

2003-2004 ANNUAL REPORT
STANDING COMMITTEE ON UNITED STATES COURTS
STATE BAR OF MICHIGAN

(Due May 31, 2004)

Committee Name: Standing Committee on United States Courts.

Jurisdiction: Shall concern itself with the administration, organization and operation of the United States Courts for the purpose of securing the effective administration of justice. Two of its members shall be judges designated by the Chief Judge of the United States District Court for the Eastern District of Michigan and one of its members shall be a judge designated by the Chief Judge of the United States District Court for the Western District of Michigan.

Officers and Membership:

Chair: Hon. Joseph G. Scoville

Members: 15

Associate Members: 5

2003-04 Meeting Schedule (date and location):

October 14, 2003 (Michael Franck Building)

December 9, 2003 (Michael Franck Building)

April 13, 2004 (Michael Franck Building)

May 20, 2004 (Annual Meeting -- Country Club of Lansing)

Committee Activities:

The Committee on United States Courts of the State Bar of Michigan is the only group of the organized bar concerned with the administration of justice in the federal courts on a statewide basis. Although the Federal Bar Association has active and effective chapters in both the Eastern and Western Districts of Michigan, those groups are generally concerned with practice in their respective districts. The U.S. Courts Committee therefore views itself as in a unique position to provide the federal judges of both districts with a statewide perspective on behalf of attorneys practicing in the federal courts.

During the past year, the Committee provided input to both the Eastern and Western Districts concerning implementation of the Electronic Case Maintenance and Filing System (CM/ECF) adopted in each court. The Western District was an "alpha court" for the CM/ECF

project, and has allowed attorneys to file and serve pleadings and other papers electronically in civil cases for almost three years. The Committee provided input to that court concerning adoption of the CM/ECF system for criminal cases, which went into effect on March 1, 2003. The Eastern District will implement the CM/ECF system for both criminal and civil cases effective June 1, 2004. The Committee provided input and commentary to the Eastern District concerning its proposed procedures for electronic filing, to assure that the system would be of utility for all federal practitioners. The Committee also reviewed amendments to the Western District rules concerning electronic service and commented on the court's proposal to require all attorneys to file all pleadings and other papers electronically at some point in the future.

Another important activity of the U.S. Courts Committee is to comment on proposed amendments to the Federal Rules of Civil, Criminal, Bankruptcy, and Appellate Procedure, again from the perspective of the practicing bar. Last year, for example, the Committee submitted written comments to proposed amendments to the Federal Rules of Criminal Procedure, opposing a contemplated amendment to Rule 35(c) as confusing and unworkable. The Standing Committee on Rules of the United States Judicial Conference decided not to adopt the proposed amendment, citing the comments of the U.S. Courts Committee as influential in this decision. During the past year, the Committee reviewed proposed amendments to the civil, criminal, bankruptcy, and appellate rules. The Committee submitted written comments on the proposed amendments to Rules 5.1 and 6(e) of the Federal Rules of Civil Procedure and Rule 32.1 of the Rules of Appellate Procedure. With regard to the comment on appellate rules, the Committee coordinated its efforts with the State Bar Appellate Practice Section.

Finally, the Committee holds an annual meeting in May of each year with the judges of either the Eastern District or Western District of Michigan. This year's meeting was with judges of the Western District and included a thoughtful discussion with them on a number of topics, including the possible revision and reinvigoration of the statewide Federal Bench/Bar Conference, which has been a joint project of the Committee and the Federal Bar Associations of each district since 1991.

Resources Provided by the State Bar of Michigan in Support of Committee Work:

The State Bar provides significant support to the U.S. Courts Committee. The Committee is grateful for the support of Janet K. Welsh, General Counsel of the State Bar, and Greg Ulrich, Commissioner Liaison to the Committee, both of whom went out of their way to attend Committee meetings and to provide guidance to the Committee throughout the year. The State Bar provides the Committee with meeting facilities and dinner and underwrites the cost of the annual meeting between Committee members and federal judges.

Future Goals and Activities:

In the coming year, the Committee intends to continue its principal role as statewide liaison between the organized bar and the judges of the federal courts in the Eastern and Western Districts. In addition, the Committee intends to focus on the statewide Bench/Bar Conference by coordinating the activities of the FBA chapters in an effort to assure that the conference remains meaningful and attractive to the judges and practitioners in this state.

Chair/Co-Chair Contact Information:

Francis R. Ortiz (Chair-Elect)
Dickinson Wright, PLLC
500 Woodward Ave, Ste. 4000
Detroit, MI 48226
email: fortiz@dickinson-wright.com

Return to: Susan McMann
Sections & Committees Coordinator
State Bar of Michigan
306 Townsend Street
Lansing, MI 48933-2083
smcmann@mail.michbar.org