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106th CONGRESS

1st Session

S. 1484

Entitled the “Blind Justice Act of 1999”.

IN THE SENATE OF THE UNITED STATES

August 4, 1999

Mr. Specter introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

Entitled the “Blind Justice Act of 1999”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) Short Title. This act may be cited as the “Blind Justice Act of 1999”.

SEC. 2. ASSIGNMENT OF CASES IN DISTRICT COURT.

Title 28, United States Code is amended—

(1) in section 137 as follows:

(A) By adding the words, “Except as provided below,” at the beginning of the first paragraph.

(B) By deleting the words “and assign the cases” in the middle of the second paragraph.

(C) By inserting the following new paragraphs at the end of the section:

“Except as provided below, the chief judge of the district court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

“Notwithstanding the foregoing, the chief judge of the district court may directly assign related cases and technical cases to a specific judge without using the automated random assignment program. The chief judge may directly assign a related case only to a judge who is hearing or has heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge who has significant experience with the subject matter at issue.

“For purposes of this section, a “related case” is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

“For purposes of this section, a “technical case” is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.”

SEC. 3. ASSIGNMENT OF CASES IN CIRCUIT COURT.

Title 28, United States Code is amended—

(1) in section 46 as follows:

(A) By adding the words, “in accordance with the procedures outlined in Section 46(e),” at the end of Section 46(a).

(B) By adding the words “In accordance with the procedures outlined in Section 46(a)” at the beginning of Section 46(b).

(C) By inserting the following new Section 46(e) at the end of the section:

“Except as provided below, the chief judge of the circuit court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

“Notwithstanding the foregoing, the chief judge of the circuit court may directly assign

related cases and technical cases to a specific judge or judges without using the automated random assignment program. The chief judge may directly assign a related case only to a judge or judges who are hearing or have heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge or judges who have significant experience with the subject matter at issue.

“For purposes of this section, a “related case” is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

“For purposes of this section, a “technical case” is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.”

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