

United States District Court  
Southern District of California  
940 Front Street  
San Diego, California 92189

Chambers of  
Judith N. Keep  
Chief Judge

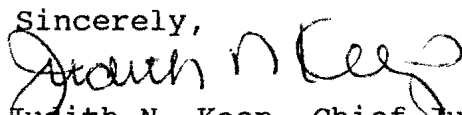
November 15, 1993

L. Ralph Mecham, Director  
Administrative office of the U.S. Courts  
Washington, D.C. 20544

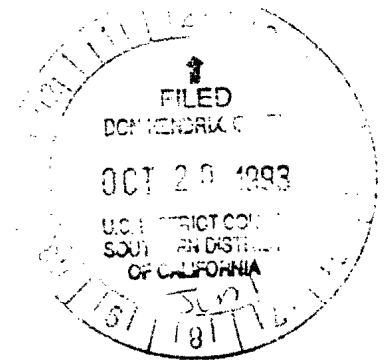
Dear Director Mecham:

Based upon our Advisory Board's recommendation we only made one amendment to our CJRA plan. A copy of the amendment is enclosed. It is an amendment which gives the parties the right to ask the Magistrate Judges to have an early neutral evaluation conference, discovery conference or status/case management conference, even when there has been no answer filed.

We have not received data from the Rand Corporation which is responsible for compiling statistical information. Therefore, relying on our intuitive conclusions and informal questionnaires it is our opinion that the early neutral evaluation and criminal settlement conferences are enormously successful. However, we have not used arbitration often and summary trials are an effective settlement mechanism but the cases for which it is tried must be carefully selected.

Sincerely,  
  
Judith N. Keep, Chief Judge  
United States District Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA



GENERAL ORDER AMENDING ) GENERAL ORDER NO. 394-D  
CIVIL JUSTICE REFORM ACT PLAN )  
AND LOCAL RULE 16.1 )  
\_\_\_\_\_ )

The Civil Justice Reform Act Plan and Rule 16.1 of the Local Rules of this court provide for a district or magistrate judge holding an early neutral evaluation conference within forty-five (45) days of the filing of an answer. The Civil Justice Reform Act Advisory Committee recommends, and this court agrees, that it may be appropriate to hold either an early neutral evaluation conference, discovery conference, or status/case management conference in certain cases where there is substantial activity or the possibility of settlement prior to the filing of an answer. This is especially so in complicated cases where there are a series of motions to dismiss preceding the filing of an answer. Therefore, for good cause,

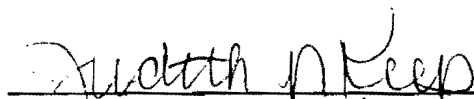
IT IS ORDERED that Local Rule 16.1(c)(1) shall be amended to read (added language underscored):


1. Within forty-five (45) days of the filing of an answer, counsel and the parties shall appear before the assigned judicial officer supervising discovery for an early neutral evaluation conference; this appearance shall be made with authority to discuss and enter into settlement. At any time after the filing of a complaint and before an answer has been filed, counsel for any


party may make a request in writing to the judicial officer assigned to supervise discovery in the case to hold an early neutral evaluation conference, discovery conference or status/case management conference. Copies of the request shall be sent to counsel for the parties and the parties whose addresses are know to the requesting counsel. Upon receiving such request, the judicial officer shall examine the circumstances of the case and the reasons for the request and determine whether any such conference would assist in the reduction of expense and delay in the case. The judicial officer shall hold such conferences as he or she deems appropriate.

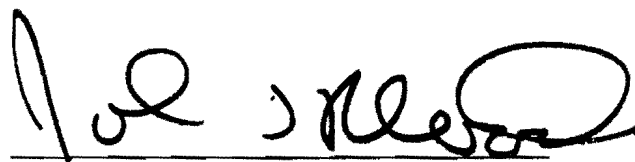
IT IS FURTHER ORDERED that the Civil Justice Reform Act Plan for this district is amended to include the above procedure for pre-answer conferences.

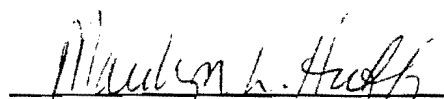
DATED: 10/19/93

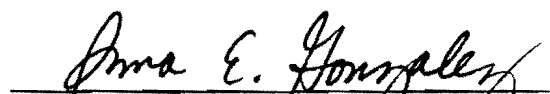
  
JUDITH N. KEEP, Chief Judge  
United States District Court

  
GORDON THOMPSON, JR., Judge  
United States District Court

  
RUDI M. BREWSTER, Judge  
United States District Court

  
JOHN S. RHOADES, Judge  
United States District Court

  
MARILYN L. HUFF, Judge  
United States District Court

  
IRMA E. GONZALEZ, Judge  
United States District Court