



## **National Association for Presiding Judges and Court Executive Officers**

### **Resolution 2**

#### **In Support of**

#### **A Call to Action and Recommendations of the Conference of Chief Justices' Civil Justice Improvements Committee to Improve Civil Justice in all State and Local Trial Court**

**WHEREAS**, civil litigation in the United States is a matter of high importance to protect access to justice, public trust and confidence, and the constitutional role of the courts; and

**WHEREAS**, a Civil Justice Improvements Committee formed by the Conference of Chief Justices (CCJ) and charged with (1) developing guidelines and best practices for civil litigation based on evidence derived from state trial court pilot projects and from applicable research, implemented rule changes, and stakeholder input; and (2) making recommendations as necessary in the area of caseload management for the purposes of improving the civil justice system in state and local courts; and

**WHEREAS**, the Civil Justice Improvements Committee, after two years of intensive deliberations, made principled and practical recommendations to restore faith in the civil justice system by reducing cost and enhancing its fairness and efficiency; and

**WHEREAS**, the recommendations are founded on several core premises:

- Trial courts must take responsibility for managing civil cases, with the expected cooperation of the lawyers and parties, from the time of filing to disposition, regardless of the type of disposition; and
- Responsibility for ensuring the cases are moved fairly and expeditiously to disposition rests not solely with the trial judge, but with the “court” as an institution, including its staff and technology resources; and
- Civil cases should be assigned immediately at filing to a case management pathway that provides the amount of judicial attention needed to resolve all disputed issues in a just, timely, and cost-effective way; and
- Effective rules, procedures, business practices, and innovative uses of technology are especially critical to ensure just, speedy, and inexpensive resolutions in uncontested cases and cases involving large asymmetries in legal expertise;

**NOW THEREFORE, BE IT RESOLVED** that the National Association for Presiding Judges and Court Executive Officers strongly endorse the recommendations of the Civil Justice Improvements Committee as set out in their publication entitled the “Call to Action: Achieving Civil Justice for All;” and

**BE IT FURTHER RESOLVED** that the National Association for Presiding Judges and Court Executive Officers encourages all trial court leaders to utilize the recommendations of the Civil Justice Improvement Committee to address, modify, and revamp civil caseflow processing in their respective courts.

*ADOPTED by the Board of Directors at their September 28, 2016, meeting in Cleveland, Ohio.*