

LAWYERS' ADVISORY COMMITTEE

MINUTES – JULY 31, 2013 MEETING

The Lawyers' Advisory Committee met at the Hilton in East Brunswick. The meeting was opened by Chair Thomas R. Curtin at 6:00 p.m. and thereafter the following occurred:

1. Thomas Curtin welcomed members, including two from the U.S. Attorney's Office: Paul Blaine, Chief of Civil and John Fietkiewicz, Counsel to the U.S. Attorney.

Thomas Curtin acknowledged John Hoffman, who was appointed as the Attorney General of New Jersey. General Hoffman discussed the negative effects of "human trafficking," particularly during the two-week period of the Super Bowl, and the formation of a task force by his office to confront it.

2. The minutes of the March 5, 2013 meeting were approved.
3. Chief Judge Simandle thanked the members of the LAC and Thomas Curtin for their contributions to the Committee. The Chief Judge reported that the Board of Judges reviewed and adopted at its June meeting a large packet of amendments to the Local Rules.

Chief Judge Simandle announced the following events and developments:

The investitures of Judge Patty Shwartz, elevated to the U.S. Court of Appeals, on October 4, and of the newly-appointed Magistrate Judge James Clark, on October 22;

The temporary absence of Newark Magistrate Judge Steve Mannion, who was called up for active military duty for the period of September 1, 2013 to August 31, 2014 and whose cases will be reassigned to his fellow Magistrate Judges; and

The retirement of Judge Dennis Cavanaugh in January 2014.

Chief Judge Simandle indicated that based upon the "weighted case load" of the District of New Jersey, the court qualifies for an additional three Art. III judgeships. However, it is unlikely that Congress will act on this item.

4. The LAC announced and celebrated Thomas Curtin's birthday.
5. Richard Collier reported for the subcommittee regarding the Court's current scheme of universal consent to electronic service by users of the ECF System. The subcommittee recommended that the ECF Procedures be amended to include provisions for attorneys to opt out of electronic service, as is their right.

The LAC voted on and approved the proposed amendments and Chief Judge Simandle requested that Richard Collier submit the recommendation and draft report to him.

6. Thomas Curtin announced that Jack O'Brien, Chief Deputy Clerk, has been appointed as Chair of the Federal Practice and Procedure Section of the New Jersey State Bar.
7. Michael Furey, Magistrate Judge Goodman, and Karen Confoy reported on the subcommittee's review of the Magistrate Judges' varying requirements of filing or not filing documents on ECF. Thomas Curtin requested that comments be submitted to Michael Furey.
8. Thomas Curtin reported that he and Judge Fernandez-Vina, co-chair of the Supreme Court Committee on Expedited Civil Litigation, will submit a report in early 2014.
9. Ronald Hedges announced a Seventh Circuit Pilot Project -- form of ESI-related case management order.

The meeting was adjourned at 8:00 PM. Thomas Curtin will notify the members of the date of the next LAC meeting.

Respectfully submitted,

John T. O'Brien