

case to a neutral court representative selected by the court at a nonbinding conference conducted early in the litigation;

(5) a requirement that, upon notice by the court, representatives of the parties with authority to bind them in settlement discussions be present or available by telephone during any settlement conference; and

(6) such other features as the district court considers appropriate after considering the recommendations of the advisory group referred to in section 472(a) of this title.

(c) Nothing in a civil justice expense and delay reduction plan relating to the settlement authority provisions of this section shall alter or conflict with the authority of the Attorney General to conduct litigation on behalf of the United States, or any delegation of the Attorney General.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5091.)

Editorial Notes

REFERENCES IN TEXT

The Federal Rules of Civil Procedure, referred to in subsec. (a)(3)(B), are set out in the Appendix to this title.

§ 474. Review of district court action

(a)(1) The chief judge of each district court in a circuit and the chief judge of the circuit shall, as a committee—

(A) review each plan and report submitted pursuant to section 472(d) of this title; and

(B) make such suggestions for additional actions or modified actions of that district court as the committee considers appropriate for reducing cost and delay in civil litigation in the district court.

(2) The chief judge of a circuit may designate another judge of the court of appeals of that circuit, and the chief judge of a district court may designate another judge of such court, to perform that chief judge's responsibilities under paragraph (1) of this subsection.

(b) The Judicial Conference of the United States—

(1) shall review each plan and report submitted by a district court pursuant to section 472(d) of this title; and

(2) may request the district court to take additional action if the Judicial Conference determines that such court has not adequately responded to the conditions relevant to the civil and criminal dockets of the court or to the recommendations of the district court's advisory group.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093; amended Pub. L. 102-198, §2(2), Dec. 9, 1991, 105 Stat. 1623.)

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 recommendations 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.