

Minutes of the Federal Practice Section Executive Committee
October 11, 2006

In attendance were Jon Tropp (co-chair); Hon Robert N. Chatigny, Hon Mark Kravitz, Hon Ellen Bree Burns; Hon. Albert Dabrowski; Anne Blanchard, Fran Brady, Peter Costas, Jon Einhorn, Hugh Keefe, Nancy Martin, Robert Oliver, Chris Perry, David Rosen, Hope Seeley, Tim Shearin, Frank Silvestri, Elizabeth Stewart, and Jack Zeldes

The meeting was called to order at 6:35 p.m. at the Quinnipiack Club in New Haven, CT. Co-Chair Jon Tropp began the meeting by welcoming the Executive Committee members

1. On motion duly made and seconded, the Committee approved the following slate of Officers and Committee Chairs:

Officers	
Vice Chair	David Schaefer
Secretary	Dorit Heimer
Treasurer	Jeffrey Hellman
Committee Chairs	
Civil Practice, Local Rules and Professional Standards	Elizabeth Stewart
Criminal Practice	Hope Seeley & Anthony Kaplan
Court of Appeals	Steven Ecker
Education and Programs	David Atkins
Legislative Information	Peter Costas
Newsletter	Timothy Diemand

The Chair urged members to send articles for the Federal Practice Newsletter to its new editor, Tim Diemand

2. Jon Tropp reported the recent Federal Practice Section Bench-Bar Conference at St. Clements Castle on September 29, 2006 to have been a success. Including judges, panelists and guests, over 200 registered to attend the conference, and, notwithstanding a disappointing number of no-shows, paid attendance was almost 180. Due to a miscommunication between the CBA and St. Clements, the Section is seeking to resolve a substantial food overcharge. The Chair urged anyone with suggestions to improve the next conference to provide that feedback either to Jon Tropp or to Ethan Levin-Epstein.

3. The Committee discussed whether the Section should take a position regarding H.R. 5219, which would create an Inspector General of the Courts. A draft of the Federal Bar Council's letter to Sen. Arlen Specter opposing the bill, containing background information regarding H.R. 5219, can be found at the CBA website: <http://www.ctbar.org/article/articleview/877>. Jon Tropp proposed that the Section form an ad hoc committee to investigate the issue and recommend a course of action. Tim Shearin noted that there might not be sufficient time for CBA action on a committee

investigation/report and urged the Section to confer with the District's judges before pursuing any course. Peter Costas observed that Congress was unlikely to take any action on the bill before the coming election. Judge Kravitz noted that the ABA has already taken a position against the Inspector General bill. The Committee consensus was to form a small ad hoc committee to conduct a short investigation with judicial input. Peter Costas and Jeff Hellman have volunteered to serve on the committee along with Ethan Levin-Epstein.

4. The Chair reported the schedule of remaining meetings for this year to be as follows:

Wednesday November 15	Full Section meeting	Patriot Act Revisited
Wednesday January 10	Ex. Comm	
Wednesday March 7	Ex. Comm.	
Wednesday April 11	Full Section meeting:	Focus on Criminal practice
Wednesday May 9	Ex. Comm.	
Wednesday June 6	Full Section meeting:	Pine Orchard Social

The Section's meeting on Wed, November 15th will include a panel discussion of the Patriot Act with Kevin O'Connor (U.S. Attorney, District of CT) and Renee Redman (Director, ACLU of Connecticut). Stan Twardy will moderate.

Among our Section activities for the year, we are called upon to develop at least one CLE program and a program for the CBA Annual Meeting in the spring. Suggestions should be sent to David Atkins, Education and Programs Chair.

5. The Committee discussed the Second Circuit's request that the CBA contribute \$2600 (13%) of the cost of a reception for the Circuit's 2007 Judicial Conference, along with other bar organizations within the circuit. The Committee agreed to recommend to the CBA that it make this contribution, as it has in previous years.

6. The Committee discussed means to raise funds for a portrait honoring Judge Squatrito, who has taken senior status. Judge Squatrito's former law clerks have taken a lead role in this effort, and have requested that the Section not host a fundraising reception in connection with a portrait unveiling. Robert Oliver, a classmate of Judge Squatrito's, volunteered to take a lead private fundraising role. Following discussion, on motion duly made and seconded, the Committee resolved to support the raising of private funds for a portrait honoring Judge Squatrito. The Chair thanked Mr. Oliver.

7. Elizabeth Stewart, Chair of the Local Rules Subcommittee, reported on a draft proposal to change the local rules, in light of amendments to the Federal Rules that will become effective on December 1, 2006, principally related to electronic discovery. A copy of both the Federal Rule amendments and the proposed local rules changes can be found at the CBA website: <http://www.ctbar.org/article/articleview/877>. In connection with discussion of a potential future change to the local rule concerning sealed records, Judge Kravitz noted that the E-Government Act already requires that a party filing a

pleading redact certain personally identifiable information. Jon Tropp identified several issues raised by the proposed local rules changes and urged prompt, careful review and comment by Section members. Comments should be provided to Elizabeth Stewart within the next two weeks, in order to allow proposed changes to the local rules to be forwarded to the Court for consideration as close to the effective date of the Federal Rules changes as possible.

8 Chief Judge Chatigny expressed his gratitude to the Section for the recent Bench-Bar Conference at St. Clements Castle and for its work on the local rules. He noted that Judge Burns had recently received a lifetime achievement award from the New Haven County Bar. Judge Chatigny reported that two issues under current review by the district court include its handling of prisoner cases and its handling of juror summonses. Judge Chatigny also noted that Connecticut is among the districts with the most congested dockets, meaning a high average time to resolve cases. The Court has accepted an external offer of guidance to address the problem. Finally, Judge Chatigny is contemplating a "consumer survey" to seek guidance from federal practitioners on methods for improvement.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,



Anne Louise Blanchard