

103^D CONGRESS
2^D SESSION

S. 2407

To make improvements in the operation and administration of the Federal courts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 18, 1994

Mr. HEFLIN (for himself, Mr. BIDEN, Mr. HATCH, Mr. GRASSLEY, and Mr. SPECTER) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To make improvements in the operation and administration of the Federal courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Judicial Amendments
5 Act of 1994”.

6 **SEC. 2. AMENDMENTS TO THE JUDICIARY AUTOMATION**
7 **FUND.**

8 Section 612 of title 28, United States Code, is
9 amended—

10 (1) in subsection (a)—

1 (A) in the second sentence by inserting
2 after “equipment for” the following: “program
3 activities included in the courts of appeals, dis-
4 trict courts, and other judicial services account
5 of”; and

6 (B) in the third sentence by striking out
7 all after “personal services” and inserting in
8 lieu thereof “, support personnel in the courts
9 and in the Administrative Office of the United
10 States Courts, and other costs, for the effective
11 management, coordination, operation, and use
12 of automatic data processing equipment pur-
13 chased by the Fund. In addition, all agencies of
14 the judiciary may make deposits into the Fund
15 to meet their automatic data processing needs
16 in accordance with subsections (b) and (c)(2).”;

17 (2) in subsection (b)(1) by striking out “judicial
18 branch” and inserting in lieu thereof “activities
19 funded under subsection (a) and shall include an an-
20 nual estimate of any fees that may be collected
21 under section 404 of the Judiciary Appropriations
22 Act, 1991 (Public Law 101–515; 104 Stat. 2133)”;

23 (3) in subsection (b)(2) by striking out “judicial
24 branch of the United States” and inserting in lieu
25 thereof “activities funded under subsection (a)”;

1 (4) in subsection (c)(1)(A), by inserting after
2 “surplus property” the following: “, all fees collected
3 after the date of the enactment of the Judicial
4 Amendments Act of 1994 by the judiciary under sec-
5 tion 404 of the Judiciary Appropriations Act, 1991
6 (Public Law 101–515; 104 Stat. 2133)’”;

7 (5) in subsection (e)(1)—

8 (A) by striking out “(A)”; and

9 (B) by striking out “\$75,000,000” and in-
10 serting in lieu thereof “amounts estimated to be
11 collected under subsection (c) for that fiscal
12 year”;

13 (6) in subsection (h) by amending the sub-
14 section to read as follows:

15 “(h) ANNUAL REPORT.—

16 “(1) IN GENERAL.—The Director shall submit
17 to the Congress an annual report on the operation
18 of the Fund, including on the inventory, use, and ac-
19 quisition of automatic data processing equipment
20 from the Fund and the consistency of such acquisi-
21 tion with the plan prepared under subsection (b).
22 The report shall set forth the amounts deposited
23 into the Fund under subsection (c).

1 “(2) ADDITIONAL CONTENTS OF REPORT.—The
2 annual report submitted under this subsection shall
3 include—

4 “(A) the specific actions taken and the
5 progress made to improve the plan developed
6 under subsection (b) and the long range auto-
7 mation plan and strategic business plan devel-
8 oped under subsection (k); and

9 “(B) a comparison of planned Fund ex-
10 penditures and accomplishments with actual
11 Fund expenditures and accomplishments, and
12 the reasons for any delays in scheduled systems
13 development, or budget overruns.

14 “(3) REPORT IN YEAR OF TERMINATION OF AU-
15 THORITY.—The annual report submitted under this
16 subsection for any year in which the authority for
17 this section is to terminate under subsection (m),
18 shall be submitted no later than 9 months before the
19 date of such termination.”;

20 (7) in subsection (i) by striking out all after
21 “Judicial Conference of the United States,” and in-
22 serting in lieu thereof “may transfer amounts up to
23 \$1,000,000 from the Fund into the account to which
24 the funds were originally appropriated. Any amounts
25 transferred from the Fund in excess of \$1,000,000

1 in any fiscal year may only be transferred by follow-
2 ing reprogramming procedures in compliance with
3 section 606 of the Departments of Commerce, Jus-
4 tice, and State, the Judiciary, and Related Agencies
5 Appropriations Act, 1989 (Public Law 100-459;
6 102 Stat. 2227).’;

7 (8) in subsection (j) in the second sentence by
8 inserting “in statute” after “not specified”;

9 (9) by redesignating subsections (k) and (l) as
10 subsections (l) and (m), respectively, and by insert-
11 ing after subsection (j) the following new subsection:

12 “(k) LONG RANGE MANAGEMENT AND BUSINESS
13 PLANS.—The Director of the Administrative Office of the
14 United States Court shall—

15 “(1) develop an overall strategic business plan
16 which would identify the judiciary’s missions, goals,
17 and objectives;

18 “(2) develop a long range automation plan
19 based on the strategic business plan and user needs
20 assessments;

21 “(3) establish effective Administrative Office
22 oversight of court automation efforts to ensure the
23 effective operation of existing systems and control
24 over developments of future systems;

1 “(4) expedite efforts to complete the develop-
 2 ment and implementation of life cycle management
 3 standards;

4 “(5) utilize the standards in developing the next
 5 generation of case management and financial sys-
 6 tems; and

7 “(6) assess the current utilization and future
 8 user requirements of the data communications net-
 9 work.”; and

10 (10) in subsection (m) (as redesignated under
 11 paragraph (9) of this section—

12 (A) in the first sentence by striking out
 13 “1994”, and inserting in lieu thereof, “1997”;
 14 and

15 (B) in the second sentence by striking out
 16 “‘Judicial Services Account’” and inserting in
 17 lieu thereof “fund established under section
 18 1931 of this title”.

19 **SEC. 3. COURT ARBITRATION AUTHORIZATION.**

20 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
 21 905 of the Judicial Improvements and Access to Justice
 22 Act (28 U.S.C. 651 note) is amended—

23 (1) in the first sentence by striking out “for the
 24 fiscal year ending September 30, 1989, and for each
 25 of the succeeding 7 fiscal years,” and inserting in

1 lieu thereof “for each of the fiscal years 1994
2 through 1997”; and

3 (2) in the third sentence by striking out all be-
4 ginning with “, except that” through “this Act”.

5 (b) REMOVAL OF REPEALER.—Section 906 of the
6 Judicial Improvements and Access to Justice Act (28
7 U.S.C. 651 note), and the item relating to such section
8 in the table of contents contained in section 3 of such Act,
9 are repealed.

10 **SEC. 4. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY**
11 **REDUCTION PILOT PROGRAMS.**

12 Section 105 of the Civil Justice Reform Act of 1990
13 (28 U.S.C. 471 note; 104 Stat. 5097) is amended—

14 (1) in subsection (a)(1) by striking out “4-year
15 period” and inserting in lieu thereof “5-year pe-
16 riod”;

17 (2) in subsection (b)(3)—

18 (A) in the first sentence by striking out “3
19 years” and inserting in lieu thereof “4 years”;
20 and

21 (B) in the second sentence by striking out
22 “3-year period” and inserting in lieu thereof
23 “4-year period”; and

1 (3) in subsection (c)(1) by striking out “Decem-
2 ber 31, 1995,” and inserting in lieu thereof “Decem-
3 ber 31, 1996,”.

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