

Editorial Notes

AMENDMENTS

1991—Subsec. (a)(1). Pub. L. 102-198, §2(2)(A), substituted “chief judge” for “chief judges” and struck out “court of appeals for such” after “judge of the” in introductory provisions.

Subsec. (a)(2). Pub. L. 102-198, §2(2)(B), substituted “circuit may designate another judge of the court of appeals of that circuit,” for “court of appeals” and “court, to perform that” for “court to perform the”.

§ 475. Periodic district court assessment

After developing or selecting a civil justice expense and delay reduction plan, each United States district court shall assess annually the condition of the court’s civil and criminal dockets with a view to determining appropriate additional actions that may be taken by the court to reduce cost and delay in civil litigation and to improve the litigation management practices of the court. In performing such assessment, the court shall consult with an advisory group appointed in accordance with section 478 of this title.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093.)

§ 476. Enhancement of judicial information dissemination

(a) The Director of the Administrative Office of the United States Courts shall prepare a semiannual report, available to the public, that discloses for each judicial officer—

- (1) the number of motions that have been pending for more than six months and the name of each case in which such motion has been pending;
- (2) the number of bench trials that have been submitted for more than six months and the name of each case in which such trials are under submission; and
- (3) the number and names of cases that have not been terminated within three years after filing.

(b) To ensure uniformity of reporting, the standards for categorization or characterization of judicial actions to be prescribed in accordance with section 481 of this title shall apply to the semiannual report prepared under subsection (a).

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093.)

§ 477. Model civil justice expense and delay reduction plan

(a)(1) Based on the plans developed and implemented by the United States district courts designated as Early Implementation District Courts pursuant to section 103(c) of the Civil Justice Reform Act of 1990, the Judicial Conference of the United States may develop one or more model civil justice expense and delay reduction plans. Any such model plan shall be accompanied by a report explaining the manner in which the plan complies with section 473 of this title.

(2) The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts may make rec-

ommendations to the Judicial Conference regarding the development of any model civil justice expense and delay reduction plan.

(b) The Director of the Administrative Office of the United States Courts shall transmit to the United States district courts and to the Committees on the Judiciary of the Senate and the House of Representatives copies of any model plan and accompanying report.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5094.)

Editorial Notes

REFERENCES IN TEXT

Section 103(c) of the Civil Justice Reform Act of 1990 [Pub. L. 101-650], referred to in subsec. (a)(1), is set out as a note under section 471 of this title.

§ 478. Advisory groups

(a) Within ninety days after the date of the enactment of this chapter, the advisory group required in each United States district court in accordance with section 472 of this title shall be appointed by the chief judge of each district court, after consultation with the other judges of such court.

(b) The advisory group of a district court shall be balanced and include attorneys and other persons who are representative of major categories of litigants in such court, as determined by the chief judge of such court.

(c) Subject to subsection (d), in no event shall any member of the advisory group serve longer than four years.

(d) Notwithstanding subsection (c), the United States Attorney for a judicial district, or his or her designee, shall be a permanent member of the advisory group for that district court.

(e) The chief judge of a United States district court may designate a reporter for each advisory group, who may be compensated in accordance with guidelines established by the Judicial Conference of the United States.

(f) The members of an advisory group of a United States district court and any person designated as a reporter for such group shall be considered as independent contractors of such court when in the performance of official duties of the advisory group and may not, solely by reason of service on or for the advisory group, be prohibited from practicing law before such court.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5094.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in subsec. (a), is the date of enactment of Pub. L. 101-650, which was approved Dec. 1, 1990.

§ 479. Information on litigation management and cost and delay reduction

(a) Within four years after the date of the enactment of this chapter, the Judicial Conference of the United States shall prepare a comprehensive report on all plans received pursuant to section 472(d) of this title. The Director of the Fed-

eral Judicial Center and the Director of the Administrative Office of the United States Courts may make recommendations regarding such report to the Judicial Conference during the preparation of the report. The Judicial Conference shall transmit copies of the report to the United States district courts and to the Committees on the Judiciary of the Senate and the House of Representatives.

(b) The Judicial Conference of the United States shall, on a continuing basis—

(1) study ways to improve litigation management and dispute resolution services in the district courts; and

(2) make recommendations to the district courts on ways to improve such services.

(c)(1) The Judicial Conference of the United States shall prepare, periodically revise, and transmit to the United States district courts a Manual for Litigation Management and Cost and Delay Reduction. The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts may make recommendations regarding the preparation of and any subsequent revisions to the Manual.

(2) The Manual shall be developed after careful evaluation of the plans implemented under section 472 of this title, the demonstration program conducted under section 104 of the Civil Justice Reform Act of 1990, and the pilot program conducted under section 105 of the Civil Justice Reform Act of 1990.

(3) The Manual shall contain a description and analysis of the litigation management, cost and delay reduction principles and techniques, and alternative dispute resolution programs considered most effective by the Judicial Conference, the Director of the Federal Judicial Center, and the Director of the Administrative Office of the United States Courts.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in subsec. (a), is the date of enactment of Pub. L. 101-650, which was approved Dec. 1, 1990.

Sections 104 and 105 of the Civil Justice Reform Act of 1990 [Pub. L. 101-650], referred to in subsec. (c)(2), are set out as notes under section 471 of this title.

§ 480. Training programs

The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts shall develop and conduct comprehensive education and training programs to ensure that all judicial officers, clerks of court, courtroom deputies, and other appropriate court personnel are thoroughly familiar with the most recent available information and analyses about litigation management and other techniques for reducing cost and expediting the resolution of civil litigation. The curriculum of such training programs shall be periodically revised to reflect such information and analyses.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

§ 481. Automated case information

(a) The Director of the Administrative Office of the United States Courts shall ensure that each United States district court has the automated capability readily to retrieve information about the status of each case in such court.

(b)(1) In carrying out subsection (a), the Director shall prescribe—

(A) the information to be recorded in district court automated systems; and

(B) standards for uniform categorization or characterization of judicial actions for the purpose of recording information on judicial actions in the district court automated systems.

(2) The uniform standards prescribed under paragraph (1)(B) of this subsection shall include a definition of what constitutes a dismissal of a case and standards for measuring the period for which a motion has been pending.

(c) Each United States district court shall record information as prescribed pursuant to subsection (b) of this section.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

§ 482. Definitions

As used in this chapter, the term “judicial officer” means a United States district court judge or a United States magistrate judge.

(Added Pub. L. 101-650, title I, §103(a), title III, §321, Dec. 1, 1990, 104 Stat. 5096, 5117.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title.

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AMENDMENTS

2006—Pub. L. 109-162, title XI, §1187(d), Jan. 5, 2006, 119 Stat. 3128, added item for chapter 40A.

2002—Pub. L. 107-273, div. B, title IV, §4003(b)(6), Nov. 2, 2002, 116 Stat. 1812, inserted “Service” after “Marshals” in item for chapter 37.

1986—Pub. L. 99-554, title I, §144(g)(2), Oct. 27, 1986, 100 Stat. 3097, substituted “40” for “39” in item relating to Independent Counsel.

1983—Pub. L. 97-409, §2(a)(2), Jan. 3, 1983, 96 Stat. 2039, substituted “Independent Counsel” for “Special Prosecutor” in item for second chapter 39.

¹ So in original. Probably should be section “599A”.