

## Federal Practice Committee Minutes November 6, 2008

The Federal Practice Committee had its regular monthly telephone conference this morning. Denise Drake, Tom Bender, Todd Bartels, Mike Berry, Paige Wymore-Wynn and Denise Henning participated.

We reviewed progress on the e-mail assignments. If you weren't able to join us this morning, please e-mail an update on the issues you are working on.

#1—Voir Dire issue—Tom Bender and Todd Bartels are still working on this one.

#4—Non-Retained expert issue—Mike Berry and Willie Epps have proposed a rule for us to review. We discussed whether the rule is necessary. There were opinions both ways but everyone agreed that the goal is to avoid making federal court practice more onerous. We will review the proposed rule and continue our discussion during our next conference call.

#5—Rulings on TROs and injunctions—Tom Bender and Todd Bartels reported that they have reviewed the rules and no rule addresses emergencies. Paige told us that the clerk's office will make arrangements to have after hours rulings if they are notified ahead of time. Paige is going to post the blackberry numbers for after hours contact on the website with a note that they are for emergency use only.

#6—ECF Filings---Denise Henning reported on discussions with Pat Brune and the clerk's office regarding the ECF filing categories. The clerk's office is very opposed to having an "other" category because they fear that attorneys will use it too widely instead of the specific categories. The committee decided to table this issue for now. If specific situations arise for any of us over the year, we will consider revisiting this issue.

#10—Security issue—Denise Henning reported on discussions with Pat Brune regarding security. Each courthouse has its own security rules. Paige is going to check on whether Springfield allows attorneys to take their cell phones into the court. We will revisit this topic when we have more information.

Tom Bender raised the issue of how to get quicker remand rulings and whether a certain clerk could be assigned to handle those. Paige is going to check on whether there are statistics showing how quickly the remand rulings are processed. We will revisit this issue when we have that information.

We discussed a comprehensive review of the local rules. We decided to move forward on this. Denise Henning and Denise Drake will come up with a plan for doing so and assign the review. It was suggested to compare our local rules with the Eastern District of Missouri rules and the Nebraska rules because the Nebraska rules are progressive on electronic issues.

We agreed that starting an outreach program in conjunction with the Federal Court Advocates Committee is a good idea. This would be a program pairing judges and lawyers to make a presentation to civic groups with the goal of educating the public about the court system and jury service. The presentation would be a uniform presentation so no one has to spend a lot of time preparing their own presentation. Denise Henning will contact Jennifer Bacon to discuss it and we will invite the Federal Court Advocates Committee members to our January lunch meeting.

We discussed setting the dates for our future lunch meetings as follows: January 13, March 12, and July 14. Please let me know how those work with your calendar and we'll choose what works for the majority of the committee.

Our next telephone conference will be December 4 at 8:30 a.m. Attendance today was light so if this is a bad time, let me know and we'll try to come up with something that works better for everyone.

Thanks for your service on the Committee!!