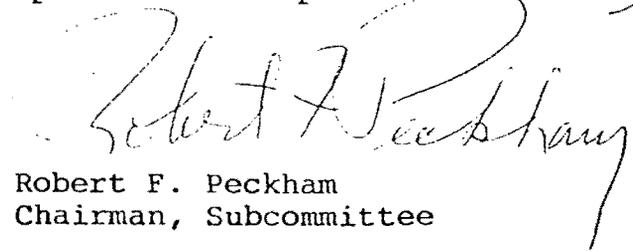
## MEMORANDUM TO THE CHAIRMAN AND MEMBERS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

SUBJECT: S. 2027, the proposed Civil Justice Reform Act of 1990

The Executive Committee recommends that the Judicial Conference:

- Oppose S. 2027 as drafted;
- Adopt the analysis of the legislation which appears at Tab B of Notebook II of your Conference materials;
- Reaffirm the Judicial Conference's long-standing commitment to case management (see below); and
- Authorize the Director of the Administrative Office to disseminate the Conference position to all judicial officers and to others in the judicial community.

In connection with the third item above, attached is a proposed "U.S. Judicial Conference Statement on Case Management". It recommends (a) individualized, case-specific management and rejects mechanistic tracking; (b) early involvement by the judicial officer in planning the progress of the case, controlling discovery, and setting necessary events including discovery cut-off and trial; (c) enhanced training in case management techniques for all judicial officers, clerks of court, and courtroom deputy clerks; (d) the suggested convening of representative advisory groups of bench, bar, and users of the court system, to exchange views on the litigative process in the district and to make recommendations, including experimentation with innovative approaches to case management and/or alternative dispute resolution; and (e) periodic review by the Judicial Conference of innovations emanating from the districts and proposals from advisory groups, for possible incorporation in the federal rules.

  
Robert F. Peckham  
Chairman, Subcommittee